

may make ten years hence may require a different thing altogether ; but I do not want ten years hence, if I live, to have it said that I said it would be satisfactory for all time.

Is there anything you wish to add on that point of the Legislative Council?—I do not remember anything at the moment.

I believe, Mr. Nelson, that you returned to Samoa in September, 1926. While you were away you had had an interview with the Prime Minister and the Minister of External Affairs and the Minister in Charge of the Cook Islands?—Yes, that was towards the 1st September, 1926—either that day or the end of August. By the beginning of September I had the interview in Wellington.

What impression did you gather from that interview?—I gathered that the Prime Minister and the Minister of External Affairs were impressed with the information that I gave them regarding conditions in Samoa, and that they thought it was necessary to have an early investigation.

By whom?—By the Minister of External Affairs, Mr. Nosworthy.

You returned to Apia in September, and we know that you met the other two elected members of the Legislative Council, and, according to their evidence, as a result of that meeting a public meeting was called on the 15th October?—That is right.

At some time prior to this meeting on the 15th October there was, according to the evidence of Tofaeono and somebody else, a meeting at Mr. Meredith's house at which you and the other two elected members were present : Mr. S. H. Meredith, Tuimaleali'ifano, Malietoa, Tofaeono, Faumuina, and Lago Lago. Do you remember that?—I do now. I might mention that when I was giving my evidence in Wellington that meeting had completely escaped my memory, and when the matter was brought up here by other witnesses it took me a little time even then to recall it. It must have happened immediately after my return. In calling it to my memory I remember that I was told that two high chiefs wanted to see me.

Which were they—Tuimaleali'ifano and Malietoa?—Yes. And I knew that there were other receptions being prepared at that time. I was told that they would be at Mr. Meredith's house at a certain time if I would call, and I did call in there, and even now consider that that meeting was more part of the social receptions to me than of the public meetings which followed.

Do you remember whether or not the expected Minister's visit was discussed at that meeting in Mr. Meredith's house?—Oh, yes. The chiefs asked me what I had done in Wellington, as they had evidently heard of this interview. I told them just what happened as near as I could remember it, and they asked whether it would be an opportunity for them to bring up grievances or make representations. I told them it was their chance to tell the Minister anything they had to say.

You decided to hold this public meeting, and we have it in evidence that it was advertised, or that a notice of the meeting was advertised in English in the *Samoa Times*, and that it was advertised on Mr. Meredith's picture-screen. Were any other steps taken that you know of?—After the elected members had agreed to convene a public meeting, they conferred with some of their fellow-citizens so as to get an idea—

Mr. Meredith.] Were you present?—Yes. I was present on every occasion of the preliminary meetings. We than conferred with others to get an idea of public needs, and it was the result of those preliminary meetings that the public meeting was called. They were all Europeans in those preliminary meetings.

Mr. Baxter.] Very well ; the first meeting was held, and we know that there was a number of Samoans present. Do you know how they came to be present—was there any special request or special suggestion made that they should be, to your knowledge?—The rumour had got about, and Samoans asked me about those meetings : “ Is it so, that there is to be a meeting on the 15th October ? ” I said “ Yes ” to those who asked me. “ May we come and listen ? ” I also said “ Yes,” and that is all.

Have you the minutes of that first meeting?—I do not think that those minutes were ever quite completed. What has been taken down and typed is here, I am sure, but Mr. Pleasants still has the balance of the shorthand notes ; but things went so fast then, one thing on top of another, that they have not been properly completed, I think.

Mr. Baxter (to Chairman) : The first minutes are not completed. We will look up the balance of them in the lunch-hour. (To witness :) Can you do so?—I cannot get them during the lunch-hour, as they are still in Mr. Pleasants' note-book.

The Chairman.] These notes contain a report of your speech as chairman, and are more than minutes, are they not?—Yes.

It purports to be the substance of the meeting and not a verbatim report. You will, of course, put them in?—Yes.

Mr. Baxter.] We need not go into the details of that meeting, Mr. Nelson. We know that committees were elected, and we need not worry you on that point at all?—The minutes of the first meeting, I fear, would need to be completed so as to get to where the election of the citizens took place. If anybody has them, Mr. Pleasants would have them.

There was a second meeting on the 12th November : have you the minutes for that meeting?—Those were taken by Mr. Tanu Allen. Mr. Pleasants took them too, and between them we got these minutes. They took them independently of one another and checked each other off.

Between the first meeting and the second meeting did anything of importance happen that you wish to mention? We know of the retirement of Messrs. Cobcroft and Meyer.—Well, the committee met and carried out the resolutions of the first public meeting by communicating with the Minister through His Excellency the Administrator, and they also prepared reports for presentation to the Minister upon his arrival, but they were also to be referred to another public meeting.

That was after the first meeting?—Between the first and second meeting.

Just leaving that and going back to the first meeting again : you evidently had grievances, Mr. Nelson, that actuated you in calling a public meeting?

The Chairman : He has not said so yet.

Mr. Baxter : I have just brought it up as evidence, sir. It depends upon whether the grievances were personal. (To witness :) What were the grievances that actuated you in calling that meeting?—That meeting was not called for me to put any grievances at all; that meeting was called to prepare reports of anything that the people of Samoa wanted to report to the Minister upon his arrival. I myself was dissatisfied, like many others, with various phases and features of the Administration. The public meeting on the 15th was merely to get the people's views as to what representations should be made to the Minister and how they should be made. If a committee were necessary, then that meeting would elect that committee; if not, then it would not do it; but the whole matter was to be put to the public, and they should decide as to what representations should be made to the Minister on his arrival in Samoa, exactly as had been done in previous Ministers' visits and when the parliamentary party came or anybody else from New Zealand.

Did you have anything specific that made you think that representations should be made to the Minister—any views in your own mind?—I am dissatisfied with many things, and those things mainly I had placed before the Minister and the Prime Minister in Wellington. If you like, I will try to give you in brief the matters with which I am dissatisfied.

The Chairman.] I suggest that Mr. Nelson might tell us now, giving us categorically the headings of his grievances at that time—never mind the Prime Minister?—I was dissatisfied (1) because the Administration permitted of absolute rule by a dictator, which in my opinion was the cause of the dissatisfaction, or part of the dissatisfaction then, and the more acute dissatisfaction of to-day. (2) I was dissatisfied with this absolute rule or dictatorship as it affected each Department of the Government and made them think, or made the heads of the Departments think, that they could carry out certain policies regardless of the feelings of the people in Samoa. (3) My third point was that for serious offences some citizens have been made scapegoats and Government officials have been allowed to go away from Samoa. (4) I consider that the Administration absorbs too large a percentage of the national resources of this country, judging by the total exports and the percentage of that it takes the Government to function. (5) The Medical Department costs far too much for the services it provides, and too high a salary is paid to the Chief Medical Officer for just statistical work which could be done by a junior clerk. (6) While making provision for elected membership in the Legislative Council, no real representation of the people's views and voice is allowed. The Government majority in that Council is too effective as compared with other territories of a similar nature or similar status. (7) Samoan affairs: The mandate calls for the education of the Samoans in the arts of government so that they may eventually learn to govern themselves. The present system cannot possibly admit of that, because it will take till doomsday for them to ever learn the least thing about the real art of government if they continue the way they have been. The first point regarding that Samoan question is the abolition of their good old customs, with nothing to take their place. Another point is that the selection of the Faipule by the Samoans in their own way has been replaced by the very undemocratic way of nomination by the Administrator. Another point in respect to the Samoan question is that even the banishment law of the Samoans formerly exercised by popular vote has now been vested in the Administrator alone. Then, the Faipule have been vested with powers which have tended to cause a breach of or a menace to the peace, order, or good government of the districts of Samoa. Then, I consider that the Administrator exceeded his duty in accepting from the Faipule such a speech or such a letter as conferred on New Zealand the emblems of sovereignty of this Territory. I have also said before in respect to the Samoan question that the Samoans should be represented in the Legislative Council. (8) The slogan "Samoa for the Samoans" is mischievous, and can only be meant to cause dissension between the Europeans and the Samoans. (9) The system of gradually transferring property which should belong to the Samoa Government to the New Zealand Reparation Estates is very, very unfair to the people of Samoa.

What property do you refer to, Mr. Nelson?—I refer to the Central Hotel, which was supposed to be Samoa Government property paid for by the Samoa Government: it is now the New Zealand Reparation Estates. The laundry, supposed to have been bought with Samoa Government money, is now said to be part of the New Zealand Reparation Estates. The "Alcazar"—

The Chairman.] What is the "Alcazar"?—That is where the Transport Department now is, sir. It used to be an entertainment house. The various things like that which are being transferred to the New Zealand Reparation Estates by the Samoa Government is unfortunate for the Samoan people. It is a bad policy—it is an unfair policy on the Samoans, because it means that New Zealand will own all these properties: shortly, probably, Government House will belong to the Reparation Estates. Where does the Samoa Government come in? I do not know whether I should mention the interference in the copra trade, because that did not come about at that time—it came about later as a reprisal to the merchants (that is how we take it), and it can only be a costly experiment, and meanwhile it has already done a lot of damage to the trade of this country.

Mr. Baxter.] Going back to these reports which you mention were prepared after the first meeting—between the first and the second meeting—we know quite well that your committee was divided up into sub-committees each dealing with some specific matter for the purpose of the report. Now, we have also been informed that these reports were discussed at a meeting held on the day of the second public meeting. Do you agree with that?—Yes. I think that it was the afternoon of the same day.

Now, these reports had been prepared by these separate gentlemen and brought forward: were they all discussed at length or not at that committee meeting?—The reports were very long, as you know, and we read them through as much as we could, and referred such matters to such people as we felt should know about the different points; but to say that they were exhaustively gone into would be wrong, because there was not the time.

Now, regarding the financial report: was that discussed at length or not?—Well, the financial report, to tell the truth, was not quite ready—in fact, it was just as much as the members could do to get that ready by the time that we had to send it in to the Administrator on the 4th or 5th; anyhow, we had to send it in a few days before the December Fono of Faipule.

Did you yourself go into that financial report?—I did not check the figures because I did not have the time—in fact, I told them that it was a little lengthy. What I did go into more was the other part of the report referring to the figures, and not into the figures themselves.

Very well; you have told us that these reports were handed to the Administrator, and I conclude that through him they went on to the Minister?—The reports were sent to the Administrator by request of the Minister; it was part of the condition under which the delegation to New Zealand would be received by the Minister.

Once they were forwarded to the Administrator, were they referred back to you at all?—No, they were not referred back to us. They were sent on by the Administrator, and any mistakes that were found out in them we could not rectify because the originals had been sent to the Administrator for the Fono of Faipule, according to the request of the Minister.

You forwarded them with a covering letter, I believe, requesting that they should be forwarded or placed before the Minister?—Yes; that is in A.—4B.

We have had evidence, Mr Nelson, in your own evidence in State papers, that for various reasons the Minister did not come down. We have also had it in evidence (there is no need for us to pursue it further) that a delegation was to have gone up and that for various reasons it did not go. There was a Samoan petition put in which subsequently came before the House: when was that petition put in, do you remember?—That petition was sent to New Zealand to Mr. Vallance for him to put to Parliament through a member, as we learned that it had to go in through a member of the House. It was sent, I think, in March. It was prepared in January or February, and sent in March, I think.

It was sent in March?—Yes, signed in March and then sent away.

Do you know why it was put in?—That arose through the Administrator interfering with the *malaga* of the Samoan section of the committee.

Mr. Meredith.] Were you at the conference when this was decided?—Oh, yes. I cannot quite remember when it was or where it was.

Were you present at the discussions?—Yes, at some of the discussions. It was discussed more than once in conferences or meetings where I was present.

Mr. Baxter.] What we want to get at, Mr. Nelson, is for you to tell us what you know of your own knowledge. We do not want the discussions in detail?—The discussion followed along these lines: that if the Minister is not to come, and if the Samoans are not allowed to go to New Zealand, there is only one course to pursue, and that is to petition Parliament and let the case come before the House of Parliament or House of Representatives in Wellington. At that time there was a lot of talk that was brought into these meetings by members of the Mau to say that the people outside the Mau has said that when the Minister came he would not meet the Mau, but would only see the Faipule, and that prompted them to go direct to the House, because it was said that when the Minister comes here he will not see the Citizens Committee, but will only see the Faipule and the Government, and it made the Natives feel that they had to go to some sort of a tribunal.

Who prepared this petition, Mr. Nelson?—The original draft was prepared by the Samoan section of the executive—that is, the first six—I do not know exactly which of those. I think that it was Faumuina or Afamasaga (Lago Lago) or Alipia. Anyhow, it was one of those six.

Those are the six who were on the Citizens Committee?—Yes. It was submitted by them to the full meeting of the Citizens Committee, and we read it through, approved of it, and after making some erasures because I thought there was some reference to things which happened long ago which we thought should be cut out, and then the petition was typed, read out to the Natives by myself at the request of the Citizens Committee, and signed, and most of the signatures were signed in the presence of the Citizens Committee.

There are a number of signatures to the petition, Mr. Nelson: how did they come to be signed, can you say?—They were there and they heard it, and it was then resolved that only two or three from each district should sign and not more. But when they started signing there was some dispute because some of the districts had about five or eight, and before we could check them they had already signed. Then, after the first signatures were taken, the petition was sent down to Matau's office (he is the secretary for the Mau) to take any other signatures of such representatives of the Districts as had not been present on that day.

We know what resulted from that petition. Between the second meeting and the Minister's visit we know pretty well what happened, from the evidence of others; but before the Minister's visit, Mr. Nelson, there was all that time a sort of sub-committee, as we know from evidence: how did that arise?—That arose through the Natives coming in and expressing their wish to participate in the representations of the Citizens Committee. They wanted to leave a committeeman. Every district that came in wanted to leave a delegate here to represent them, so I was asked to appoint several others members to the original committee. I told them that I could not do it and I would not do it. The first committee was elected by the people at a public meeting, and I would not add to that committee except at another public meeting. The Samoan section of the Citizens Committee thought or said that to make it representative of all the districts to their satisfaction the Citizens Committee might perhaps consider a scheme where a large sub-committee could be formed in addition to the executive. This just grew up, each district sending a man to Apia with credentials to say that he was their representative. This statement was made over the signatures of the *matat*, and thus this committee to which the Samoans gave the special name "Committee Fa'atou," which means the supporting committee, grew up; and now they are all mixing it up and considering every man that belongs to the Mau as a committeeman.

This Samoan committee was operating by the time that the Minister arrived?—Yes.

Well, now, when the Minister arrived, the supporters of the Mau wore purple badges?—Yes.

What was the purpose of their wearing this badge?—Before the Minister arrived the suggestion was made by this big sub-committee to the executive committee that the people of the Mau should not in any way go together with the people who were not in the Mau, or associate with them in sports or anything. Well, the Citizens Committee did not agree with this, and said that would not be allowed. They asked how were they to be distinguished, and how was the Minister to be impressed, considering that he had been told that this Mau was only a handful of insignificant people. They said, "We have got to prove that we are not a handful of insignificant people such as official statements show," and after discussion it was agreed that to satisfy the Samoans they could wear a distinct badge, so that the Minister could see the incorrectness of the statements that had been made to him about this insignificant number of disgruntled people.

Well, the Minister was here on the King's Birthday; there were sports held at Lepea. In the first place, who started those sports?—The Mau committee—that is, the general or big committee.

Is that the Citizens Committee or the Native Committee?—The Native Committee. They asked for that, but in the first instance we recommended against it; but when they put it to us that if all the Mau people were allowed to be in town there might be too big a number and it might cause some confusion, and also to let the overflow, as it were, have some means of enjoying themselves, it was agreed upon. All the Mau boats were allowed to run, and the Mau people participated in the sports at Apia but what they considered was the overflow, for which there was no room, went to Lepea, and those who came to town could wear that badge to distinguish themselves.

We need not worry about the interview with the Minister, Mr. Nelson, because that is all in the State papers. The State papers also refer to other matters. Now, some time after the Minister left you received a letter as chairman of the committee telling you to have nothing further to do with the Samoans?—Yes.

Did you or did you not carry out the orders that were contained in that letter?—We called a meeting and told the Samoans we had to sever connection with them because we were threatened with deportation if we did not strive along the lines of the recommendation of the Minister to undo what we had done.

After that did you or your committee have anything to do with the continued running of the Native side of the Mau?—I left shortly after that, but, so far as I know, up to the time I left we ceased. There were one or two little matters to be considered, such as finance—they wanted to know one or two little things, and even in the face of the Minister's letter we could not cease to notify them where their cash was, &c.; but as to actual activities, such as to what they should or should not do, we refrained from actual activities in that respect.

Have you the Minister's letters here?—Yes. [Copies put in: Exhibit No. 51.]

Very well, then. Later on you went to New Zealand: what was your reason for going to New Zealand?—I went to New Zealand because I felt that the matter could not stand as it was. The Minister had stated that he had given us his last word. I felt confident that if the New Zealand Parliament or the New Zealand people could really understand the true state of affairs in Samoa these conditions would not be allowed to remain, and that the stage that had been reached at that time could not go on without trouble of some sort unless some redress was brought about.

The Chairman.] We have not got the date of your departure?—I left on or about the 1st July. When did you return?—On the 1st October.

Mr. Baxter.] What was the state of the community when you decided to go away?—The Samoans were in a very distressed state of mind. I do not know quite what to call it—unsettled, dissatisfied with conditions, more particularly by the handling of these matters by the Minister—or mishandling of them by the Minister.

What reasons would you give for the Samoans being in such an unsettled state—just the attitude of the Minister, or is there anything else?—Well, the unsettled state of the Samoans at that time grew out of the things that were happening: the intimidation and coercion exercised upon them—barring them from doing this, that, and the other, and from making their constitutional representations, having anything to do with Europeans, &c.; and all this tended to disturb the Native mind and make the Natives join the Mau; and then they were told that the Minister was not to see them. No attempt was made by the Administration to pacify them and tell them that the Minister did come to Samoa on their behalf as well as on anybody else's. When the Minister did see them it was only on a few days' notice, and but a day or two before he left. The whole of these conditions and these things made them more disturbed than ever, and dissatisfied and disappointed with the whole business.

Before you left I believe you received from Sir George Richardson a letter, which is printed at page 40 of the Joint Samoan Committee [Put in: Exhibit No. 51A]?—Yes, telling me that I would be deported, most likely, on my return.

Yes?—That is right.

Did you reply to that letter?—I did.

Have you got it? Your reply is not here: what was the gist of it?—I protested against the allegations that he made against me there.

Mr. Baxter.] Was there any correspondence between the committee and His Excellency as regards this question of sedition and disloyalty?—We replied protesting against this. Every accusation and allegation from him we have contested and protested against in writing.

There is a big batch of correspondence, but I do not wish to burden the Commission by reading it out—I think if I hand it over to my friend it would be the best thing to do. [Put in: see Exhibit No. 51.] It is all with reference to the members of the committee being charged generally with

sedition and disloyalty. That is so, Mr. Nelson?—Yes. The correspondence with the Minister was taken up by the Administrator after the Minister left, so we just carried on.

These are the minutes of the second meeting [book produced]?—Yes. [Minutes of the first and second meeting put in: Exhibit No. 52.]

You need not tell us about your visit to New Zealand because we know all about that. I believe you wrote up the report on Native affairs for the European side of the committee?—Yes, I wrote the report on Native affairs for the European side of the committee.

In regard to Native custom, or as to the Native social system, there is just one point that I wish to clear up in connection with the evidence given by Mr. Gurr, and it is this: when did the present system of government arise of having the Fono of Faipules for the whole of Samoa? The evidence is that Steinberger set it up in 1874: do you know if it has been carried on continuously since then?—There has always been a Fono of Faipules ever since there has been a Government. It may have been 1874. Whether it was for the district, or for the whole of the island, or the two islands, there was always a Fono of Faipules representing the different districts.

[Judge MacCormick.] Is that prior to the days when the Europeans were here?—Yes. Sometimes there might have been two or three different kings in the islands, but there has always been a Fono of Faipules.

That is a part of the matter which Mr. Gurr did not mention. What does the word "Faipule" mean in Samoan—that is to say, the particular Faipule that you are speaking about, the Faipule *fa'a-Samoa*?—He would be called a Faipule of the district.

What does it mean exactly?—The word "Faipule" means "authority," and "fai" is to make laws.

[Mr. Baxter.] The term in Samoan "*ali'i*" and "*Faipule*," what exactly does that mean?—It means a more respectful way of calling *tulafales* in that respect. There are two kinds of *matai* in the village, and they may be the *ali'i* and then there is the *tulafale*; but the *ali'i* and *tulafales* are all of the same rank.

[The Chairman.] Mr. McFarland tells us that a Faipule was synonymous to *tulafale* as an orator and a ruler?—It means chiefs and orators, and when you say *ali'i* and Faipule for the district, then the Faipule assumes really a higher meaning.

[Mr. Baxter:] The Administrator's report of the 12th July you need not make any reference to because it was dealt with at length in your evidence at Wellington, and it is before the Commission?

[The Chairman:] That is not before the Commission.

[Mr. Baxter:] It is a State document.

[The Chairman:] Let me inform you what took place in regard to the report in question, or the account of the proceedings of the Joint Committee. The first I heard of the matter was a letter received from Sir James Allen, the Chairman of the Committee, informing me that he had authority or had been given authority to say that the Commission would be at liberty to use the report for any confidential purpose. I at once replied that the Commission could not accept any confidential information of any sort or kind, and if the report was to be used it must be available to all the parties to this inquiry. The result was that I ultimately received a letter from Sir James Allen informing me that the report was available as suggested. Indeed, I received a cable just before arriving in Apia informing me to this effect. As you are aware, a printed copy of the report was handed to Mr. Baxter, but the Commission does not intend to allow that report to be included in the evidence, and the reason for this is that it consists of a mass of hearsay evidence. We are not concerned with anybody, and we have to conduct this inquiry as we think right, and we think it would be improper if we were to admit that evidence, or the report of the evidence which was taken before the Joint Committee.

[Mr. Baxter:] I quite appreciate that.

[The Chairman:] That part of the evidence of Mr. Nelson dealing with the report of the Administrator dated the 12th November is different. There is no objection to both the report and the reply being taken out and included. That would shorten the proceedings. There is no objection to that course provided Mr. Meredith agrees to it.

[Mr. Meredith:] We could give the pages and numbers of the paragraphs.

[The Chairman:] Is that suitable to you?

[Mr. Meredith:] Yes. (Put in Exhibit No. 52A).

[Mr. Meredith (to witness).] You were born in Samoa, were you not?—Yes.

And I think your mother was a Samoan?—Yes.

And your father was what?—A Swede.

And a European?—Yes.

I think you became a naturalized British subject, when?—I think in 1924.

And you have been trading in Samoa all your life—that is, carrying on your father's business after his death?—Yes.

He was a trader before you, was he not?—Yes, that is right.

I understand that your trading-stations are scattered all over Upolu and Savai'i?—Yes.

How many employees have you got in those various stations?—There would be just the trader and his assistant.

If there are two hundred stations would there not be two hundred employees?—There are only forty stations, and there are two in each station.

How many employees would you have in your various stations?—Including the assistants, I should think there would be about one hundred.

Would they be Natives, half-castes, or Europeans?—What would be the proportion of half-castes and Natives?—In that one hundred would they be mostly half-castes and Natives?—I think so—that is, mostly half-castes and local people.

You are the largest trader in Samoa, are you not?—I suppose I am. I do not know the figures of the other people, but I think I am.

You are generally recognized to be. You have always taken a prominent lead in Samoan affairs?—Wherever I have been asked I have attended, and I think I have the confidence of the people, and I have done whatever I could to express what they wanted me to do, and I have tried to do what I have been told to do to achieve the purpose of the Citizens Committee.

Both your firm and yourself hold the largest shares in the *Samoa Guardian*?—I have 500 shares out of 2,500. My firm took over a certain number of the shares and held them for disposal to anybody or to any local person requiring them.

How many shares are there?—What there are to-day I cannot say, but the total shares are 2,500. What my company holds to-day I do not know. As a matter of fact I have not had time to do anything in that direction since my return. However, I could find out, if necessary.

Did you see this article written by Mr. Gurr with reference to your arrival last Saturday [put in: Exhibit No. 57]?—Yes.

It practically stated that you were the recognized leader of at least a certain section of the community—that was the purport of it?—You are asking me about something which you might know more about than I do. He did not consult me about the article.

I did not suggest that you wrote it, or that you were a party to the writing of it: I suggest that you agree it is a fairly correct statement of the position which you occupy in the community?—That means that I must confirm that I am a jolly good fellow.

And that you have qualities of leadership, remarkable qualities of leadership, which are recognized by your being the acknowledged leader in the affairs of Samoa?—Well, Mr. Gurr (the editor) evidently thinks that I have. I did not say that others have gone to the same extent as he has done, but wherever I have been, either at public meetings or elsewhere, I have been shown the confidence of the public by their election of me to the chair.

And they put you in the position of controlling the meetings by electing you to the chair on all occasions?—I suppose you can put it that way.

You were absent from Samoa for some months prior to the first meeting held in the Market Hall, were you not?—I was away from Samoa for about eight months.

I think that prior to your leaving you were on the greatest terms of friendship with the Administrator?—Well, we were socially friendly. We did not agree about many political matters, and I did not refrain from telling him about these.

Your personal relations were excellent, were they not?—Absolutely.

And you were prepared to help and assist him in every way you could?—Yes.

While you were absent from Samoa I think you corresponded with him, did you not?—Yes.

And I think the letters that you received from him indicated friendship on his part towards you personally?—Yes.

I think he arranged for letters of introduction for you to meet the Ministers on your return to New Zealand?—He sent me some letters to see his friends.

At any rate, he was doing all he could to make your trip enjoyable, was he not?—Yes.

Did you write to him during that period in reply to his letters?—Yes.

I suppose your letters were couched in the same terms of friendship?—On social matters; but there was a matter where I had to tell him where I differed from him in certain respects.

What matter was that?—There was more than one matter.

What were they?—We disagreed with one another about the question of the American naval visit to Samoa, which was brought up.

That was a matter with Mr. Williams?—Yes.

That was purely a personal matter with Mr. Williams?—I did not take it that way.

It was not a matter that touched the politics of Samoa?—Well, there was some concern and disappointment expressed by the people at that time.

You told him about that?—I think the letters are in my evidence if I am not mistaken. However, he wrote to me saying—

Your letter is not in the evidence—that is, the letter that you wrote is not in?—I thought it was in the evidence.

While you were away you received letters from Mr. Williams and Mr. Westbrook, did you not?—Yes.

Did they give you news of what was happening in Apia?—Mr. Williams wrote to me and sent me the debates in the Legislative Council.

Have you got any letters that were sent to you by Mr. Williams, Mr. Westbrook, or Mr. Gurr?—I do not think that Mr. Gurr wrote to me.

Have you the letters that Mr. Williams and Mr. Westbrook wrote to you?—I cannot say. I do not think that I have any of Westbrook's letters. He writes sheets, and if I attempted to file them it would have taken a special file.

You have not got them: have you any of Mr. Williams's letters?—I might have.

Will you produce them?—If I can find them I will produce them.

Was there anything in those letters in regard to the present trouble?—In the letter from Mr. Williams he mentioned the naval incident.

The Chairman: You have to remember that this report will be before the League of Nations, and if you desire to show what kind of matter Mr. Williams's episode was you will have to obtain it very briefly from the witness. If you refer to Mr. Williams's matter no one will know what you are referring to.

Mr. Meredith : I will put in details of that in later. (To witness) Did Mr. Williams in his letters give you any details of these matters with respect to Samoa that are now being discussed by this Commission?—I think so. I will look up the letters.

Can you not remember, Mr. Nelson, whether there was any matter of this kind in those letters?—Oh, yes. He wrote to me to the effect that the Administrator was going on in the same way as before in respect to his Native policy. I knew before I went away that these conditions existed.

So you did not take much notice of what Mr. Williams told you in those letters—it did not disturb you?—He wrote to me in one letter that Mr. Westbrook had just arrived, and that it would be better for me to visit Wellington and lay the condition of things as I knew them before the Prime Minister.

Did Mr. Williams ask you to do that?—I think he did.

It could not have been anybody else but Mr. Williams?—Mr. Westbrook wrote to me and informed me that things were very bad here, and that there were thousands of coconut-trees being cut down over one thing and another.

I am only referring to matters which you brought before the Minister?—I have it in some of the letters of Mr. Westbrook and Mr. Williams that I should return to Samoa via Wellington.

And they suggested that you should see the Minister and make complaints to him?—Yes, I think, both of them.

Did you communicate with the Administrator over these matters and inform him that, as a serious position had arisen, you had been asked to see the Minister on your arrival in Wellington?—No.

Do you not think it would have been fair to him, considering the friendly correspondence that passed between you both, to have let him know?—Well, I had to consider the interests of the Territory. As a matter of fact, I had no time to do this, as I only made up my mind to go to New Zealand a short time before I went over.

So you launched this attack on the Administrator and the Administration in Wellington without any previous indication to the Administrator that you were going to do so?—There was hardly a point that I raised in Wellington that I had not previously spoken to the Administrator about.

Did you intimate to him that you were going to bring up these matters before the Minister in Wellington?—No.

You had decided to take that course as a result of the correspondence which you had received from Mr. Williams and Westbrook?—Yes.

Do you know that Mr. Williams said that he did not ask you to go to Wellington, as he did not know that you were going there?—I did not know that he said that.

He has said it, and apparently you did not get that from Mr. Williams?—Quite possibly.

If you did not get it from Mr. Williams you did not get it from Mr. Westbrook?—It could not have been from him.

You said that Mr. Westbrook's letters were of such a nature that they were not worth keeping?—I would not say that they were not worth keeping, but that they were too bulky to keep.

He was very profuse in his writings?—Yes.

And as admitted by him here, he has got a perfect disease for writing, has he not?—I did not hear him admit that.

He admitted that he has been writing to the newspapers for the last twenty years—you know the reputation he has got in that respect?—He writes a wee bit too much.

Would you be justified on the one hand in keeping on friendly relations with the Administrator while you were away and then launching an attack on him, without any notice being given to him, as a consequence of correspondence received from the gentleman who you say is prone to writing a wee bit too much—was that a fair thing?—On the Administrator?

Yes?—I do not consider that it was unfair. He is a public man, and surely he must be subjected to criticism. When I was in Wellington I told the Minister the position as I found it, and I did not consider that I had to consult the Administrator as to what plans I had to carry out, or whether our personal relations should not be sacrificed when it was a question of the interests of the Territory that had to be taken into consideration.

Did you not take a serious view of the position on the writings of Westbrook?—No, I knew the position before I went away.

Did you have the data at your finger-ends when you saw the Minister?—I did.

When you returned to Samoa you had a meeting with those three gentlemen, had you not?—Yes.

And the matter was discussed?—Yes.

The Chairman : Do you propose to put in those letters, Mr. Meredith?

Mr. Meredith : Which letters are you referring to, sir?

The Chairman : The friendly letters which passed between the Administrator and Mr. Nelson. Your examination would be incomplete without them.

Mr. Meredith : I quite recognize that. The Administrator's letters appear in the report of the Joint Parliamentary Committee. [Put in : Exhibit No. 53.]

The Chairman] (To witness): Do you propose putting in your letters?—My letters to the Administrator were also handed in by Mr. Hoggard before the Joint Committee in Wellington. I do not know why they do not appear.

I would like to see them?—They were put in, so far as I am aware.

There is reference in the report to it. You promised to hand them to Mr. Hoggard, but evidently he did not put them in?—Mr. Hoggard promised to hand them in, but evidently he overlooked doing so.

Mr. Meredith.] Those letters [extracts from letters read out] are the letters which you received?—Yes.

You left Samoa on the 3rd February, 1926, and returned to Samoa on the 24th September, 1926?—Yes.

There is no trace in any of the letters referred to in the report written by Sir George Richardson and yourself which shows any disagreement between you on important matters of administration?—I spoke to him about banishments; but on every occasion when I had spoken to him about matters that he did not agree with he led me to believe and understand that he did not want to discuss them with me.

I am putting this question to you, Mr. Nelson, in fairness to yourself. I assume that the Administrator will be called—I do not know what the Administrator is going to say—and I put it to you, so far as these letters are concerned, that there is no trace of any disagreement between the Administrator and yourself on important matters of administration?—No. Where the Administrator raised the question of the Williams incident my letter will serve to show that I differed from him, and told him so.

But the Williams incident is a social matter?—He even talks of international complications as a result of that.

The Chairman.] A social matter may be the cause of international complications—the disregard of the courtesy which one country owes to another frequently causes international complications?—That is so, sir. I wrote to the Administrator about the shipping matter, and I gave him my views on that subject, as will be seen by my letters which I handed to Mr. Hoggard, and I thought they would be put in.

That could not have been the subject of friction—that is, the question of the shipping matter between you and the Administrator?—No; but what I am trying to show, sir, is that where I had cause to disagree with the Administrator I have not refrained from telling him when I had the opportunity, or had been given the opportunity, but it has not always been the case that I have had the opportunity of telling him.

Mr. Meredith.] The three letters which have been referred to are correct copies of the letters that you received from Sir George Richardson while you were away, are they not?—I should say they are, because the original of these copies were made from the originals.

Did you take copies of your replies when you replied to the Administrator?—Yes.

Have you got copies of your replies?—I handed the whole correspondence to Mr. Hoggard.

Have you got them here?—I must have them in Apia along with the other papers that I brought back with me.

Could you let the Commission have copies of the replies to those letters?—Yes, if they are in the office.

The Chairman.] You understand, Mr. Nelson, that I should hesitate to ask you to disclose your private correspondence, but these letters—that is, personal letters from Sir George Richardson to yourself—were put in by your counsel, were they not?—Yes.

And that opens up the matter?—Exactly; I quite understand, sir.

Mr. Meredith.] You will let us have those copies as soon as you can?—Yes, if I can find them, and, if so, I will bring them along with me this afternoon. [Put in: Exhibit No. 53.]

When you returned to Samoa you had a meeting with the three gentlemen previously referred to?—Three of us—all told.

I understand there was a reception given to you on your return to Samoa?—That is right.

And amongst others who spoke on that occasion I think the Administrator did?—He gave the official address of welcome on behalf of the citizens.

And, briefly put, he expressed great personal friendship towards yourself?—Yes.

And indicated at that time that he looked on you—

The Chairman: It is printed here.

Mr. Meredith: It is in print, and we could put it in if the Commission desires.

The Chairman: At what page does it appear?

Mr. Meredith: Page 32. (To witness:) Will you please read the speech made by Sir George Richardson at page 32 of the Joint Committee's report and see if it is a correct speech. [Put in: Exhibit No. 54.]?—I believe it is. I think it is.

You think that is a substantially correct report of what was said?—Yes.

The Chairman.] In his speech the Administrator says, "Mr. Nelson as a colleague has my whole-hearted sympathy and friendship, and I hope that I shall always be able to retain that friendship long after I have left Samoa." The Administrator goes on to say, "I am only captain of your ship for a short period, and my duty is to command that ship and keep it on the course that has been set for me. It is my ambition to be able to say in after-life that while I commanded this ship it made good progress along a true course, the engines were in good running-order, and the crew were a loyal and efficient crew who did their best to help their captain. Mr. Nelson will, however, be with you always, and I wish him long life, happiness, and may his prosperity increase." What was the date of that?—28th September.

Mr. Meredith.] When was the advertisement calling this meeting published in the newspaper?—I think it would be the first two weeks in October. The date is about 8th October.

You replied at that meeting?—Yes.

And here is a report of your speech dated 15th October, 1926. Apparently this was reported in the *Samoa Times* of 15th October, 1926?—Yes.

You might glance over your remarks there and see if they are substantially correct; I take it that that would be correctly reported [copy of speech handed to witness]?—I think that is about right.

In your reply I think you expressed feelings and sentiments towards the Administrator equal to those which he had expressed in his speech towards you?—Yes.

Amongst other things, you said in your speech, “The spirit in which you have come here to-night with your worthy consort to honour a private citizen and a Native of Samoa shows your sense of fair play and good British sport. Your kindly letters to me while away from my home, your very thoughtful telegram of welcome on the day before my arrival, and your wonderful speech to-night all go to prove your tactfulness and kindness of heart. One cannot help feeling more confident than ever that a representative of the people may represent public opinion before you and the community without inciting personal animosity. I thank you again, and ask you to accept my sincerest good will and respect in your social and official life in Samoa. For Lady Richardson I pray that God may grant her health and strength to long remain here to comfort and encourage you in your official duties, as well as take the lead in our social life.” Those were the words you used?—Yes.

Had you told the Administrator at that time that you had laid charges against the Administration before the Prime Minister and the Minister of External Affairs?—No.

And the charges that you made before them were that the Administration had been unfair in their treatment of the Samoans, were they not?—Yes, that is right.

How long was it before you made that statement that you made those charges to the Prime Minister and the Minister of External Affairs?—The difference between the 1st and the 28th.

That is, within a month?—Yes.

Did you tell the Administrator that you were going to call a public meeting before you actually called it?—No; but it was advertised in the paper.

Yes, the public meeting was advertised in the paper, but did you tell the Administrator that you were going to call a meeting, as well as the object of the meeting?—No, but I think the objects of the meeting were published in the paper.

Had you mentioned one word to the Administrator about the matter?—No.

This was the public notice, was it not: “The elected representatives of the Legislative Council of Western Samoa have formed themselves into a provisional committee to convene a public meeting for Friday, October 15th, at 8 p.m., in the Market Hall, to consider representations to be made to the Hon. W. Nosworthy, Minister of External Affairs for New Zealand, on his forthcoming visit. All are invited to attend.” That was the notice, was it not?—Yes.

And you have told the Commission that you had not mentioned one word to the Administrator before that notice was published?—No.

Before the meeting was held did you mention to the Administrator what was the object of the meeting, or did you leave it to himself to see it in the newspaper?—I did not speak to him, and he should have seen it in the newspaper.

And you left it at that?—Yes.

And you left it at that after accepting his kindly words at your reception, and after your remarks wishing him every success in his social and administrative duties in Samoa?—Yes.

As a fair man, Mr. Nelson, do you think it was right, after accepting those remarks from him at your reception, that you should not have told him what you were doing? I ask this question from you as a fair man, Mr. Nelson?—The matter was decided by the public meeting.

Did you not owe a duty of friendship to the Administrator?—I did not have to consider the friendship of the Administrator when the public meeting decided on it, and it was not necessary to get his confirmation or criticism about it. He did not tell me when he ruled against me.

That is your view?—Nor does he show me his official correspondence about the matter.

Did you know the night of your reception that you were going to hold this meeting?—No.

When did you have the meeting in Sam Meredith’s house?—I think it was between my coming and the night of the reception—I am not sure. However, I think it was within six days.

That was before the Administrator made this speech at your reception, was it not?—Yes.

You knew this meeting was to be held?

The Chairman: He did not say so—he said that he did not know. Toefaeono said that it was decided to hold the meeting. Mr. Nelson has said in his evidence in chief that he took that to be a mere courtesy visit. Is that not your recollection, Mr. Baxter?

Mr. Baxter: That is the answer I received, sir.

Mr. Meredith.] The meeting at Meredith’s house was before the night of your reception—that is clear?—I think so, but I cannot exactly say. It could not be far away—it would be about that time.

I am going to put it to you that it was before: will you agree with that?—Yes.

At that meeting there were present yourself, Mr. Meredith, Mr. Williams, Mr. Westbrook, Faumuina, Malietoa, Lago Lago, and Tuimaleali’ifano?—Yes.

Was Mr. Westbrook there?—Yes, I think so.

He was there when you got there?—I cannot say.

Some of the Natives were not there, were they?—I really cannot say. Candidly, I do not know that he was there. It took me a little while to recollect the whole incident, because there were several receptions at that time.

Malietoa and Toefaeono were sent for from Meredith’s house, were they not?—I cannot recollect that.

Perhaps I might remind you that Toefaeono has said that a car was sent for him and Malietoa, and that when they got there you were there?—That is quite possible.

You will not deny that?—No.

And that Tuimaleali’ifano was there before they got there: would that be correct?—I am prepared to accept that.

And that Faumuina came later?—Yes. I am not saying that I can recollect that it was just like that.

But you will not deny it?—No.

Malietoa and Tuimaleali'ifano are the two *fautuas*, are they not?—Yes, that is right.

Now, Lago Lago has sworn that at that meeting it was decided to hold a public meeting in the Market Hall: will you contradict him?—Yes, I can safely say that the meeting at the Market Hall on the 15th October was not the outcome of any decision that was arrived at at that meeting.

And Toefaeono has said the same thing: will you contradict those two witnesses on oath?—That it was arranged to do what?

It was arranged to call a public meeting, and that both sides were to be represented?—I would not say that it was like that.

Are you prepared to deny what those two men have said as true?—I would not like to deny that they said it, and understood at that meeting that a public meeting was to be called. They may have been under that impression quite correctly. On the other hand, the public meeting was called after a preliminary meeting had been held with Europeans and they agreed to it.

Did not Tuimaleali'ifano and Malietoa decline to come in?—They did not do anything of the sort.

Did they not tell you at that meeting at Meredith's house that they would not have anything to do with it?—I did not hear them say that.

Now, you will agree that they did not come in to any further discussion in connection with these reports or meetings?—No, not at the open meetings; but I know that they sent letters and messages and other communications to say that they were heart and soul with the Mau.

Can you produce one communication from Malietoa?—No, I do not think that I have one here; they were just little slips sent along.

But you cannot produce one?—No, but evidence can be brought to this Commission if necessary.

I am asking you if you can produce such evidence?—Yes, by people who have come to me from Malietoa.

We do not want that. You made an allegation that you had correspondence from him, and I want you to produce it?—I had one letter sent to me, and there was one sent to Mr. Meredith one morning.

But you cannot produce anything in the way of correspondence?—It was only slips of paper. I might have one in my possession, and I will produce it if I can find it.

Please see if you can find one. I will go on with Lago Lago's evidence. He says that it was decided to advertise the meeting in the *Samoa Times* and to screen it at the picture-show: do you contradict that that was arranged that night?—Yes; I do not think it was arranged that night. The screening at the picture-show was just before the meeting.

Will you contradict Lago Lago on that point?—Yes.

You intended that Natives should be there?—Yes, I intended that if the Natives came in I would not debar them.

Was it not arranged that they should be there?—How arranged that they should be there?

You desired them to be there?—I would not put it that way. Faumuina or whoever was at that meeting said that they would like the Natives to be at any meeting to be held, and I said, "I do not see any reason why they should not be."

You mean at Meredith's house?—Yes, at Meredith's house.

Then the holding of the meeting, and the Natives and Europeans being there, were discussed at Meredith's house?—They asked me in Meredith's house what had happened, and I told them that I had interviewed the Prime Minister and the Minister of External Affairs; that the Minister of External Affairs was coming to Samoa, and that we would have an opportunity of presenting any grievances or other representations that we wished to make, and the form in which they were to be presented; but there was nothing settled at that meeting. Suggestions might have been made that public meetings were to be called, but I cannot definitely say or admit that that public meeting was the outcome of the talk at Meredith's house.

How could Faumuina and Lago Lago have discussed with you about their being present at the meeting if you were not discussing the holding of the meeting at that time?—We were discussing that a meeting would be held some time or other.

A public meeting?—Yes; and after a public meeting was to be held they asked whether there would be any reason why they should not come in. I said that I did not see that there was any reason to stop them. However, nothing was arranged that night.

The Chairman.] Did you contemplate joint action by yourselves and the Natives in making representations to the Minister: you understand what I mean—that is, joint action by the *papalagi* and the Samoans?—I had contemplated joint action being taken if the Samoans decided to join.

That is exactly the same thing: you did contemplate that there should be joint action?—Yes, and I for one would not disagree with it.

Would you pardon me asking you this question: would not such joint action be an isolated event in the history of Samoa?—In this particular part of politics I suppose it would be the first.

Never mind particular parts?—We have had joint action.

In connection with political matters?—As I mentioned in my evidence, we discussed all matters that could be called political matters and copra matters.

That is a different matter—that is a trade concern?—Confidential matters in politics were allowed to be discussed.

I only want to understand the position, and I really want to get the facts. Do you say, then, that it has happened before that controversial political questions have been the subject of joint action by the Europeans and Natives?—Not in a voluntary form, that I know of, in my time.

Mr. Meredith.] There have been previous petitions presented before in which you have been concerned?—Yes.

There was a petition signed and sent to the German Government, in 1910 I think it was?—Yes. You were a signatory to that petition?—Yes.

That, of course, was purely a petition by Europeans?—Yes.

And I think there was another petition signed by the Natives—Faipules, I think, in 1921: do you know of that, asking that the Government administration should be removed?—I heard about it.

That was purely a Native petition, and you had nothing to do with that?—No.

Then there was a third petition, the Native petition that was sent some time in March of this year, which was signed by the Natives; and then, of course, there were the activities of the European committee?—Yes.

They were almost coincident?—Yes.

So the position is this: we have three petitions that we know of, one to the German Government, to which you were a party; the Faipules' petition, to which you were not a party; and the third one that has arisen just recently, in which you are an indirect party?—Yes.

And you have said that this last occasion is the first occasion on which Europeans and Natives have joined forces in connection with a political movement?—Yes.

I just want you to go back for a moment to the Native petition in 1921: that was signed, I think, by the Faipules on that date?—I think so.

When did you hear of it—was it after it was forwarded?—What date was it?

About the 15th July, 1921.—I cannot exactly remember. I remember that a copy of it was shown to me.

That was after it was signed?—I do not know whether it was signed or not, but a copy was shown to me, and I only made one remark to the person who showed it to me, and it was something to this effect: "You are entitled to make any representations you like or any objections you like; but there is one part in here which I regret is included." He said, "What is it?" I said, "It refers to America." I said to him, "I am not going to advise you, but if I was going to advise you I would confine it to Samoan matters—that is, matters between yourselves and the British mandate, but I would cut out any other outside business."

Did you not have a meeting with the Faipules in your office before that petition was signed? please answer the question Yes or No?—No.

If I were to produce several Faipules before this Commission who said that you did, will you contradict them?—I will. I had a meeting with the Faipules when I returned in 1921, and that was over a different matter altogether.

You know Afamasaga well, do you not?—Yes.

At that time he was a Faipule, was he not?—Yes.

Did you not arrange with him to ask the Faipules to come to your office to see you before this petition was forwarded? Let us have no mistake about this matter?—No.

At that time your home was above your store, was it not?—Yes.

And the Faipules came at your request, and by a message, to see you at the store?—Not with respect to that petition.

Anyway, you will swear definitely that you did not discuss that petition with them before they signed it?—Yes.

That will be an issue between you and the Faipules?—That is all right.

The Chairman.] That is put a little bit too widely. What Mr. Nelson has said is that he did not discuss the petition at any meeting in his office—he has only said that there was some casual reference to the petition?—The only time I say the petition was discussed was when it was shown to me, and that it referred to America in one part.

Mr. Meredith.] Was there not in that petition a similar application about prohibition that was asked for in the European Committee's report? Did not that petition contain a clause asking for the restriction of prohibition affecting Europeans being lifted? Was not that also in the Native petition?—I believe it was, but I cannot vouch for it. I can say this: that if any of the Faipules say that I had influenced them in any way I would deny that statement.

I did not say that you drafted it. I am going to put it to you that Afamasaga drafted it and that you knew he had drafted it?—He did not come to me with it. It was shown to me, and I was told that Afamasaga had drafted it.

Was it told to you that it was Afamasaga who did that?—Somebody showed it to me, and I thought I knew his style.

Where was it that you saw the petition?—In the upstairs veranda.

And two of you were by yourselves when you were shown the petition?—I believe we were. I will not swear that nobody else was there.

There can be no confusion or mistake about this: the incident I am referring to in your office is when there were at least half a dozen Faipules there?—There might have been half a dozen Faipules, but never have they come there by my invitation to sign this petition or any other petition. There might have been more than six Faipules in my office at different times, but not at my invitation. They might have come there to get my advice on this petition, but I cannot recollect that they ever came to my house "Tuaefu" in 1922.

I am going to put it to you that the two *faiva*s were also there on that occasion?—By my invitation?

Will you deny that they were there?—

The Chairman.: That question is not complete—it is not fair: you must complete the question. They may have been there on many occasions, but you have to give a specific time.

Mr. Meredith.] Was not Malietoa and Tuimaleali'ifano in your office on an occasion when the subject of this petition was discussed—Yes or No?—I do not remember that they were there at any time when this matter was discussed. I do not remember that any of the Faipules came to my office at any time. If they had been there for any other reason I cannot say that they have not. I am sure that I had never called a meeting.

Leaving out the question of the Natives with respect to their troubles, Mr. Nelson, what are your particular grievances against the Administration?—I have stated them.

Could I take prohibition?—Yes, that is one.

Legislative Council is another?—Yes.

And copra?—Copra is only lately. Another complaint by the merchants is in regard to advances made by the Government in regard to copra, and this was only two or three months ago. I certainly complain about the copra to-day, and I say the present system is a costly experiment.

Do you agree with what has been stated by other witnesses, that the Natives are suspicious in their character or prone to suspicion?—Yes.

And when that suspicion is aroused it is difficult to allay it?—Yes.

You will remember the Lauati incident, do you not?—Yes, I do.

There was nearly serious trouble in Samoa over that incident, was there not?—Yes.

You know I'iga?—Yes.

He is the only survivor in Samoa of the deportees of that incident, is he not?—I think so.

You know the whole story, do you not?—Yes, as well as most people.

Was not the trouble caused by the Natives being informed that the Germans were hiding their money?—I understood that what they asked for at first was some statement as to the finances of the country.

As a result of that information being spread amongst the Natives serious unrest was caused?—The unrest was caused because the statement on finances was not produced, and this made them suspicious.

And it resulted in the necessity for warships being brought here and several men being deported?—Yes.

Knowing the character of the Natives, and knowing what had happened in the past, I suggest to you that the bringing-in of Natives and making complaints on their behalf was a matter that should have been approached with caution?—Yes. Are you suggesting that I did that?

I am putting an abstract question to you at the present moment?—You are not suggesting that I am making complaints, are you?

Not in the meantime. Did you consider the possibility of causing unrest amongst the Natives when you decided to bring them into your public meeting?—I cannot see that there was any cause of unrest amongst the Natives, because the sole object of allowing them in and of holding a public meeting was to consider how representations may be made to the Minister, and nothing more.

At the first meeting you took the chair?—I was appointed to the chair.

That is a position that naturally falls to you, as you have told us, on every occasion?—Perhaps you might put it that way.

And you addressed the meeting at some length?—Yes.

And I take it that what was said in the copy of the minutes that was put in by Mr. Baxter is substantially a correct report of what you said?—Yes.

At that meeting I think you said a committee was set up of six Europeans and six Samoans?—Yes.

And a subsequent meeting of this committee was held, I think, in your house shortly afterwards?—Yes, several meetings.

I am referring to the first one?—A meeting was held next day, to send a telegram, if I am not mistaken.

When were the sub-committees set up to make out the various reports?—I think it was the first or second committee meeting after it was elected.

Mr. Cobcroft was a member of that committee, was he not?—Yes, he was.

Do you remember a conversation between Mr. Cobcroft and yourself at one of those early committee meetings about bringing in the question of Native affairs?—Do you mean at a committee meeting after the committee was formed?

At the first or second committee meeting after the public meeting.—I cannot recall the incident. We did discuss it at length afterwards. Do you mean before he resigned?

Yes, and when he said to you that it was an improper thing to bring the Natives into it, and that he and the planters would have nothing to do with it if you did. I put that to you because he is going to swear to this. Did you discuss this with him?—I might have, but I do not remember. We did discuss the matter, and he did say it ultimately after he resigned.

After the second meeting he resigned publicly. There was a discussion, and Mr. Williams has told us there was?—I am prepared to accept that there was.

Are you prepared to accept that Mr. Cobcroft did say to you that it was improper to bring the Natives in?—I do not remember a statement like that from Mr. Cobcroft until afterwards.

I am speaking of the time when you said to him, "If the Government uses the Natives to get prohibition on to us, then why not use them as a lever now?" Did you say that?—No, neither then or at any time.

There is no mistake about that on your part?—I certainly made reference to the matter, but not in that way about prohibition. As I say, I made reference about prohibition, but not in that way.

How do you suggest that you said it?—I do not claim that it was before his resignation, although we might have discussed it before that. When he did raise the question as to the advisability and wisdom of our having Natives together with us I said to him, "Well, do you not know that we have

made representations before about what you require, and we are always blocked by the remark that is made to us, 'We are here for the Natives only.' They only want to hear the Natives—they are here to take care of the Natives. If, therefore, the Natives make any representations, well, we have to consider the whites."

I understand that that is a general conversation you had with Cobcroft. Do you suggest that you said nothing like what Mr. Cobcroft says you did say?—What did he say?

You said that the Government used the Natives to get prohibition on to us, and it is a fair thing to use them to get it on to them?—I did not make such a statement as that, to use the Natives in that way. That may be in his mind.

You will deny it?—Certainly; it never occurred to me to do it.

Mr. Baxter: There is just one matter that I wish to mention, sir, and it is that during the cross-examination of Mr. Nelson this morning there was a reference made to the German Administration and the money matters of the German Administration. They were not made by my client, and my client did not answer them, and he wishes to make it perfectly clear that he did not express any opinion on them.

The Chairman: Very well. Do you regard your statement as sufficient?

Mr. Baxter: That is sufficient.

Mr. Meredith.] Just before the luncheon adjournment we were referring to the conversation between Mr. Cobcroft and yourself, Mr. Nelson. There was a second meeting on the 12th November, was there not?—Yes.

And in the afternoon, before that meeting, we have been told that the sub-committees brought their reports forward for consideration?—Yes.

And you in common with other members said that there was very little time to go through them?—Yes.

So that they were not really considered?—They were considered as much as we possibly could. The shorter reports were considered, but so far as the longer reports were concerned we could not consider them.

You mean that you could not properly consider them?—That is right.

But they were produced to the meeting in the afternoon?—Yes.

At the commencement of that meeting a letter was read by Mr. McCarthy?—Yes, a letter was handed to me first from the Administrator asking me to allow a message from him to be read.

Which you did?—Yes.

And Mr. McCarthy read it?—Yes.

A copy of that letter is set out at page 20 of the Joint Committee report, is it not?—It is also contained in the proceedings of the second meeting (see Exhibit No. 52), and a copy of this has been filed this morning.

Do you disagree with the position as it is laid down there, that it is unwise to bring Natives into these disputes?—I do.

You could foresee no trouble arising through bringing them in?—There would have been no trouble if the matter for which they were brought in had been carried out.

Following the reading of that letter you made a speech to the meeting?—Yes, and leaving it to the meeting to decide as to whether it was right for us to continue or whether we should not.

And the report of your speech contained at page 22 and part of page 23 of the Joint Committee report is a correct report of what you said [see Exhibit No. 52]?—My speech is also recorded. I read the proceedings of the second meeting very closely, and I think it is correctly stated there.

I put it to you that in the position you occupied you could have swayed that meeting just where you thought fit, could you not?—I do not think so.

Amongst other things in your report you say, "Indeed, as to the politics belonging to the Europeans and those which belong to the Samoans, I say, which belong to which?—Whose interests are finances? Do they belong to the Europeans? I say, no. The Samoans are the largest taxpayers. When we talk of the Legislative Council, who deliberate and legislate on the Territory's finances, should they have the power to legislate for the Samoans, who have 95 per cent. of the population? I say, no. Everywhere we move the two interests mingle; yet I say that His Excellency has adopted the policy of causing dissension between Samoan and European, and has tried to discredit the trader in the eyes of the Native. Have we not been told from the house-tops that all laws are made for the future welfare and development of the Samoans? In what way can they be led to advancement and self-help? By intimidation? I say, no. Is not His Excellency open to criticism? As the Administrator and His Majesty's representative I say, no; as Prime Minister, I say that he is open to criticism, and the Samoans have a right to criticize. Are we going to submit to intimidation? The British flag was not made for that. The Samoans have always been a free people, and a free people they shall remain." Later on, at page 23, you say, "As far as I am concerned, this meeting may proceed, but not without the consent of the rest of the meeting." Now, Mr. Nelson, I put it to you that you were making statements reflecting on the fair dealing of the Administrator?—I do not agree that he had any right to interfere with the meeting, which was held for the main reason of preparing reports to be presented to the Minister of External Affairs on his visit.

And you put to the meeting that in your opinion it should continue?—They were my sentiments and you expressed them?—Yes, I did.

And the meeting was continued?—After many speeches had been delivered and a vote was taken

I take it, Mr. Nelson, that, as you had no opportunity of going through those reports at that time, you took the first opportunity of going through them?—No, I must admit that I did not go carefully through them. There were too many things happening one after the other at that time which were never meant to have taken place when the meetings were first convened.

You surely knew the probable effect on the Native minds as a consequence of those reports?—Yes.
 You knew the confidence that they had in you and the European Committee, did you not?—Yes.
 You knew that they would take what you said and would accept what you told them as being true, did you not?—Only after they examined us and found us to be worthy of their confidence.

Had they not examined you before and found you worthy of their confidence?—Yes.

So that when you put forward those reports you had their confidence?—Yes.

And you knew that they would rely on you?—Yes.

Was there not one of you who had taken the trouble to examine those reports to see if they were correct?—I did not. I left it to the sub-committee that was in charge of the different reports. The report that I made I can vouch for, and I agree still with many sections of the reports that were made by the others.

I take it you read the reports?—Yes.

And even though you did not check the figures you saw the reasoning based on them in the reports?—Yes.

And you adopted the reports?—Yes.

And put your name to them?—Yes.

I take it Mr. Nelson, that you claim to have the interest of the Natives at heart?—I do, and I say it now.

And you are interested and keen to see that suffering and disease are kept from them?—Yes.

That would be a serious matter for you to consider?—Yes.

And it would cause you much trouble if there was any risk of that not being carried out?—Yes, that is right.

You know, do you not, the value of preventive medicine?—Yes.

And you know it as it particularly applies to the tropics?—Yes.

And you also know that to get effective results there must be co-operation between the Natives and the Medical Officers administering public health?—Yes; but co-operation must come from both sides, and not intimidation from one side and submission from the other.

I quite agree with that, and to disturb that is likely to upset any good work that may have gone on?—Yes, if the confidence was there.

The question of combating tropical diseases is a matter of science, is it not?—Yes.

And it is a matter of scientific research and of great knowledge on the part of the persons carrying the work on, is it not?—In the institution of treatment there is science, but in the administration of such treatment it does not necessarily require a certificated doctor to do it, because Native practitioners could do it in their place.

Do you suggest seriously that the average Native is able to value research work?—Perhaps not.

Did you before adopting the medical report take any steps to study the vital statistics of Samoa?—I have.

And did you not find that the results were very gratifying?—As compared with what?

As compared with past years?—In comparing the years '18-19 with the previous years it was very unsatisfactory.

Have you got the figures?—I have seen them.

You are aware that in that year there was an epidemic here?—Yes.

Do you consider that by taking that year when there was an epidemic in existence here that that is a fair comparison?—The other portion of American Samoa was able to prevent it.

Do you suggest that an epidemic is always a matter that is capable of prevention?—Prevention might have been effectively used, but it was not.

I will come back to that in a moment. Yaws has to a great extent been eliminated?—Yes, a campaign for yaws started before the war.

And has been brought to an almost satisfactory conclusion?—Yes, and this would have been done no matter what Administration was here.

And hookworm has been successfully prevented?—Yes; it is a new development. We did not know anything about it before.

Do you claim to be an expert in medical matters?—No, I do not.

I take it that you will not contest the standing of Messrs. Buxton and Hopkins in the medical world?—No.

I take it that you have seen their report?—I have seen some of them.

In their book entitled "Researches in Polynesia and Melanesia" the following occurs: "The whole Department of Health was with us, Europeans and Samoans alike, and in particular Dr. T. Russell Ritchie, the Chief Medical Officer, and Dr. J. S. Armstrong, in charge of the Apia Hospital. It is perhaps not impertinent to state that New Zealand provides a Public Health Service which might serve as a model to any small tropical country, and that the administration of that Department seemed to be characterized by vision and forethought." Did you see that when you made that report?—I do not know that I had seen that when I made the report.

When you accepted that report you had not seen that?—Is that referring to New Zealand's administration of Samoa?

That is a report on Samoa?—New Zealand provides in Samoa public-health services.

It says in that report: "The whole Department of Health was with us, Europeans and Samoans alike, and, in particular, Dr. T. Russell Ritchie, the chief medical officer and Dr. J. S. Armstrong, in charge of the Apia Hospital"?—Dr. Ritchie only keeps statistics.

That is what you say. I do not think that that remark is of much credit to your intelligence, Mr. Nelson. Do you not know that Dr. Ritchie not only holds his medical qualifications, but the special qualifications of the diploma of Public Health—do you know that?—I do not know.

And you did not find out before you made a statement like you did?—A man who stands by and sees a woman die is not the man for the work.

Do you know that Dr. Ritchie holds a special qualification for preventive diseases? Do you stand there and seriously suggest that a man who is qualified in preventing diseases is of no value to Samoa?—A man qualified to prevent diseases would be of value if he did what they profess to do. He has done very little for Samoa.

That is your view?—He has not the confidence of the people of Samoa.

That may not be Dr. Ritchie's fault?—Probably not.

There may be some people who cannot appreciate good work when it is done, Mr. Nelson?—The people know when an epidemic is coped with properly.

I wish to read to you an extract from a report entitled "Health Survey of the New Hebrides, with special Reference to Hookworm Disease," by S. M. Lambert, M.D., of the International Health Board of the Rockefeller Foundation. I wish to read this to you to see just how far you are conversant with the report of Dr. Lambert. The portion of the report which I wish to bring under your notice reads: "The vital question as to whether the decline of native Pacific races can be checked and their numbers brought back has been answered brilliantly by the New-Zealanders in Samoa by intensive efforts against hookworm disease and yaws, especially with good hospitalization and the establishment of confidence in their Government in the Samoan mind. In a period of less than three years a birth and death rate practically equal has been changed to a birth-rate of 55 and a death-rate of 22, with an infant-mortality rate that many civilized countries might envy. Samoa lays emphasis on her yaws and hookworm campaigns as the important features of this racial recovery." Are you prepared to put your view against the considered written report of this eminent man?—My views are couched of the lack of respect of the people when they refuse to stop from going to Pago Pago instead of to this efficient Medical Department here. The lack of ability displayed by Dr. Ritchie is undoubtedly responsible to a large extent for the lack of confidence in the Medical Department.

Dr. Ritchie is the head of the Medical Department in Samoa, is he not?—Yes.

Do you suggest that the Medical Department, notwithstanding the report from the very eminent man I have just referred to, is not entitled to take the credit—I am referring to the man at the head of the Department?—Men like that do not live here. We have to live here, and we have to view the things as they are.

These men came here specially to investigate tropical diseases, did they not?—Yes.

With expert knowledge behind them?—Yes.

To which you do not claim?—No. I claim, however, to know the knowledge of the people who go away because they have no confidence in the Medical Department.

Who is responsible for that?—You cannot blame me for that.

But I am going to blame you. In the medical report that you sent out you used these words: "We want a Medical Department that commands respect and confidence, not one which creates more or less ridicule." Those are the words which you brought under the notice of the people of Samoa, are they not?—Yes.

Were those words calculated to inspire confidence or otherwise in the mind of the Natives?—Those words were for the Minister.

Please answer my question, Yes or No?—There was no confidence, and you cannot lose any confidence if there is none.

Well, if there was a lack of confidence, you did nothing to bring it back by using those words?—We wanted the Minister to remedy the trouble.

Would those words that you used do anything to bring back the confidence of the people?—We wanted to remedy that lack of confidence.

I am asking you the question, and I am going to make you answer it. Would those words help to inspire confidence?—No. We wanted to remedy the lack of confidence, and not have confidence where it was not justified.

Did you examine any figures in that report before it was made public—that is, in regard to the European figures?—I examined as much as I had time to do.

How much time did you spend in considering that report before you let it out?—A few hours.

So that these reports attacking the Administration you were prepared to give a few hours' consideration to?—I still agree with that passage, and—

And take full responsibility for it?—Yes.

Because you recognize your responsibility in allowing this stuff to go out with your name behind it?—Yes.

You know the influence you have over the Samoans?—My influence did not send the people to Pago Pago, which holds this Department up to ridicule.

How many people went there?—You can prove that here.

I want to know how many?—I did not go into figures.

But you are making this assertion, and I want to know how many people went there?—Quite enough; and there should not be any going there, especially when it is recognized that there is an expensive Department here.

How many?—There were several that I know of within the last few months.

Would there be six in all?—Even so, there should not be one leaving Samoa when there is an expensive Department that we have to pay for.

Have you not heard of people having a fancy for one particular surgeon?—They do not know the surgeons over there.

You have travelled a good deal, have you not?—Yes.

Do you not know that it is a common thing for persons to go to a surgeon who has been recommended to them notwithstanding the fact that there are good surgeons in their own towns?—You cannot suggest that I recommended it.

Do you not know that such a practice as I have just stated often happens?—It did not happen here before.

What is the period when those people you have in mind went to Pago Pago?—During the last few months.

Could you give me the names and dates?—I could not give you the names and dates, but I am sure of my statement.

Do you make that statement seriously?—Yes, I do, because the Department is costing a lot of money to this country. We have to consider the Territory according to its national resources.

Mr. Williams drew that report?—Yes.

He admitted that he did not investigate the position?—Yes, he might have.

And when I showed him those reports he was big enough to apologize to Dr. Ritchie: Are you?—There is no bigness in that.

You will not do it?—I do not see any necessity for it. I do not agree with every statement. I agree with the statement of asking the Minister to remedy the defect.

You have made the statement that his Department creates more or less ridicule?—The statement was made with the object of asking the Minister to remedy the defect.

You still wish to say that it is true?—I still want to say that it is true. I do not wish to cast any reflection on the surgeons who have come here, but Dr. McKnight's work is appreciated. The work of the other medical practitioners here is appreciated.

You are a man of big affairs?—Well, it depends on what you call big affairs.

Are you running a very big business?—Yes, for Samoa.

And a big business for anywhere?—Well, all right.

And in the habit of dealing with figures and finance?—Yes.

And I think you may have a justifiable pride in your ability in financial matters?—Perhaps.

If we extend that to you you will not disagree with it?—I do the best for my business.

And you are also a member of the Legislative Council?—Yes, by the election of the people.

And as you are the trusted elected member you will keep yourself closely in touch with matters that come before you in the Legislative Council?—As much as it is in my power to do.

And as such naturally it would be an important factor to keep in touch with financial matters?—Yes.

And make yourself familiar with them?—As much as I can.

You go to a fair amount of trouble to make sure that you are?—Yes.

And have done so, I take it?—Yes.

You saw of course, this composite report by Messrs. Gurr and Smyth?—Yes.

And read it?—Yes.

Considered it?—Yes.

For how long?—Not very long.

How long would it be—a quarter of an hour?—About an hour it was left for me—it was not fully prepared then.

Yet it was brought before that meeting, was it not?—At that meeting it was.

At the second meeting?—It was fully prepared.

Was it read to the meeting?—Most of the reports were read to the meetings.

Do you know whether it was put to the meeting or not?—The minutes would show that. I read most of them—they were handed to me, but whether I read them from the report or not I do not know. I do not think it was so, because it was not quite ready.

When do you consider that it was finally ready?—Well, when it was brought in to be sent to the Administrator for the Fono of Faipules.

It was finally ready then?—I had to accept it as such.

Had you gone through it?—No.

The Chairman.] Mr. Gurr prepared the report and he did not say that he had not supplied all the figures at the second meeting, nor did Mr. Smyth say anything about it. Mr. Smyth said he sent it before the meeting. Mr. Nelson only has an impression? The figures were there, I admit that.

Judge McCormick.] Mr. Gurr and Mr. Smyth said that it was signed on the morning of the 12th and produced at the committee meeting in the afternoon?—It was in a rough form.

The Chairman: Yes—it was typewritten. The material was all there, and that is what we are concerned with.

Mr. Baxter: It is clear in the minutes of the meeting, which says, "Financial report, with statistics and comparisons between Samoa, Fiji, and Tonga, read by Mr. E. W. Gurr, after which meeting to be closed."

Judge McCormick: Mr. Smyth said it was typed when he signed it.

Mr. Meredith.] What I wish to get from you is this: did you after the second occasion, before the figures were sent to the Minister, give them any further consideration?—No.

Or after they were sent to the Administrator did you give them any further consideration?—No.

I am telling you that the figures are incorrect, and this has been admitted by Mr. Gurr and Mr. Smyth, and therefore we are not going into that aspect of the matter with you. I want to call your attention to the reference to the Public Works Department, where it is stated in the report, "From this it appears that a Maintenance and Improvement Account of £9,398 (estimated) requires an expenditure in salaries for the administration of the Public Works Department of £4,962, or approximately about half the estimated sum of maintenance and improvements. The Engineer in charge of

the Public Works Department receives also the sum of £220 per annum as Chief Surveyor and Commissioner of Lands in the Lands and Survey Department. The cost of this Department to the administration of the mandate is £2,400. The Committee believe this to be a necessary expenditure in the islands." You heard that read?—Yes.

You knew as a Legislative Councillor that there were many more public works done by the Department than is stated in the above-mentioned paragraph, did you not?—Yes.

I put it to you that there is no reference to the Department executing any other works but that mentioned in the report?—That is right.

And it is also right that you should know that that Department would carry on those additional works?—Yes, I should have known.

Did anything strike you about that when it was read to you?—May I explain the reason why I did not give probably due consideration to this?

I am going to ask you first, did anything strike you at the time?—At the time it was given to me I had not time to consider the other figures as to show "public works extraordinary," but the figures were given as dealing with the public works, and at that time I thought that the cost of overhead was excessively high, and at that time I did not consider the "public works extraordinary," as they could be called.

Have you not perused that report at any later date?—I have not been given the opportunity, as a consequence of this business.

Whose business was it to see that these reports were correct?—A sub-committee who was entrusted with them; and it had the confidence of the rest of the committee, and we did not question it.

You had the confidence in the sub-committees for doing these things, and the Samoans and the committee had confidence in you?—Perhaps that would be right.

The Chairman.] The point I understood Mr. Meredith to make was this: he is desirous of making the statement that the works to the amount of £9,398 comes to a shade over 50 per cent. in salaries alone, and this might be expected to strike any acute mind?—It struck me as a heavy item at the time, and I did not think that it included public works extraordinary.

The Chairman. It is not public works extraordinary—it is expenditure that was voted for public works. Now, you cannot get further than that. Mr. Nelson says that he noticed it but he passed it over.

Mr. Meredith. I am satisfied with that.

Judge MacCormick. We have the true figures in the evidence already—it amounted to much more than £9,000.

Mr. Meredith.] Did you notice in this report that the cost of auditing was not known?—I admitted that I did not go into details.

Those audit figures are in the estimates which you would see in the Legislative Council?—Yes. In reference to the £100,000 loan—is your recollection fresh as to what is said in the report?—Yes. That, I think, you will agree is a fairly serious allegation?—Yes.

And you would know that it was so at the time it was made?—I agreed with it.

The Chairman.] It is the middle paragraph that is under discussion?—I want to qualify my statement when I said that I agreed with that, because I can distinctly remember reading in *Hansard* or some of the New Zealand papers that Mr. Massey or some other Minister, in asking the New Zealand Parliament to approve of this loan, made the statement that there was nothing to fear because the Crown Estates in Samoa were ample security. That is the reason why, with that knowledge, or, when the fact was clear in my mind after having read it somewhere, I thought this was justified.

Mr. Meredith.] You considered that paragraph?—Yes. I did not think that it would have been put that way, but the sub-committee put it that way, and it reminded me of the statement that we were all under the impression we had seen made by a responsible Minister in the House, and I thought it would be quite justifiable to put it in that way.

You took no steps yourself to ascertain the correct position from any Administration officer?—No.

The Chairman.] The gravamen is that the mortgage had been foreclosed, and there was no foundation for the suggestion that the New Zealand Government had foreclosed on the Reparations Estate and were still demanding instalments of interest and sinking fund in respect of the loan?—We are told here that the New Zealand Reparations Estate has nothing to do with the Samoans at all.

The Chairman. That is not the point, and you should have understood it as a Legislative Councillor.

Judge MacCormick.] There is no suggestion that the New Zealand Government as mortgagee had taken security and still demanded payment of the loan?—Perhaps it was only a politician's way of putting it—that is, they were lending to the Samoan Government £100,000 and they were accepting as security something that did not belong to the Samoan Government. That may have been the cause of our being misled. The fact remains that I remember having read a statement to that effect, and that when the matter was placed before Parliament in New Zealand the Prime Minister or some other Minister made the statement that the security would be the Crown Estates.

The Chairman.] You have your own statute, and you will find the security for the loan is stated therein. You have not got to go outside Samoa to ascertain that?—That is my mistake.

The Chairman. The gravamen of the charge is that this was put into a document which was read out to a mixed meeting of Europeans and Samoans.

Mr. Meredith.] Before it came before the meeting it came before the committee, which comprised six Natives?—Yes.

Faumuina and others?—Yes.

I suppose that Faumuina and AINU'U are representative types of the best intelligent Samoans?—Yes.

Do you remember at the meeting with the Hon. Mr. Nosworthy that Faumuina's complaint was to know what was becoming of their money: do you remember him making that complaint to the Hon. Mr. Nosworthy?—Yes.

Do you know that Faumuina, AINU'U, and others were under the impression that if this money was not repaid to New Zealand that New Zealand would take Samoa?—Yes.

You know that that is the impression that has got into the minds of the Samoans?—Yes; but that has nothing to do with the security: that did not impress them at all.

You know that they had that impression?—The impression is that as the loan has been made the security might mean the whole Territory, which comprises such things as the Crown Estates, and that would have impressed them.

You made a statement this morning that the Central Hotel building had passed to the New Zealand Government?—To the New Zealand Reparations Estate—so we understand.

Do you know that that is Samoan property and has never been anything else?—I do not know that.

Why did you make the statement this morning without being sure of what you are talking about?—Well, I understood from the statement made by His Excellency the Administrator that all those things that did not pay would be taken over by the New Zealand Reparations Estates, and I was much concerned about this method of taking over property and premises, which should be in the name of the Samoan Government instead of being called the New Zealand Reparations Estates, which was simply New Zealand property.

Do you know that the laundry is the property of the Samoan Government?—I understand it is run by the New Zealand Reparations Estates.

Have you made any inquiries at all about these properties?—I have been led to believe that the Reparations Estates have taken them over.

Do I understand that you make statements that you do not verify, but you accept what you are told?—This is a very serious matter, to my mind.

Is it not more serious to make statements of that kind to the Samoans, whom you admit are suspicious people?—I have not made any such statement to the Samoans. The first statement I made is the statement I made here this morning about the policy of taking over Samoan Government property and transferring it to the New Zealand Reparations Estates. I made no such statement until to-day.

Have you read the Minister's reply to these various allegations, Mr. Nelson?—Yes.

Has he not called your attention to the various erroneous statements that you have been issuing?—If you read them out I will know what you refer to.

There is a reference in the Minister's letter contained at page 47 of A.—4B, in regard to trading concerns, &c., and it says: "Trading concerns (Central Hotel, £540; laundry, £360): The former was purchased for the benefit of the travelling public in order to provide the accommodation which private enterprise refused to do." All these various matters are dealt with there?—What is the point, Mr. Meredith?

It discusses Samoan expenditure in there, and you will notice in the case where reparations-money has been used it is specifically stated in the report?—I do not quite follow you.

If you look at the Samoan investments there you will notice in the case where reparations-money is used it is specifically set out in the report?—It says, "The laundry was built to meet the needs of the public at a time when all costs were very high. It does not pay, owing to lack of support by the public." How did the Minister ascertain the truthfulness of that statement? Do you want me to accept the statement made by the Minister as altogether correct?

No; I am asking you why it is, if you perused the reply of the Minister, that you still insist on making statements which are not correct?—The Minister does not say that it is not correct.

This is dealing with various items of Samoan property, and anything which is not Samoan property is specifically stated—you will see that if you look at paragraphs 6 and 7 on page 37?—I do think that such a serious position should not be allowed to arise. If it has not arisen I am very pleased, but if it has arisen it should be immediately adjusted—that is, property which should belong to the Samoans in the name of the Samoan Government should not at any time be transferred, except with due compensation, to the New Zealand Reparation Estates.

What I am saying to you is that this is not so, and has never been done, and you have no justification for saying it. Can you produce any justification for saying it—do you suggest you can?—I do not; but I am prepared to look into the matter. There has been so much confusion, and we have not always had the opportunity to know which is which.

Have you taken much time to investigate anything before making statements?—I have taken as much time as I could to investigate and attend to the requirements and the needs of the people who have asked me to put them forward.

You know the position about the "Alcazar"?—I understood it was purchased.

The Chairman.] I am bound to call your attention to these statements which you made voluntarily this morning?—Exactly, sir.

And you finished up by saying that Government House would soon belong to the New Zealand Reparation Estates, did you not?—Yes, that is right.

You have not only made incorrect premises, but you proceed to draw a prediction from these premises?—Well, sir, according to the feeling of many of the citizens who have discussed this matter, the things that have been run by the Samoan Government have been taken over by the New Zealand Reparations Estates with the object of showing whatever loss there might be against the latter

instead of against the Samoan Government. On the other hand, it was the thought of such transfer of properties which should belong to the Samoan Government which caused myself and others deep concern.

I have always understood that a public man, particularly a man who places himself in the forefront as a reformer, should exercise great care to see that his facts are correct: that is the first duty he owes to himself and to his country, is it not?—Yes.

You seem to have been singularly wanting in that respect. I can understand mistakes being made quite well, and I can understand one or two mistakes; but you seem to have admitted more than one?—We have not always had the opportunity of knowing which is which.

Mr. Meredith.] Passing from that for one moment: you remember a petition signed by the Natives in March?—March of this year, yes.

That was drawn up by Lago Lago?—By the Samoan Committee—I mean members of the executive.

Lago Lago was the actual man who drew it up?—Well, I suspect that from the phraseology.

He generally drew up these petitions for the Natives?—I do not know that.

You read the petition over to them?—Yes.

And saw most of them sign it?—Yes, that is correct.

I will call your attention to the last paragraph of it, contained at page 3 of the Joint Samoan report (see Appendix I). It says, “We wish to express our full confidence in all the work of the Citizens Committee of Samoans and Europeans, especially the reports which they handed to the Administrator by the wish of the Minister. We are satisfied, and have proofs, that this is the wish of the large majority of the Samoan people. We also wish to declare that all those who have signed this petition are the properly appointed representatives of the villages and districts they represent in this matter.” This petition was signed by the Natives. You read that to them, and you knew that that paragraph was in it?—Yes.

Do you consider, as a man on whom the Natives rely, that you were justified in getting their signatures with that paragraph contained therein without having taken any steps to verify the truth of the reports: what do you say?—I felt confident that the reports were correct at the time.

The Natives apparently understood that was in the report when they signed it?—Yes, they knew the gist of the reports.

And again at the meeting before the Minister I think you read a speech, did you not?—Yes.

At page 25 of A-4B the following occurs: “Sir, the representations of the Citizens Committee, as contained in the reports now before you, have been prepared by the wish of the people of Samoa; they have been approved by them; they were submitted to the Administrator last December with their knowledge and consent, and they are now handed to you on their behalf.”?—That is correct.

On page 26 you say, “The people have passed through a very trying time since the committee’s reports were prepared. It has been a terrible ordeal, but the reports remain as they stand, and they are now submitted to you in their original form, just as they were handed to the Administrator last December. They emanate from the very hearts of the people, and were only put into legible form by the Citizens Committee whom they elected for the purpose.” That is a statement verifying those reports that was made in June of this year?—Yes.

And on the 7th December, in forwarding the reports to the Administrator, I think you said, “Some of the reports are addressed to the committee by the sub-committees, but at a committee meeting held yesterday the whole of the reports were accepted by the committee to be presented to the Minister with the exception of the report on labour and agriculture, to which the following reservation was made: ‘The report comes from the Planters’ Association and must be taken as such. The committee as a whole cannot endorse in full the report, but it is forwarded for the information of the Hon. Minister of External Affairs by request.’” So apparently they were again before the committee on the 6th December?—Yes; that was prior to the meeting of the Minister. The speech of the Minister was about seven months later.

When you assured him that the reports still stood—I wish to put this to you in order to summarize the position: They were brought before the public in November; they were sent forward to the Administrator on the 7th December, telling him that they had been adopted by the committee on the 6th; on the 5th March the petition was signed by the Natives in front of your office, and the Natives said they were relying on them; and you assured the Minister in June that the Samoan people had adopted them and approved of them, and that they came from the hearts of those people, and that they stood now as they were originally?—Yes.

Without demur from any one of your members of the European Committee?—Yes; we had not detected any mistakes.

As a matter of fact, at that meeting with the Minister no mention was made to him of the fact that a Native petition was already on its way to New Zealand?—No.

That it was not sent through the Administrator, but sent direct to New Zealand?—Direct through our solicitor in Auckland.

Why was no mention made to the Minister of that fact?—I really do not know.

It was a matter concerning Native grievances, was it not?—Exactly.

Which you were discussing with him on that day?—Yes.

And which he had come from New Zealand to discuss?—Yes.

Was it not an obvious thing and a proper thing to tell him that that petition had already gone forward, so that he might have had an opportunity of looking at it and possibly dealing with it?—To tell you the truth, it did not occur to me or to any other members of the committee. As a matter of fact, he did not deal with the matters that he had in hand.

Do you suggest that you had forgotten that this Native petition had gone forward to New Zealand?—I did not forget.

Then do I understand that you deliberately did not mention it?—I do not exactly remember what was arranged, but we did not mention it. However, it was a different proposition in that the petition had to go through a member of the House, and it was sent to Mr. Vallance, a solicitor of Auckland. We were not advised by Mr. Vallance or anybody else to mention this in our negotiations with the Minister at the time he arrived.

Did you discuss the matter with the Committee or not?—We might have discussed it. It must have been agreed that we should not mention it. To tell you the truth—and I can guarantee this—it was not a weighty matter in our minds whether it should have been mentioned or not, because we considered that if we did not get redress here we would get it there.

Was it not your idea that it was a second string to your bow?—Yes, it might have been.

And that you were to keep this one up your sleeve?—All we had in mind was to get redress. We felt that we were justified in making these complaints. We wanted redress for our grievances, and if we could not get it from the Minister or from Parliament we would try some other source. As I say, we felt that we were justified in seeking redress.

Do I understand that the Mau people were looking to two remedies—first the interview with the Minister, and second the Native petition to the House?—Yes.

The Minister of External Affairs would be affected by both petitions, would he not?—Yes.

Why did you not tell him, as the Minister in charge, that the Native petition had been launched? He had to deal with it: what was the object in keeping it from him?—There could have been no object, because we knew he had to know it sooner or later. It was not that we were trying to keep it from him; we knew that he was a member of Parliament, apart from being a Minister, and this petition would be made known to him.

You cannot tell the Commission why it was it was kept back?—I cannot tell you unless any member of the Citizens Committee can remind me.

You are the man we look to for information?—There was no reason to keep it back from him, because we knew the Minister had to know it eventually.

You drew the Legislative Council report, did you not?—The European report?

Yes?—I did that.

I suppose this is one thing that you will be satisfied is correct?—I ought to be.

At page 5, A-4B, you say that in Fiji there are ten unofficial members and ten official members in the Legislative Council?—Yes.

You are aware, Mr. Nelson, that there are twenty-one members of the Legislative Council in Fiji?—I have still the Fijian paper, and it was about a month old then where this was taken from. I think I still have it here. There were ten official members and ten unofficial members. That is exactly as I got it, and took it from the *Suva Times*.

May I show you the Fijian blue-book where they are set out [blue-book handed to witness]. You will see that there are twelve official members, seven elected members, and two Native officials?—Well, I think I can find that paper.

Are you satisfied that your data is wrong?—This must be correct.

The Chairman.] One does not pin one's faith on the newspapers?—I had nothing else before me at the time.

This particular blue-book was in Apia at the time: in fact, Mr. Gurr had one, and Mr. Smyth referred to it?—That was later.

When they prepared the financial report?—That may be. Perhaps I was wrong in relying on the newspaper in question. However, I think I can find the paper from which I obtained those particulars.

Mr. Meredith.] You are satisfied that you are wrong?—That must be correct, and I must be wrong.

So that even the Legislative Council report is not correct?—According to that, that is so.

Have you seen "Letters Patent" in connection with the Fiji Legislative Council—have you seen that?—No.

I would like to read to you the following, which is contained in "Letters Patent": "25. When a Bill passed by the Legislative Council is presented to the Governor for his assent he shall, according to his discretion, but subject to the provisions contained in these our Letters Patent, and to any Instructions addressed to him under the Royal Sign Manual and Signet, or through a Secretary of State, declare that he assents thereto, or refuses his assent to the same, or that he reserves the same for the signification of our pleasure"?—I learnt that from Hedstrom and Mr. Scott.

I refer you to No. 32. at page 9, which reads: "All questions arising at meetings of the Legislative Council shall be determined by a majority of the votes of all the members present, except the Governor or other presiding member, and in case of an equality of votes the question shall be determined by the casting-vote of the Governor or other presiding member: Provided that the Governor may disallow any vote or resolution of the Council, and any vote or resolution so disallowed shall have no force or effect." What do you say to that?—That must be right.

It is entirely different from what you said in your report?—The practice need not be always following that.

You have not stated anything about practice in your report?—I relied on their statements.

You put it down as a straight statement: are you sure you understood that right?—I understood it to mean that.

You have suggested, have you not, that there should be an equivalent number of nominated members to elective members?—Yes.

Did you come to that conclusion from what you heard or understood about Fiji?—Yes, and I thought it was naturally a fair thing.

Now that you know it does not exist in Fiji do you withdraw the suggestion?—No, I still think that it can be done.

Have you considered the position and what would happen if the Samoan and European elected members formed an opposition to the nominated members?—Yes.

Do I understand you to say that the matter in every such case should be referred to a higher authority?—Yes.

What higher authority do you refer to?—I have already said, the Minister of External Affairs, or whoever is in charge.

So that if the elected members combined with the Samoans I put it to you that the Legislature in Samoa could not function?—I do not see why it could not.

Under your proposition would not every matter have to be referred to New Zealand?—No. If the whole of the non-official members voted in opposition to the official nominated members, then the matter should be referred to New Zealand.

If the non-official members decided to block the nominated members, would not the Legislature here practically cease to function?—The official members should consider the wishes of the people.

It would be possible for the non-official members to completely stop the functioning of the Legislature if they chose to do it—surely that is so?—I think it is the other way about. If the Administrator or the official members chose to get up against the wishes of the people at all times, then the deadlock would come about; but if proper consideration and regard for the wishes of the people through their elected members came about, then an opposition would never come about.

The Chairman.] I am bound to say that that is not an answer. The question put by Mr. Meredith was a simple one: if all the elected members of the Legislative Council adopted one view, which was a view opposite to that of the official members, under your scheme would not that result in the holding-up of the whole function of Government?—Yes; but the way Mr. Meredith put it was that it would always be the elected members who would be responsible.

You cannot tell who is responsible?—If that is so it would be held up until the Minister of External Affairs could decide the matter.

Mr. Meredith.] Do you suggest that that is a practical method under which any Administrator with respect to himself could operate?—I think a reasonable Administrator would be able to carry on under those conditions.

Do you say that that is your serious opinion?—Yes. The elected members are not of the one class, and it is not easy to bring them together.

Do you suggest that the Samoans are sufficiently advanced in knowledge of affairs to be capable legislators in an Assembly such as you indicate?—I think they should be, or, at least, they should have a start now. If they do not have a start now they never will.

Do you suggest at present that they are sufficiently advanced to be capable of legislating in a Legislative Council such as you suggest?—I think they are sufficiently capable to make a start along those lines.

They would not be the equal of the European members in ability to legislate at present?—Not on non-Native affairs.

I put it to you that they could not understand the intricacies of, say, finance?—Not the whole of the Native population. They might find amongst them some educated Samoans who would be able to do it.

I put it to you that it would be a rare incident?—I do not know. There are quite a number of Samoans who are well up in figures, and I contend that they would make very much more progress if they were shown. They will make no headway if they are treated as a backward race.

You think that they should be given the opportunity to take responsibility in the matter of legislation?—I think so. I understand the mandate calls for it.

I suggest to you that they are given that opportunity in the Fono of Faipules, are they not?—No.

Do you not know that they consider remits from the District Councils?—I do not know.

You know who the Faipules are, do you not?—Yes.

And you know the various matters that come before them in the Fono, do you not?—Yes.

And the various recommendations from that Fono have been brought to the Legislative Council?—Yes.

And do you not therefore know that they have discussed those matters in their Fono and come to decisions on them?—Yes.

Do you still say you do not know that the matters which they have discussed have come originally from their District Councils and have been referred to them?—Not necessarily—it might be a matter from the Administrator.

But there are many matters which have come from their District Councils?—Not that I know of that have come before the Legislative Council.

The Chairman: I do not see why you want to discuss this matter with Mr. Nelson—after all, it is a conclusion which we have to arrive at.

Judge MacCormick: On the evidence.

Mr. Meredith: I am only discussing it on the grounds of the lack of Legislative Council training so far as the Samoans are concerned.

The Chairman: We are surely able to make up our minds on that matter.

Mr. Meredith: It was only to obtain Mr. Nelson's view on the matter that I asked him the question.

The Chairman: That is quite right. The point I wish to make is this: once you allow hearsay evidence to be admitted then there will be a mass of evidence to be heard.

Mr. Meredith.] You mentioned the emblems of sovereignty?—Yes.

You as an educated man know that it is merely a matter of courtesy extended to the Governor-General, do you not?—But Parliament did not take it that way, according to *Hansard* reports.

The Chairman.] You had better leave the Parliament of New Zealand out of the question—you do not want to hear that at all?—That is where the trouble arises.

Mr. Meredith.] You know that the matter of Samoa and New Zealand is a question of mandate?—Yes.

You know that there is no question of the mandate being departed from?—I know that a circular was presented handing over the emblems of sovereignty.

As an educated man, Mr. Nelson, are you going to suggest that any speech or act could cede Samoa to New Zealand—do you say that seriously?—It could be in years to come—in generations to come.

The Chairman. : We know that it is absolute sheer nonsense?—Exactly, sir.

The Chairman. : And the use you are making of it is equally unreasonable.

Mr. Meredith. : That is the point I was coming to.

The Chairman. : I am surprised to hear a man of your capacity, Mr. Nelson, suggest that there is any significance to be attached to the alleged ceremony which Toelupe was concerned in.

Mr. Meredith. : After these meetings at the Mau, Matau was appointed secretary?—At one of the Native meetings.

He was appointed secretary of the Mau?—Yes. When papers, letters, and funds were coming in I asked that a secretary should be appointed. He was the only paid man.

Where was his office located?—Within my premises.

How long was he there—that is, how many months was he there, or is he there now?—He is not there now. He was there until after the Minister went away. I do not think he was there for more than three or four months.

Judge MacCormick.] It is in evidence that he was appointed in February and was banished in July.

Mr. Meredith.] He told the Commission that during that time he was in constant communication with you in connection with Mau matters?—That is so. That was what he was there for.

Funds were being collected from various parts of Samoa?—Yes.

And your traders were assisting in the collection of those funds, were they not?—They were not assisting in the collection.

Mr. Kruse was one of your traders, was he not?—Yes.

And he is a relative of yours, is he not?—Yes, a nephew of mine.

He has told us that he was collecting and sending the money over to your office?—If he was collecting it was on his own initiative. What my traders were asked to do was this: if they received any moneys for the Mau they could accept the money and be given a draft order on the head office.

I think your boats were running the Mau people to Apia at half-price?—For the Minister's visit and for the King's Birthday. That, of course, was the same thing; the Minister was here during that time. I approached some of the other firms and asked them to do the same.

That was for the Mau people?—For everybody.

Did you send Mau literature out to your stations for distribution?—There were no other means.

Which allegedly set out the details of the two meetings?—The details of the first two public meetings.

How many stations did you send them out to?—I really do not know; but I should say, about five or six. I did not send them out where I thought the traders were not in sympathy with the Mau.

In those cases where you knew the traders were sympathetic you sent out the literature by them; Kruse was one of them?—Yes.

And they were to distribute the literature amongst the Natives adjacent to your stations?—Yes.

You approved of the form of that document before it went out?—Yes.

Lago Lago prepared it: as a matter of fact he has said that he prepared it and submitted it to you, and that you edited it before it went out?—Yes.

So you take full responsibility for that circular?—Yes, as coming from the Samoan section of the Committee. I did not order it to be done.

We will leave it at that. After the Minister's visit you addressed many meetings of the Mau people?—After the Minister's visit?

Yes?—No, no. Two meetings: on the day that we met the Minister we met the Mau people in Lepea; and the second meeting was on the following Monday, I think, when we received the letter from the Minister telling us to cease activities. He asked us to forthwith cease activities, and at the same time undo some of the alleged wrong that we had done. We felt that it was impossible to follow all these orders at once. If we ceased activities we could not have told the Natives anything, so we met the Samoans that afternoon and told them of the letter that we had received, and informed them that we could do no more for the time being, and that we would have to wait further developments from New Zealand, where the Minister stated he would send us the result of his deliberations on the matter after he had submitted them to Parliament.

Is that the only occasion on which you addressed the Natives?—Those were the only two occasions when I addressed the Samoans.

When did those addresses take place?—On the day of the Minister's visit and two days after it. Where?—Lepea.

And you addressed both of them?—Yes.

Have you not addressed the Natives at Tuafu?—After the Minister's visit I had special meetings there—in fact, quite a number.

Do you approve of the Mau people not obeying the village *pulenu'us*?—No.

You think they should collect beetles and hand them over to the *pulenu'u*?—Yes, I think so.

Do you approve of them not paying their taxes?—That is so.

You think they should pay them?—Yes.

Do you know that in various districts they are disputing the *pulenu'us*?—I have been told that.

And in various places they are not paying taxes?—I do not know whether there are any taxes to pay.

Are not the dog-tax and the gun-tax due?—I do not know that?

Have you taken any steps recently to tell them to obey their *pulenu'us*?—No. I have only met them in connection with social functions since I came back, and in connection with this case.

You have addressed various meetings since you have been back?—Only social meetings where there have been receptions.

You spoke at those receptions did you not?—I have spoken to them and informed them that we have now to go on with the Royal Commission because I was told that there was some sort of dissatisfaction, and I informed them that they had to bring all their grievances to the Royal Commission.

I suggest to you as a public man that it was your duty to have told them to discontinue these practices: what do you say as to that?—I had no time to tell them.

Do you want to suggest that you have not told them to desist from these practices because you have not had time?—There has been no occasion for me to hold meetings for that purpose. When I returned this Commission was sitting.

Would you give me definitely what is your explanation for not having used your influence with them: is it because you have not had time or that you did not wish to?—The Minister undertook to take the thing on his own shoulders when he ordered us to cease activities with the Natives, but that is the last I heard of them until now. Their grievances were to be put before the Royal Commission, and whatever the finding of the Commission was we had to abide by it.

In the meantime you will not lift your hand to stop these practices going on?—I will do my best to help things along so long as I am not stopped by the Minister in my activities with the Natives, and told to do such things as suit them and not to do such things as suit me but do not suit them.

Do I understand that because of a feeling of resentment you have not used and do not intend to use your influence with the Natives to get them to obey the village officials?—I have had no time to do it since I came back because the Commission was sitting. I have had nothing definite from the Mau that they have refused to obey the officials. Before I went away I told them to obey all the laws and keep the peace. I have done nothing but that.

With respect to copra, do you know how much copra the Government has made advances against?—No.

I take it you do not suggest that the Natives are not entitled to get as much for their copra as they can?—I should like the Natives to get as much as they can for their copra.

If the Government places at the disposal of the Natives the machinery of the Reparation Estates, that is really no concern of yours?—No.

That is entirely the New Zealand Government's business, is it not?—Yes, except that if the New Zealand Government's promise, which I understand is still good, that whatever profits there are accruing from the Crown Estates should go to the Samoan Treasury, then I consider that the taxpayers of Samoa are interested.

Where did you get it that the New Zealand Government is going to hand the profits of the Reparation Estates over to Samoa?—That is the understanding.

Where did you get that understanding from?—Well, supposing it is not, as I answered you before, I do not think there is any reason why anybody should object, but if such an understanding is there, naturally then I should say that the people would be interested. If that is not the case, then it is no business of mine or of any other person.

And the only possible effect it could have on you is that there might be less copra for you to buy?—Yes.

But that is an ordinary trading risk to which you can take no exception?—No, except that if the New Zealand Reparation Estates are going to be a commercial concern they should be made to pay taxes and go through all the other regulations and restrictions which the ordinary copra trader has to go through.

Do you not know that they do pay taxes?—I do not know that.

WEDNESDAY, 13TH OCTOBER, 1927.

OLAF FREDERICK NELSON further examined.

Mr. Meredith.] While you were in Auckland, Mr. Nelson, you received a radio on, or somewhere about, the 4th August, which you handed to the *Sun* newspaper: is that a copy of the contents of that radio?—That is.

The radio reads as follows: "Police pickets stationed at Afega, Vailima, and the Iron Gate at Letogo, with the object of stopping all Mau supporters from passing to Apia bringing food to committee. Additional European police being signed on. Malietoa and Tuimaleli'ifano definitely against Administrator. Their resignations tendered, but not accepted till next week. Position very serious if Administrator not removed." From whom did you get that radio?—I received it from the Citizens Committee here.

Who signed it?—It was not signed. It is not unusual for business telegrams not to be signed when it is distinctly understood who the sender is.

The Chairman.] What was the date?—Somewhere about the 4th August, 1927.

Mr. Meredith.] On what date did you receive it?—It would be on the that date, I think, because when I received telegrams in the morning copies were made and handed to the *Star* and the *Sun* newspapers, and if it was not too late to be published it appeared on that day, otherwise on the following day.

It would be either on that day (the 4th) or the 3rd?—Yes.

You handed it straight to the press?—I did.

The Chairman.] Was it on your arrival at Auckland that you got this radio?—I arrived in Auckland on the 11th July.

After you had been to Wellington?—Yes.

Judge MacCormick: The dates of these messages will be given in the Joint Committee report. This, I presume, refers to one of those messages.

Mr. Meredith.] Mr. Nelson, who was the chairman of the Citizens Committee during your absence?—Mr. Williams.

Would you mind giving me an order for the production of the original radio as put in here?—That is not my business. Probably it is the business of the sender.

As far as you are concerned, you would be agreeable to that being produced?—As far as I am concerned, I would be willing to, subject to the advice of my counsel.

Mr. Meredith: Mr. Baxter has agreed to produce the original.

Mr. Baxter.] In Mr. Meredith's cross-examination reference was made to the control of the Mau: who actually did control the Mau?—The Mau matters are controlled by the Citizens Committee, because the Mau grew within the supporters of the Citizens Committee. I was unable, and did not attempt, to do anything of any importance at all without it had been passed by the Citizens Committee, who were elected for that purpose by the people.

Then the question arose of your going to Wellington, Mr. Nelson. It was not made quite clear why you went to Wellington last year, and finally had an interview with the Prime Minister?—I have already stated that, in addition to the grievances of which I already know, I was informed of further developments in Samoa. It was either by letter or cable that I heard from Mr. Westbrook of the wanton destruction of coconut-trees, and he asked me to go; but what really was the turning-point in my mind which made me go to Wellington was, I think, a letter from Mr. Williams wherein he mentioned to me that the Administrator, through the Secretary for Native Affairs, was ordering Natives to leave Apia and return to what the Secretary for Native Affairs termed was their home. Then I received a letter also from one of my employees to inform me that two or three Samoan labourers who, although on daily wages were practically permanent employees, had been ordered to return to what were called their homes, but were imprisoned because they did not obey this order. I have a copy of that letter here that I found in my office. I thought that it was a little too much.

The Chairman.] I do not quite understand where you were when you got this letter?—I was in Sydney at the time. [Letter put in: Exhibit No. 55.]

Mr. Baxter.] You say that was what decided you to go: had you any doubts in your own mind up to then as to whether you would go or not?—I was not quite sure if I could go, because I had been quite a long time in Sydney, and it would have taken much less time to return direct.

You pointed out that you were on friendly terms with the Administrator at the same time that you had other old grievances to bring up: are these the grievances that you mentioned to Mr. Meredith that you had told the Administrator before you went away?—Whenever I have had occasion to mention any grievances to the Administrator I have done so. It was not always possible, because I have practically been led to understand by remarks from the Administrator at times when I have made certain representations to him that he did not want to hear them.

What would some of these matters be?—I made a special call on him in his office regarding the banishment of certain Samoan chiefs of Safune—Tu'u, So'oalo and So'oala T., and Pepe. I called on him upstairs in that particular case and begged him to give the matter more serious consideration before adopting this course of banishing chiefs. I also informed him that where he might be advised by his present Faipule, it was not possible for him to know of the old feuds, and old scores, and old rivalries between the Native chiefs which might have prompted the present Faipule to advise him to get rid of certain chiefs who have been his rivals for generations. He told me that Captain Bell was in town and that he would look into the matter, because none of these things was done without every consideration being given to all these matters.

Were there any other matters which you had mentioned to the Administrator?—I also mentioned to the Administrator the dissatisfaction of certain districts on the north Coast of Savai'i regarding their Native medical practitioner and the treatment received from the hospital doctors. I think that this matter was referred to the hospital, and that the Administrator sent me either the original or a copy of the report from the hospital on this matter. I cannot recall all the special instances when I have called on him, but I have also advised him openly in the Legislative Council, in speeches from the public platform, and even in speeches at Vailima—I have referred to certain things where we differed in politics. I have also taken every opportunity to be open with the Administrator in my advice in matters whereon we differed.

Therefore, before you made this trip to Sydney you were differing from the Administrator in politics, although you were personal friends?—I considered we were personal friends, and the letters we wrote should bear this out; but there was no doubt in his or my mind that we differed on many subjects, but I did not think that this should interfere with any personal friendship there might be.

Politics seem to have got to be a personal matter in Samoa now: can you give me the reason for this?

The Chairman: We have not got to deal with that matter, surely?

Mr. Baxter: Well, I refer to it, sir, because the matter came up in the cross-examination.

The Chairman: But it only deals with the personal attitude of Mr. Nelson towards the Administrator.

Mr. Baxter.] Have you got any personal feelings toward the Administrator over the present matters?—There was no personal feeling against the Administrator at the time the meeting was held, or even at the time when I interviewed the Prime Minister in Wellington last year. But the first intimation that I had that personal feelings entered into the controversy was after these public meetings, and I noticed a change of attitude towards me in the Administrator.

Now I want to come to this meeting in Mr. Meredith's house. Who invited you to go there, Mr. Nelson?—I am not too sure whether it was Faumuina or Lago Lago and Mr. Meredith between them. I was told that the two Fautuas wanted to meet me, and I said that I would be prepared to meet them at any time that they arranged the meeting, but they knew I was very busy. It was just after I had arrived, and then I think it was Lago Lago who said the Fautuas will be ready on a certain night: what about Mr. Meredith's place? I said that would do. I considered it a purely social function, and at that social function politics were discussed.

Was the question of a public meeting brought up and decided at that meeting or not?—It was not decided, to my knowledge, at that meeting, but it might have been brought up. But I know the question of whether the Samoans might avail themselves of the Minister's visit to present their grievances—that was brought up, and I replied, "Certainly, Samoans and Europeans alike may bring up grievances or make any representations they choose to the Minister," but the form they were to take was not decided.

When was it decided, and by whom, that a public meeting should be called?—After the matter was discussed by the two other elected members and myself we called a few other citizens to ascertain their wishes and to enable us to gauge the public mind, and we held a few preliminary meetings. The first was held at my house (Tuaefu). There were the three elected members, Mr. Meredith, Mr. Smyth, and Mr. Meyer, I think, also; and it was decided that we should call a public meeting. The next meeting was held in Mr. Williams's house. It was then decided during these meetings—there were two or three—it was then decided that a public meeting be called to find out what the people wanted, and that we should follow the instructions received at that public meeting as to what course to take.

You have told us who the Europeans present were: were there any Samoans present or not at those preliminary meetings?—No.

It has been suggested, Mr. Nelson, that you should have mentioned to the Administrator all about these political matters that you proposed to bring up. Since you have been in the Legislative Council have you been in the habit of mentioning to the Administrator about the matters you have proposed to bring up?—No; I did not think it right to mention anything to the Administrator except by their express wish.

It has also been suggested, Mr. Nelson, that the Natives were disturbed out of a state of contentment by your representations. In the first place, do you know of your own knowledge whether they were in a state of discontent or not?—The Natives were disturbed already. They were distressed.

Mr. Cobcroft, we know, was elected at the first meeting: had the question of Native policy been brought up then or not—the including of Native policy?—The discussion on Native affairs and the policy had been decided upon before the election of the committee. Mr. Cobcroft was fully aware of the scope of that committee before he accepted membership, and he knew that within that scope one of the important matters was Native affairs and the Native policy of the Administration.

Regarding these reports, how was it that you allowed them to pass without full consideration on your part, particularly finance?—I had my hands full of other things. I had my own report to consider, and I had full confidence in the sub-committees who were appointed to deal with different subjects.

Regarding these reports, they were forwarded to the Administrator some time in December, so that they could be considered by the Fono?—Yes.

Were they ever returned to you, or was it pointed out to you that serious mistakes had been made?—No.

Was there any mention of it made at the interview with the Minister?—No.

It has also been suggested that at that interview you should have advised the Minister of this Samoan petition that had gone forward: was there any opportunity given or not for such intimation?—At the interview with the Minister no opportunity was given us to tell him other than what was decided upon to discuss. We had not sat down more than a minute when he started off on his long address, that long judgment on us, before he had heard our address. That called for a speech from us, and so it went on to the end, and he closed the interview before we knew where we were, and no opportunity was given to us to refer to that, even if we had wanted to.

Is the Samoan League the same as the Mau?—The League and the Mau are one and the same thing.

Were the objects of the League set out?—

The Chairman.] What do you mean by that? What organization are you referring to?—The Samoan League and the Mau are one and the same thing, and the objects of the Mau were sent in English and Samoan to His Excellency as soon as they were passed by a meeting. [Put in: Exhibit No. 56.]

Mr. Baxter.] And the above is a copy of the covering letter that you sent. Do you know of your own knowledge or not whether the New Zealand Reparations Estates pay turnover-tax?—It

cannot, because it has no turnover. Turnover-tax is paid on the turnover of the sale of goods, and a minimum of £15 is charged for a trading license. It varies, and is based on the sale or turnover of goods.

Mr. Meredith.] In the letter [see Exhibit No. 55] which you put in this morning could you give me the names of the two men who were discharged?—Leagai and Lia. I have only just been told by the writer of that letter that only one was put in gaol.

The Chairman.] Mr. Nelson, while you were a member of the Legislative Council did you move any resolution in favour of economy in the expenditure of the Administration?—Yes.

You did?—Yes, in various parts of the expenditure.

Did you move a resolution in favour of general economy?—I have on more than one occasion sent in motions for retrenchment, but I have had to accept what was allowed. Very often we sent in eight or nine items and have been told that this is not allowed and that is not allowed. We have had to accept what the Clerk told us.

Did you move for an inquiry into the necessity for any expenditure?—In the Legislative Council?

Yes?—I think I did.

It will be contained in the minutes. Did you move at any time for an inquiry into the adequacy and efficiency of the medical administration, or any member of the Medical Department?—We used to split it up, and Mr. Williams dealt with medical.—

Well, did Mr. Williams move for an inquiry into the adequacy or efficiency of the Medical Department or staff?—I cannot say definitely that the proposition was put forward in that way, but it was towards retrenchment and some form of inquiry into the conduct of the Medical Department.

The elected members of the Legislative Council were in a position to move and put on record any resolution that they thought proper?—No.

Why not?—We were often told that we could not do this or that.—

That is not an answer to my question. Do you say that you understood that it was incompetent for any elected member of the Legislative Council to move resolutions dealing with any aspect of the administration of Samoa?—We were not always able to do it. Our notices sent in were not always allowed. We were told it was not right to do this or that.

You say that you endeavoured to do so, but your attempt was frustrated by the Standing Orders?—We were frustrated by the Standing Orders.

I have perused the Standing Orders, and they seem to me quite reasonable. I cannot see anything wrong with them?—I do not know why, but we had to cut out this and that. We had to accept the ruling of the Clerk.

You do not seem to me to be the sort of man who is likely to be afraid of the Clerk?—We had to rely on the Clerk.

If he laid down a procedure that you thought was wrong, would you not protest against it?—We have.

What did the Administrator do?—He said we would have to keep within the confines of our duty. He was always quoting laws of some sort.

Is it not a fact that you have said that 90 per cent. of the Samoans are members of the Mau organization?—Yes.

Have you stated that the indications were that all the officials of the Administration would become members of the Mau—the Samoan officials?—Yes.

We have arrived at the fact that the organization of the Mau started in March, 1927?—The objects were defined then.

And, I suppose, it was constituted then?—Yes.

As I understand it, it has been suggested by the examinations that the Mau is regarded by a majority of its members as being in direct opposition to the existing Government, and that a portion of its activities are directed to impeding the Administration in its functions. If these statements are true, what do you say as to the character of the organization of the Mau? I want you to assume for the moment that they are true. Is it innocuous or noxious to the public interest?—It would be noxious.

And, I suppose, if these were the real purposes of the Mau, it would be objectionable to any form of stable government under the existing conditions?—It would be, but they were brought about by the actions of the Government itself.

That is not what I am asking you. But, nevertheless, you say that it would be objectionable to any form of stable government, but these conditions have been brought about by the conduct of the Administrator?—Yes.

Do you not think that if these were in fact proved to be the purposes of the Mau, that what has happened should have been anticipated by the experienced settlers who were at the head of the movement—those experienced settlers of Samoa who were guiding the Mau movement?—To have anticipated that, your Honour, would mean that we would have had to anticipate the continued opposition of the Administrator towards constitutional representations.

According to your view, that proves to be the factor—namely, the resistance by the Administration towards all constitutional reforms for months and months?—Yes.

Did you, Mr. Nelson, ever raise your voice against the continuance of the Mau organization, or did you continue to aid in its operations?—I left shortly after the Minister was here, and I informed the people of the wishes of the Minister, and that later on they would get the views of the Minister in reply to their representations, and that they should keep the peace and obey all the laws.

I have noticed that all the meetings, whether they were meetings of the Samoans or whether they were meetings addressed by the elected members of the Legislative Council, there was always advice given about the peace, order, and good government of Samoa?—There was always that, yes.

Is that not suggestive that the organization was an incendiary organization?—I should not say that. That exhortation was considered necessary on account of the harsh treatments that were meted out to some members of the Mau and outside of the Mau. While Mau meetings were being held here pamphlets were issued by the Government—

What pamphlets do you refer to?—The *Savali*.

Where are they? If a point is to be made of them we had better have them in?—It was these things and a fresh crop of banishments that prompted us to urge the people to keep the peace and only to move along constitutional lines. We felt that it was necessary not on account of the Mau being dissatisfied, but on account of the things the Mau had to counter.

Mr. Nelson, you have lived practically all your life in Samoa?—Practically.

And you know the Samoan character?—Yes.

Are you surprised that a large number of the members of the Mau have thought that the organization was directed to securing self-government of Samoa by the Samoans? Are you surprised that this notion should have existed in their minds?—No.

Then it was probable that it would exist in their minds?—Nobody foresaw that these conditions would be allowed to go on for so long. We could not anticipate that the Minister would allow them to go without investigation. We could not foresee—

You mean that the Mau should not have been necessary?—Should not have been necessary.

But, as it exists, it should either have been satisfied or put an end to, I suppose?—Those were the only alternatives.

I am asking you, if the organization of the Mau ought to have been put a stop to, there were only two ways of doing it: one was to give them what they asked for; the second was to stop the organization in some way?—Yes; what they asked for was that they wanted redress and their grievances looked into.

That is a colloquial way of saying the same thing, is it not? You say that you are surprised at the Mau organization being allowed to exist?—I did not say that, sir.

I understood that. Tell me again what you said?—I say nobody could have forecasted the present position of the Mau.

That is not what you said. That is not an answer to my question. You have told us that you were not surprised that many members of the Mau should regard the organization of the Mau as being directed to the purpose of obtaining self-government of Samoa by the Samoans?—That is right.

Do you think it was right to permit such an organization to function for many months?—That was not considered as an object of the Mau.

It is what you would expect would be raised by the organization in the minds of the Samoans, is it not?—I must insist on saying that at the present juncture the Samoans feel that, but I do not say that it would develop into that.

No one was asking you what were the original objectives of the Mau; the question put to you was whether members of the Mau thought the organization was directed to securing self-government of Samoa?—I say that at the present juncture—

Pardon me, Mr. Nelson, when did you arrive at that opinion—that many of the Samoans might think that the organization was to secure self-government for them?—I think I first noticed it—

Would you tell me, roughly speaking—I do not want to know the month, but at what epoch? Was it before you went to New Zealand?—The idea was developing in my mind before I went away.

Before you went to New Zealand last time, I suppose?—After the Minister's visit.

Did you inform the members of the Legislative Council that there was a possibility of such a danger?—We might have discussed it.

I am asking you a plain question. Did you in your evidence say one word to intimate to the members of the Legislative Council in Wellington that there was a possibility of such a danger?—No; that is a question which never arose. It was never put to me in that way.

Are not there many expressions in your speech which might be read as favouring the notion that the Samoans were entitled to self-government?—I could not say that my speech could be construed to mean that.

Did you read Mr. Meredith's pamphlet?—Yes.

Does that not advocate self-government for the Samoans?—I suppose it does.

He said he was of the opinion that they were quite competent to do it?—Yes.

Do you know that many Natives regard you as the leader of the Mau organization?—Yes; but the election was by their own appointment.

It is not too much to say that you have very great influence over the minds of the Samoans?—Perhaps not.

You received upon your return here at least two enthusiastic and populous receptions by the Samoans?—Yes.

I only wish to put one further question. I think it ought to be on record. We have been told that the price of copra paid by the traders was fixed each year by the traders in conference: is that correct or not?—Not each year. Whenever occasion arose to fix the price the traders met accordingly.

From time to time, then?—Yes.

Will you tell me how many years that system has gone on?—When I was away last year there were no arrangements.

Ever since you were a trader, then?—No; I broke the arrangements myself before I went away.

But up to that time it was the custom?—There were probably two or three years without a breach of the agreement.

That is not an answer?—It was not a continuous thing.

For how long has it been the practice of traders to meet for the purpose of fixing a common price for copra?—There has always been an arrangement of some sort.

We all know those arrangements are frequently broken?—Yes.

Whenever there was a common price fixed, that represented the price payable for copra delivered in Apia?—There were different prices fixed.

I am asking you whether that was not the standard price?—That is the price delivered in Apia by the traders. That is based on the price fixed to be paid at the trading-stations.

That is not an answer to my question. We have been told by some that the practice was to fix the price for copra at a sum for copra delivered at Apia, and to reduce that price according to the cost of transportation from places outside Apia: Is that right or not?—Yes, that is right. I would like to explain that there are two different kinds of copra—copra from the traders delivered at Apia is store copra, and is different from village-dried copra. One is from the producer—

Is it not correct that the price for Native copra was fixed independent of quality?—Because we should only pay for one quality, according to the law.

The fact is the price was fixed independent of quality?—There should be only one quality; the law calls for only one.

I understand it has got to pass an Inspector?—Yes.

The fact is there is only one price for all qualities of copra?—Yes.

And that is the quality which would pass the Inspector on exportation?—Yes.

Outside of that there is no difference of price for quality?—Yes.

The Apia price was reduced according to a fair estimation of the cost of transportation from the outside districts?—And other considerations.

So that we may take it that in the price which was paid for outside copra a deduction was made for the estimated cost of the extra transport and shrinkage?—Yes.

I notice in yours and other figures you seem to make that deduction twice. It is the heading "Estimated market cost of copra per ton." Look at the heading "Freight to Apia": Nil in Apia, £1 2s. 5d. in "A" district, £1 13s. 7d. in "B" district, and £2 4s. 10d. for "C" district. Now, "A" district: that would mean that you estimate the cost of transport as £1 2s. 5d., plus £2 4s.—that is, the £1 2s. 5d. you deduct for freight and the difference between the cost at the station and the price paid in Apia—that is, £2 4s. Is that correct?—No; that £1 2s. 5d. goes on to the price paid at the station to make up the cost of the copra at Apia.

The price paid is £11 4s.?—Yes.

In your estimation of the profit, you charge £1 2s. 5d.; but you have already allowed yourself £2 4s., because otherwise you ought to have paid them £13 8s. 10d. per ton?—There is shrinkage at the stations.

But that is also allowed for, as you say. That only goes to increase the strength of my observations. That does not go to make your profit less?—That goes to make it higher in "A" district.

The object of this statement is to show what profit you are making. I want to point out to you that in the price of £11 4s. you told us you have taken an allowance for freight to Apia and extra shrinkage between the place of sale and Apia?—This price, £11 4s., is what was actually paid, because we also have to pay freight and shrinkage, which makes it up to the price £13 8s. 10d.

My learned colleague points out that apparently your explanation is the correct one?—If you add the freight and shrinkage on to the purchase price you get £13 8s. 10d.

Judge MacCormick.] According to this statement, copra priced at £11 4s. in "A" district costs £16 2s. 11d. in Apia, whereas copra in Apia itself is £14 5s.?—Yes.

The Chairman.: That completely explains it. There is no doubt whatever in my mind now.

Judge MacCormick.] You know, Mr. Nelson, that a very large number of people remained in Apia after you left for New Zealand?—Yes; they were going away. I might mention that I diverted some of my boats to get them out of it.

Judge MacCormick.: We have been told that by either Lago Lago or Faumuina.

Mr. Baxter.: It is in the Committee report.

Judge MacCormick.: But that is not before us.

Mr. Baxter.: I think that is where Your Honour got it from.

Judge MacCormick.] I am putting it to you, Mr. Nelson, that there were a large number here. What were they stopping for?—A great many could not get away.

You know that a great many of them refused to go?—A large number who were in Apia were here because they could not get away. I was doing my best.

Why could they not get away: I do not mean in a week; I mean in a reasonable time?—Perhaps it might be difficult to understand. Some of these people came from Falealupo and Sataua. If a boat went there it would only carry a limited number, and if there was no copra there may be no call to go there for some time.

I am not talking about that; I am talking about the people who refused to go?—The larger number were here because they could not get away.

I am talking about the number—given to us at seventy—who definitely refused to go. They were told to go home and refused to go. What object do you suggest they wished to serve by remaining in Apia?

Mr. Baxter.: All these troubles occurred after Mr. Nelson left.

The Chairman.] But, Mr. Nelson, you can answer the general question?—I can only account for it that those who delayed going did not want to go, and were waiting to demonstrate to the Administrator that they had not had a fair hearing from the Administrator and would wait until they did get a hearing. They felt that they had a little more confidence in New Zealand than that.

Judge MacCormick.] It was a downright defiance of the Administrator?—It was to demonstrate their dissatisfaction with the way the whole thing was handled.

The Chairman.] It is not an answer?—I can only give my opinion.

Judge MacCormick.] I am not asking you about the people who could not get away; I am asking you about those people who would not get away?—Another feature is that they could not see why they should be ordered about like children.

The Chairman. That is a very wrong way to talk in connection with this matter, and is rather typical of some of your observations in the presence of the Samoans. It is a very wrong way to talk. It is an incendiary way of talking. I am not asking you to agree with me; I am telling you my views. I do not care a bit whether you agree with me or not on that point.

Judge MacCormick.] Did I understand you to say that there was now an efficient surgeon in Apia?—Yes.

Who appoints the leading officials of the Medical Department; do you know?—I do not know.

Do you know that there is a considerable difference between a physician and a surgeon?—Yes.

And each may be a capable man in his own line?—Yes.

And it is not always necessary for the head of a Medical Department to be a surgeon or a physician, provided he is a capable administrator. I do not mean that he should be destitute of medical knowledge, but he may be either physician or surgeon and yet be a suitable head?—Yes. What I pointed out was the present head has not displayed knowledge sufficient to get the confidence of the people.

Then, it is merely a personal complaint against Dr. Ritchie?—Yes.

There seems to be a good deal of dissatisfaction about the conduct of the New Zealand Reparation Estates?—Yes.

Does it concern Samoa generally how those estates are conducted or managed?—There is dissatisfaction in various quarters. In one respect there is dissatisfaction expressed by arists and mechanics on account of one department of the Reparation Estates taking over a monopoly of certain Government work.

That is an Administration matter, not New Zealand Reparation Estates, is it not? What you mean is that the Administration has seen fit to use persons employed in the New Zealand Reparation Estates for general purposes?—No; I think it is the transport and engineering department of the New Zealand Reparation Estates, or something like that, that has a monopoly of Government work. I know that is one of the causes of dissatisfaction.

That is a complaint against the Administration. The New Zealand Reparation Estates cannot do that unless the Administration direct them to do it?—Exactly. The Reparation Estates is conducted, I suppose, by the Administration.

New Zealand pays a subsidy to Samoa every year?—Yes, I understand so; it is in the estimates.

The Chairman. You are a member of the Legislative Council.

Judge MacCormick.] £20,000, or thereabouts?—Different sums.

Mr. Baxter. It was £21,400 last year.

Judge MacCormick.] Largely the profits of the New Zealand Reparation Estates?—Yes.

Well, that is a gift, is it not?—Yes.

That is not an ungenerous act on the part of New Zealand, is it?—No; but representations have been made that if the Government were more economical we would not want it, or we would get extra work done for that money.

Then, it would still be a gift. Supposing that some of these matters which you have asked to be done are to be done, how do you consider they will be effectively carried out: give me your ideas?—Much of what is now asked is only a restoration of former usages and customs.

How is it to be done: there must be some machinery by which to bring about these changes?—Do you mean New Zealand?—

No. I am assuming that some of these requests have been considered proper to be granted: how are they to be done? Have you ever considered how this is to be done?—Do you mean by Ordinance or Order?—

Is it to be done by legislation in New Zealand or in Samoa, or by change of officials, or how is it to be done?—There would need to be a very big change of officials, and under our present status I suppose legislation in New Zealand or Order in Council would be necessary. How to get that would be a matter for the authorities. If an Ordinance passed in Samoa would be effective, that would be all right; but, if not, there should be no difficulty for the authorities to find the means to bring about such reforms as were considered proper.

You are not prepared to give any more definite indication than that?—I cannot think just now.

You have not thought it necessary to consider that?—I do not think there will be any difficulty?—

I am not suggesting that. I am only trying to get your idea as to the manner in which it is to be brought about?—I still think there should not be any difficulty for New Zealand to make such changes as are considered necessary.

Mr. Slipper. May it please your Honours, I ask leave to report that on Monday last a large *fono* was held in Tauese. With the assistance of Mr. Nelson, Chief Afamasaga—or perhaps I should use the name Lago Lago—and Faumuina, the assembled people decided to curtail the questions of their general grievances to thirty-three representatives. Yesterday those thirty-three met with me and decided that one man be appointed by them, and with the assistance of Lago Lago he could put forward all their general grievances, and that they would bring forward to me what particular grievances they had for me to sort them out to the best of my ability. I have not yet gone through their particular grievances, but I am in a position to ask these chiefs to stand forward and state their general grievances; and when they have completed that, as far as I am aware, that will be a complete statement of their grievances. The spokesman appointed is Namulau'ulu.

NAMULAU'ULU further examined.

Mr. Slipper : I omitted to add, sir, that it is my suggestion that the other thirty-three should be present in Court to hear what is said. Therefore I ask that room may be made for them to come in and hear what is said. (To witness :) Where do you come from?—Safotulafai, Savai'i.

And the thirty-three representatives have appointed you to give evidence as to general complaints to-day?—Yes. They have all said "Yes" to that.

The first matter is the matter of a famine?—I am going to make a report regarding the famine. A word like that in the Bible means—

What year was that famine in?—1925.

Some people went to the officials and asked to be allowed to get credit in the stores?—There were districts of Western Samoa who announced their appeal to the Governor for food to help them in the famine, such as sugar, biscuits, rice, flour, &c. The Governor replied that he could not do it.

Were any Natives given the right to incur credit?—They were allowed to incur debts for taxes, but not for what they appealed for for the famine.

Did any of them incur debts for taxes?—Yes.

What, and from whom?—The district of Anoamaa.

Whom did they get the money from?—They got it from Nelson's store, because he loved the Samoans.

What were they able to get?—£60.

£60 was borrowed by that village from Mr. Nelson's store; was that so?—Yes.

And that was for taxes?—Yes.

And that was permitted by the Administration?—Yes.

The Chairman : He says that this £60 was advanced from Nelson's to pay their taxes only.

Mr. Slipper : Yes. (To witness :) What have you to say about the statement of the Government finance?—The dissatisfaction of Samoa has increased because no statement of finance is published in the Samoan newspaper, like it is done in American Samoa.

Can you tell us how often an official statement comes out in American Samoa?—Every month.

The Chairman.] What paper in American Samoa?—The *Fa'a-tonu*.

Is it a newspaper or a Government paper?—A Government paper.

Mr. Slipper.] And what do you think it should be published in here?—In the *Savali*.

The next thing is about "O le Fetu"?—The Samoans are distressed by the Fetu.

Is it a Scout movement, with drill?—The Natives have been drilled, which is not in accordance with the mandate.

Is there any other objection to it, other than that it is not in accordance with the mandate?—The Samoans have suffered in contracting debts for their uniforms, and all of the Samoans have groaned because it is a waste of time which should have been used for their work. And this also: the Samoans have taken pity on those who are in the Fetu suffering from fits of the sun while they are drilling.

Why did they go on with it if they did not like it?—We could not stop it, because the Governor gave his orders to the Faipule and to those who conducted the Fetu.

What have you to say about the punishments of Europeans and punishments of Samoans?—The dissatisfaction of the Samoans has grown because the punishment of the white man is not the same as the punishment of the Samoan.

What have you to say about the model villages?—The Samoans are not satisfied with the model villages, because the white man is taking away the villages that the Samoans are accustomed to.

What is the difference between the ones they are making and those they are accustomed to?—The model village at the present time as ordered is all clustered together on one piece of land.

What sort of land does the Samoan like to place his house on?—On the land that has been used from the very beginning and on which his ancestors and parents are buried.

You say you do not like them all together: what is your objection to that?—The village being made close together means the cutting-down of trees that are used to feed the people.

And shade?—Yes, and the cool shade.

Any other objections to the model villages as they stand?—The model villages are becoming the cause of troubles between the people in them.

Why?—The owner of the land is not satisfied that another one will not come and live on the same land with him.

What have you to say about the "Lady Roberts"?—The "Lady Roberts" was announced by the Governor to the Samoans to be a help to the Samoans between Western Samoa and Tutuila, and between Upolu and Savai'i.

What do you mean by "being a help": Do you refer to the fares?—Yes. That is the real meaning—that the fares should be lowered, and not increased.

What is the fare from here to Pago Pago now on the "Lady Roberts"?—It is £1 10s.

What was it before?—In former times, during the German régime, the fare was only 12s.

Judge MacCormick.] Before the war?—Yes.

Mr. Slipper.] Does that boat run regularly from here to Savai'i?—Not regularly; and that is the wish of the whole of Samoa—that it should run regularly.

Does she go often to Savai'i, or only rarely?—Only when the Governor wants to make a *malaga*, or some other Government officials, but not for the Samoans.

Concerning the ambulance-wagon?—The ambulance was a present from Mr. Nelson. It was made known that it was to help the Samoans when they were sick, to carry them to and from the hospital.

Was anything made known about payment for the use of it?—Since that announcement, when a Samoan is sick and wants to use the ambulance he cannot get it unless he pays for it.

What have you to say about Samoan representatives on the Legislative Council?—What has been said first is very good.

By other witnesses?—Yes, and said by the Legislative Councillors regarding the representation of Samoans by Samoans; but I do not want that matter to be closed yet, until the Samoans are quite satisfied and have decided later.

Is there anything further about it that you want to bring forward now?—That matter has already been made known—that representation by the Samoans should be given on the Legislative Council, and I am satisfied with that.

The Samoans have not settled any scheme about it yet?—No.

And they want time to think about it?—Yes.

The Chairman.] Do you regard the proposal for representation by the Samoans on the Legislative Council as merely an instalment of reform, with more to come?—What we mean is that we will decide more about it in the future.

Mr. Slipper.] What have you to say about salutes? [Extract from “Samoan Law Book” read to witness]

The Chairman.] That does not apply to high chiefs?—There are many things we would like to say regarding this law. We would like to know how to salute—how it is to be done. There are many salutes—with guns, with the hands: what is it they want to be done?

Mr. Slipper.] I have read out the order that all young men must salute officials of the Administration, and chiefs and Councillors by raising up the right hand: Is there anything about that?—It is a cause of discontent among the Samoans, because it is going to change the customs of the Samoans. This is a white man’s custom, to salute with the hand.

Have you anything to say about the number of officials in the Administration?—That is another thing that has caused discontent. The duty has been made heavier on account of the number of officials in the Administration.

Do you think there are too many officials here, or do you think there are not too many?—The light that I have at the present time is that the white officials have increased more than in former days, during the German government. That is the cause of the groaning of the Samoans in respect of the Customs duty.

Is that one of the causes, or is it the only cause?—One of the causes.

You have heard the evidence that has been given to the effect that the Faipules are not elected by the people of their district?—They are not selected by their districts.

Have you heard what the other witnesses have said about that?—Yes.

And do you agree that they are right in what they said?—Yes.

Have you heard what has been said about “fine mats” and other old Samoan customs?—I agree with all that has been said.

Have you heard what witnesses have said in objection to the medical tax, and do you agree with that?—I agree that it should not be done.

Do you agree that when Samoans are ill they should personally pay for their own medical attention, instead of having to pay a medical tax?—A sick person should pay for his own treatment.

Have you heard what has been said about dividing up the Samoan lands?—Yes.

Do you agree with that or not?—I agree that it should not be divided.

And that the *matai* should still hold the land on behalf of the family?—Yes.

And that a division of the lands would tend to break up the family?—Yes.

Mr. McCarthy.] When you mentioned the famine, did you not mean a shortage of food?—The meaning of “famine” in Samoa is that there is no food.

Only some districts were affected?—All those that suffered the most are the districts that cried for help; but those who did not suffer did not cry for help.

Did that happen just after the big storm?—Yes.

That was in the year 1926?—1925–26.

Do you not know that all districts that were affected were inspected?—Perhaps they were inspected.

And Mr. Griffin, Secretary for Native Affairs, recommended that those districts that had suffered badly should get help, and they did get it?—I did not get any help.

You will not deny that other people got help, will you?—I am speaking concerning the districts that appealed and did not get any help.

But there were some districts that got help?—Well, if others got help, then I express thanks.

Do you not know with regard to finance that the whole matter was explained by the Governor in the Fono of Faipules?—I do not know.

You have mentioned the Fetu movement?—Yes.

Do you know what the word “character” means?—Yes.

You know what it is to have a good name?—Yes.

And is not that the greatest thing that Samoa can earn?—If it is a matter that is valuable and useful to Samoa, then it is of great importance.

I will read out to you the objects of the Fetu movement as follows:—

1. *The Fetu of Samoa.*

The object of the Fetu of Samoa is to help the young men and boys of Samoa to become true and good Samoans—good in mind, in body and in character. Every boy knows that some men are more successful in life than others. One man may have a lot of land or money and not be a success; he may not be loved by his fellow-men because he has some faults in his character.

Some men may be big and strong and yet not be loved by others because they may be ignorant or weak-minded, or have some bad faults which cause others to dislike them.

To be a truly good Samoan a man must have many good qualities; then he will succeed in life. He will make himself and his family better and happier; and if every young man and boy will become a true and good Samoan, every family, every village, and all Samoa will be better and happier.

Therefore every boy and young man should belong to the Fetu o Samoa because this organization has been established not only to make every Fetu wiser and better, but to promote the interests of Samoa.

Every Fetu must promise to—(1) Be true to his God; (2) be loyal to his King and Government; (3) love his country and try to make it better; (4) to be kind and good to others; (5) to learn all he can so as to improve his knowledge and wisdom as well as to take care of his body and improve his health.

There is nothing wrong with that, is there?—I am not satisfied with that.

Was it not started and is it not confined purely to the schools?—No; it has spread to the districts.

Whose fault was that, that it has spread to the districts?—The first thing, it is the Governor's fault.

Is it not true that the Governor launched this movement purely for the schoolboys?—If it was confined only to the school-children, then they are not satisfied with it, because it is not right, the Samoans do not agree to it.

Are you made to join the Fetu movement?—The Faipule forces us to join.

Do the Samoans not know that this Fetu movement has been asked for in Fiji and Africa?—If they cry for it, let them cry for it. It is not proper for the Samoans.

You do not know that this system which has been adopted in Samoa is being copied in other countries of the world. You have mentioned the "Lady Roberts": do the Samoans not know that the "Lady Roberts" was given free to Samoa by the New Zealand Government?—That has never been announced like that by the Governor.

Is it not a fact that she has been used between here and Savai'i for the benefit of the Samoans?—The "Lady Roberts" has been making trips; but the Samoans are not satisfied, because they have not fulfilled the first promise that the "Lady Roberts" would be a help.

Is it not a fact that the fare on the "Lady Roberts" is cheaper than on the "Moata" or the "Ajax"?—I do not know; that has not been made known to the Samoans through the *Savali*.

Can you give me one instance where a Faipule appointment has been objected to by the people before October of last year?—Many Faipules have been made known to the Governor as unsatisfactory to the districts, but still the Governor has taken no notice.

Name one district where a Faipule's name has been sent in?—Safotulafai.

What is the name of the Faipule?—Leilua.

Mr. Slipper.] How was that objection made: was it in writing or verbally?—They were not satisfied, and sat still and did not do anything.

Was their objection made by word of mouth or in writing?—By word of mouth.

The Chairman: He has already answered that question. He said they made no objection.

Mr. Slipper.] Who was the man who made that objection, and whom did he make it to?—It was made in our *fono*.

To whom?—When they made this discussion in the *fono*, objecting to the Faipule, they decided to make it known, but they did not make it known to the Governor—not even to the Secretary for Native Affairs; but the Faipule knew this discussion was made. This was the cause of the taking-away of the titles, and we were afraid to make any announcement. From that time we were not satisfied.

Was the Faipule present at that *fono*?—He was sick that day; he did not attend.

Can you tell us whether anybody informed the Faipule about the *fono* and what you had discussed at it?—No.

The Chairman: When was Leilua appointed?

Mr. McCarthy: The 1st October, 1919.

The Chairman: Then, that was before the present Administrator. Whose time would that be in?

Mr. McCarthy: During military occupation.

Mr. Slipper.] Do you know of any other case where an objection has been raised to the Administrator against the appointment of the Faipule without the election of the people?—If you would like to have a proof of that question, I am representing thirty-three districts, I will attend to it.

You have not got an example ready now?—No.

Are you in the Fetu?—We have no Fetu in our place. We did not allow it.

Are there any others than schoolboys in the Fetu?—Plenty.

You have been asked if you love your country.

The Chairman: There is no need to ask that, *Mr. Slipper*; of course he loves his country.

Mr. Slipper (to the thirty-three witnesses in attendance): Have you heard what that last witness said. Put up your hands anybody that is not satisfied with what was said?—We are all satisfied.

LEAIPAI SWORN and examined.

Mr. Slipper.] What is your name?—Leapai, of Malie, in Upolu.

And you are an orator?—Yes.

That is Toelupe's village, is it not?—Yes.

Tell us about Muagutu?—Toelupe took his name away from him without cause.

You mean his title?—Yes.

Did Toelupe order that?—No. There was a meeting of the chiefs in Malie and when *kava* was being served out Muagutu's cup was called. Toelupe stopped the cup being issued to the person called, and objected to the title being used by Muagutu.

Do you know of any reason for this?—It was after the *kava* ceremony that the Faipule explained why he had objected.

What was the objection?—He stated that there was an inspection by the women's committee of such things as knives, forks, and spoons, and that Muagutu refused to comply with the inspection. Muagutu was having a house built, and when it was completed Muagutu supplied food for the chiefs and orators of the village. The Faipule would not allow that, stating that the builders should have been given the food. As it happened, the builder was Muagutu's brother.

The Chairman.] Was any written order given by Toelupe taking away his title?—No.

He was only refused the proper place at the *kava* ceremony?—He stopped the *kava* being given to the person of that title, and said that he was not to use the title, and to go to Savai'i.

Mr. Slipper.] Did he go to Savai'i?—He did not go to Savai'i, but left Malie and came to Faleata, where he remained.

Was Toelupe speaking just as Toelupe or as a Faipule?—As a Faipule.

This was in 1925?—Yes.

And there is a chief named Auimatagi: what did Toelupe do about him?—The Faipule said that he was to drop his title and to wander on the road and to go home to Aleipata.

Was any reason given for doing this?—No, just his wish.

Some land has been cut up to individualize it at Malie, has it not?—There was some dispute about Auimatagi's land at Malie. It was brought before the Native Department, where it was decided that the land was not to be divided into two. Auimatagi went to Savai'i, and while he was away the Faipule directed the *pulenu'u* and a member of the committee to divide the land.

Was that division carried out?—Yes.

And was anybody associated with Toelupe in that decision, or was it Toelupe's decision?—Only Toelupe himself.

Who got any advantage out of the division of this land?—A person named Tinei.

Did he get part of the land?—Yes.

Had he any right to it?—Yes.

He had a claim to it?—Yes. It was a daughter of the predecessor of this Auimatagi.

This Tinei had a claim to the land?—Yes.

Did this matter go before the land and titles Commission?—No.

Is this Tinei any friend of Toelupe?—Tinei is a woman, and they treat one another as relations.

Auimatagi—is he a friend or not of Toelupe?—On the surface only.

Tell us about the road overseer getting away with money, and about Moala and Tafau?—Moala is known as the son of Toelupe. Saena, at my suggestion, was appointed to be foreman of the gang working on the road.

What did Toelupe tell him about his pay?—Nothing was said by Toelupe about wages, and from the commencement of the work to the present time Saena has received no pay for the work.

Who has been getting the pay: do you know?—Moala Tafau, son of Toelupe.

Has he been doing the work?—No.

Did you people select Toelupe as a Faipule?—No.

Was there any *fono* about it at all?—No.

Has there been any *fono* since then?—No.

Can you tell us whether any objections have been made to Toelupe's appointment?

The Chairman: You know that Toelupe was appointed in German times, Mr. Slipper.

Mr. McCarthy.] Is it not true that the trouble that you mention regarding Auimatagi and Tinei was settled at a family *fono*?—That was the decision of the Faipule. The Secretary for Native Affairs said that there was only one controller of that land, and that was Auimatagi.

Is this other one correct [minutes 3 and 4 from the minute-book of the Sagaga District Council read out]?—That is correct.

Is that a family decision, or a decision of the Faipule or the District Council?—A reconciliation took place with the assistance of the District Committee and the Faipule with his whole family present.

Regarding the road overseer Saena, do you know that Saena has been paid?—Moala Tafau came and drew the money.

AFAMASAGA-MAEA sworn and examined.

Mr. Slipper.] Where do you live?—Fasitootai.

Your village had some cattle which got into the Magia Plantation?—Yes.

And that is a Government plantation?—Yes.

Some of your village boys tried to get the cattle back?—Yes.

Who was the manager of that plantation?—Mr. Patterson.

And there was some question of a fine, was there not?—Mr. Patterson ordered us to pay £1.

Was there any trial before any judge?—No.

What was the £1 paid for?—To have the cattle returned to our own paddock.

Did you get your cattle returned?—No.

The Governor paid a visit to your district after that?—Yes.

How long after?—Three or four months afterwards.

Did you speak to him about the matter?—Yes. I myself spoke to the Administrator about this matter.

And what did the Administrator say?—The Administrator said that we were to appoint a committee of two members from each of the four villages in our district and to have that committee called the Land Committee. He said that the Secretary for Native Affairs would send for that committee and discuss the matter of the cattle and come to a decision.

What year was this in?—October, 1925.

Mr. Griffin was then Secretary for Native Affairs?—Yes.

Have you heard anything further about the matter to this day?—No; up to the present that has not been done, and that is how our village has been deceived.

We come on to the question of Galo: what happened to him?—The District Fa'amasino tried this man Galo for an offence and did not decide the case, but referred it to the Faipule for decision.

What was the result?—It resulted in the boy being banished to Siumu.

From where?—From Fasitootai.

Did he actually go away like that?—There were a few days allowed him in which to prepare to leave. He did not go straight to Siumu, but came to Mulinu'u.

Did he receive any order from the Administrator?—I would like to explain the applications that were made in this case.

We will hear that in a minute. Did the boy actually go away, as he was told to do?—He came to Mulinu'u.

Was that in obedience to the order of the Faipule?—He came to make inquiries as to the Faipule's right to banish him.

What is the name of the Faipule?—Salanoa.

For how long was he sent away?—I do not know, except there was trouble for over fifteen months.

He called then at the Native Affairs Department and saw Mr. Griffin?—I think so, but I do not know for certain.

And what was Mr. Griffin's attitude in the matter?—Mr. Griffin stated that the Faipule was wrong.

Did not Mr. Griffin say that there should have been the Governor's signature about the matter?—Yes; he said that the matter should have been referred to the Administrator for the Administrator to decide whether it was right to banish the man or not.

And Mr. Griffin made a decision of his own: what was it?—Mr. Griffin said, "I will uphold the decision of the Faipule and have that boy removed from Fasitootai, but, instead of to Siumu, it will be to Fasitoota."

For how long?—For six months.

And were you present there when Mr. Griffin said that?—Yes.

Were you present before the Faipule when the Faipule dealt with the matter?—Yes.

Was any charge laid against this boy Galo?—No.

Were there any witnesses brought against him?—It was a defendant party and witnesses.

Were there any witnesses against this boy Galo?—No.

Were there any witnesses in his favour?—No.

Judge MacCormick: I understand him to say there was no charge.

Mr. Slipper: No charge and no witnesses, but witnesses may have come in in some loose sort of way without any charge having been laid against him. (To witness:) Who was the person who complained against Galo?—

Judge MacCormick: Would it not be simpler to ask him what he was sent away for?

Mr. Slipper: Yes, sir. (To witness:) Why was the boy sent away?—The boy was banished for using insulting words regarding his father and Afamasaga Lago Lago, the father of Lago Lago.

But you are a younger man yourself than Afamasaga Lago Lago, are you not?—Yes, but I am a chief commonly known in Samoa as the father of Lago Lago. I am not the natural father, but I am known in Samoa as a father whom the younger chief consults.

Judge MacCormick: Anyhow, he was charged with insulting language to somebody else as well as to his own father?

Mr. Slipper: Yes. (To witness:) The point is that there is a charge of using insulting language and a banishment followed: is that the position?—Yes.

The Chairman: He has not given us the date yet.

Mr. Slipper:] What is the date?—1924-25.

Did the boy have a chance to ask questions?—There was only a petition made up by Lago Lago and the boy himself.

Was that a written petition or a spoken one?—A spoken petition, in the presence of the Faipule.

The Chairman: There appears to have been some form of hearing.

Mr. Slipper: Excepting, sir, that there were no witnesses called against him.

The Chairman: These procedures are not strictly according to the formula or formulæ of a Court of law. No one expects them to be.

Mr. Slipper: No, sir. (To witness:) Now about Tito.

The Chairman: Another case?

Mr. Slipper: Yes, sir.

The Chairman: How does this man come to be interested in these boys?

Mr. Slipper: It arises out of the principle that we have endeavoured to work on that the Natives would prefer to condense their evidence on the basis of representatives.

The Chairman: You told us that you had done with that.

Mr. Slipper: That was on general questions, sir, not on particular questions.

The Chairman: I certainly understood that you were not going to introduce a whole heap of hearsay evidence in individual cases.

Mr. Slipper: My great difficulty in the matter is to reduce the number of witnesses, and this man, for example, comes into the box and speaks of things that are obviously hearsay. I do not suggest that they are not. I have already spoken to my friends on the opposite side

about the matter. If I am to call these various people who know these things directly, I am sure I shall have such an enormous number of witnesses that neither the Commission nor anybody else will have anything to say at all.

The Chairman: You will have to call them; I will not have this class of evidence. It ought to be mentioned that this kind of thing cannot go on. I do not say that it was done wilfully by you. The fact, nevertheless, is that we thought that the representative men were to record the important matters, and you were going to call evidence on special grievances. I am not going to depart from our rule that we will not hear hearsay evidence. It is absolutely valueless.

Mr. Slipper: I will call your Honour's attention to the fact that in the first case this witness has mentioned he was present himself.

Mr. Chairman: That is admissible.

Mr. Slipper.] Were you present at any of the proceedings concerning Tito?—Yes.

Tell us what you know about it, from what you have heard yourself and from what you saw.—Ta'a complained against Mau'u, the father of Tito, because Tito had threatened Ta'a with a knife. The inquiry was held by the Faipule and the District Committee. It was decided that the boy should be banished from Fasitootai to Malie or to Faleasiu.

The Chairman: He was present?

Mr. Slipper: So he says. Yes?—Mau'u explained to the Faipule that that was the only boy to help him. The Faipule would not recognize that application. The jury adjourned about this time in the afternoon, and Mau'u and Ta'a commenced to prepare some food to present to the Faipule. When it came night-time, they sent these foodstuffs to the Faipule, and the punishment was remitted.

By the Faipule?—Yes.

The Chairman.] What year was this in?—About 1926.

And the name of the Faipule?—Salanoa.

Mr. Slipper.] Concerning the man at Satapuala: were you present when the matter was put to His Excellency the Administrator?—No; I had been selected as the representative of the four villages in our district to speak about this matter before this Commission.

Well, you are not permitted to say it. This question of the *pulenu'u* at Faleatiu: were you present and heard these things yourself?—Yes.

Tell us about them?—The position of *pulenu'u* of that village has been abolished since 1925, because the one who was holding the position of *pulenu'u* at that time had drunk a bottle of beer on New Year's Eve.

Can you tell us anything about this question of Mr. Southern, the Beetle Inspector—can you tell us anything about it yourself?—Mr. Southern said that the Government would not recognize Faleatiu as a village, and that they were to go under the authority of the *pulenu'u* of Vailuutai.

And later the Governor was at Magia and spoke to you about this matter?—Yes.

Were you present and did you hear what he said?—Yes.

Well, what did he say about that?—The Administrator asked the people of Faleatiu if they wanted to have a *pulenu'u* for their village. They replied "Yes, because we have no *pulenu'u*." The Administrator said, "Very well, you shall have a *pulenu'u* appointed."

When was this?—1925-26.

Has anything been done about it since?—No, nothing has been done.

Anything else?—No.

Now another complaint—Lio Peapea: do you remember that matter?—Yes.

Can you tell us anything about it from what you heard yourself and saw yourself: there must be no hearsay?—When the Administrator arrived in our district the Faipule Salanoa sent for Lio Peapea to attend the reception to the Administrator, whereas Lio Peapea has been banished. That banishment order was signed by the Deputy Administrator, then Acting-Administrator.

Do you know whether any order was signed to cancel the banishment?—No.

Have you any other matters to bring forward?—No. There are a lot of other things, but I cannot remember them.

Mr. McCarthy.] You were a complainant against Lio Peapea, were you not—concerning his banishment, that is?—Lio Peapea complained against me.

This is what you said [reading]: "The *tulafale* is not truthful. I should like to make a statement. Samoans are accustomed to show respect. Lio is not a member of the Fasitoo village. He is living in Nofaalii and visits Fasitootai and causes trouble. I am a slave under the slavery imposed on me by Lio." Is not that correct?—That was in answer to the complaint of Lio against me.

Very well. You led the complaint against the boy Galo, did you not?—No.

Did the Fasitoo people not know that Mr. Patterson has leased the Magia Plantation?—No.

NIU ALI'I sworn and examined.

Mr. Slipper.] Where do you live?—Faleula.

You have some grievances against Toelupe?—Yes.

Anything about cement?—Yes.

What are they?—There were eight barrels of cement left over from our waterworks, which the Faipule has used for himself without our knowledge. We had to pay for that material.

It would not have been used without your knowledge if you are now telling me this: do you mean without your consent?—He used the cement in the construction of his own house without our consent.

For the construction of his own house?—Yes.

There were statements made by Tupai against other people: is that so?—Yes.

Well, what was done?—Tupai used insulting words about other chiefs.

And what did you ask to be done about it?—I asked the Faipule, Toelupe, to request His Excellency the Administrator to have this man removed, as he had spoken insulting words calculated to break the peace of the village.

The Chairman.] By “removal,” do you mean banishment?—Yes.

Mr. Slipper.] And what was Toelupe’s attitude?—This was at the commencement of the Mau movement, and Tupai was then a member of the Mau. Toelupe said that he would do something in the matter, but Tupai left the Mau and supported the Government again. Since then nothing has been done. The insulted chiefs are still feeling very angry about what has been done.

You said something about the imprisonment of Tamasese. That question cannot be gone into now. Did you say anything to Toelupe about the expenditure of the Government?—Yes.

What did you say about it?—Long before the Mau movement commenced we asked the Faipule Toelupe to request the Administrator to advise us of the expenditure of the Government and how all the money is expended. That was myself and the members of my district.

And what was Toelupe’s attitude in the matter?—He did not do anything in the matter. He ridiculed us Faleula people, saying, “Better let the Faleula knowledge run the Government.”

Concerning schools?—Toelupe being a member of the Education Committee, we asked him to inquire into what was being taught at the schools to advance the education of the Samoans. That was before the Mau movement commenced.

What was Toelupe’s attitude to that?—Toelupe said we had better leave our knowledge until later on. It was I who spoke to him about these matters.

Did you get any satisfaction from Toelupe?—No.

With regard to the appointment of officers to official positions in and about Toelupe’s district: what have you to say about that?—There are so many Government officials outside nowadays that very often punishments overlap. A person is punished by three different officers for the one offence.

Can you give us an instance?—In my own case, for instance, I was punished by the women’s committee and I was also punished by the men’s committee, of which the *pulenu’u* is chairman.

For what offence was that?—Having rubbish near the house—not a very serious offence.

Who punished you first?—The women’s Village Committee.

And what was the punishment?—It was 4s. fine.

Who punished you next?—The men’s Village Committee, of which the *pulenu’u* is the chairman.

Was that the same offence or some other offence on the same day?—On two separate days. The same rubbish was near the house on the two days. There was one inspection, say, to-day and one yesterday.

Did nobody else have a pot at you over this offence?—No; and I do not wish to speak about anything else like that. I am only speaking for myself and my own case.

You were punished by two different tribunals for two different offences; is that correct?—Only one offence, since it was the same rubbish for which I was fined twice.

Now, with regard to the hospital, what about this man with a needle in his leg?—Yes.

Were you there and did you see this yourself?—I myself had the needle in my leg. The doctor inserted a needle in my leg and then left me for three days without extracting it.

Can you name the doctor?—No.

How did it come to be extracted in the end?—I asked Malietoa and Toelupe to do something to get the doctor to come and take the needle out, and if they could not do so then they were to send me to Tutuila, where the doctors could fix it.

What was the result of that?—The following morning the doctor came and attended to me.

In regard to a gate or fence across the road: what have you to say about that?—There was an epidemic in Apia, and Toelupe said that we people should do something to prevent the spread of that epidemic to our district, and we put obstacles in the road to prevent the people from passing into our district.

What happened then?—The Europeans complained to the Government in Apia and orders were sent out to remove the obstacles, but we obeyed the Faipule’s instructions, thinking that he would back us up later. Mr. Griffin himself came down and told us to remove the obstacles to let the Europeans pass through, but to stop the Samoans travelling.

Regarding a gate across the road at Afega recently?—Yes, that was an obstacle put there by the Faipule to prevent the people bringing food to us while we were gathered in Apia.

Did you see the gate yourself?—Yes.

Were the police there?—I mean by “obstacles” the police; the police were stationed there.

You said that there was a gate across the road: was there a gate or was there not?—There was no gate.

Judge MacCormick: We have had all this from Inspector Braisby.

Mr. Slipper: That was at another place, called Letogo. Inspector Braisby said that he did not see and did not know anything about the second gate. (To witness:) How do you know that they stopped the people from bringing food? How did you know that that was the reason: did anybody tell you?—The people of our village who were coming in with foodstuffs for us—they informed me.

You did not hear this yourself?—I was not there when the people were sent back, but they did not come in.

I will read this: “The time that the people of Samoa were distressed, we asked to use the money of the village fund in the Savings-bank to buy food.” Do you know anything about that?—Yes, there was a shortage of food.

What was your trouble: did you ask for any help?—We asked the Government to help us over that period, and they would not help us.

Were you the man who asked or who took any part in it?—I was one of the *pulenu'us*, and all the chiefs—

The Chairman: Mr. Slipper, surely we have heard that Inspectors were sent round to ascertain according to their own judgment which districts required help and which did not, and I have no doubt that the Administrator acted upon their reports. I think it my duty to say that the class of complaint which is now being given in evidence is unworthy of consideration by this tribunal.

The Interpreter: I might mention that I was not given an opportunity of interpreting the important part of this witness's statement.

The Chairman: We will have it in a moment.

[Mr. Slipper called in Mr. Baxter to discuss the position which had arisen.]

The Chairman: We had better have the whole answer now.

Witness (continuing): We asked that the Administration should help us through this time of trouble and they refused to do so: and then we asked to withdraw our own village moneys which were being held by the Administration. We were refused that also.

Mr. McCarthy: Those moneys were in the Savings-bank—the Post Office Savings-bank—I believe?—I believe so.

Who could stop you from drawing those moneys?—The Acting-Administrator, Colonel Hutchen.

Did you make a speech to the people of Falefa in July of this year?—No.

Did you not say to the people assembled, "We are not going to carry out or obey any further orders of the Government"?—No.

Mr. Baxter: May I crave two or three minutes indulgence, sir. Mr. Slipper informs me that there is some question about the class of evidence which is being given.

The Chairman: Yes.

[Mr. Baxter and Mr. Slipper then withdrew from the Court.]

Mr. Baxter: If it will please your Honours, it seems that the same question has cropped up that arose before. I should prefer to mention it in Chambers if your Honours are agreeable.

At this stage the Court adjourned at 3.40 p.m. in order that the matter might be discussed in Chambers.

The Court resumed sitting at 3.55 p.m.

The Chairman: I have already said that in our opinion the class of evidence that is now being called cannot be of the least assistance to the Commission in determining matters which are submitted to them. This evidence consists very largely of complaints between villages or between individuals, and it could never have been intended that this Commission should investigate a very great number of individual complaints. I have discussed the matter with counsel, and what I suggest to them is that in addition to their right to cross-examine whatever Faipule are tendered in evidence—and I believe it has been announced to be the intention of the advisers of the Administration to call every Faipule against whom a personal complaint or charge has been made—I suggest that it would be ample for their purpose if any other Faipule whom they may desire to examine as to any personal grievance should be open to cross-examination by them. If that course is adopted, then I will direct that any Faipule to be named by either Mr. Baxter or Mr. Slipper shall attend the Commission at a suitable date to be examined as to any such grievance or complaint against them. I understand that counsel desire an opportunity of considering the matter, and so I propose to adjourn. I may add that we have had, in addition to a vast amount of other evidence, representatives from thirty-three districts called as to personal complaints against a large number of Faipule. The Commission will adjourn now till 8.15 a.m. to-morrow to enable counsel to consider the position.

THURSDAY, 13TH OCTOBER, 1927.

The Commission resumed at 8.15 a.m., when Mr. Baxter intimated that, with the exception of any evidence he might call on the proposed *malaga* and any which he might be entitled to call in rebuttal, his case was closed.

IULI sworn and examined.

[There were present in the Court thirty-two other *pulenu'us*.]

Mr. Meredith: You are a *pulenu'u* at Falefa?—Yes.

Are you a chief, or what is your rank?—I am an orator, a *tulafale*.

Are there any members of the Mau at Falefa?—They are all in the Mau.

Are they collecting the beetles and bringing them to you?—No.

Since when have they ceased doing that?—Since the 12th June of this year.

Are the taxes being paid to you?—Last year the medical tax was paid by some and others did not pay. This year they have not paid the dog-tax, and they have not paid their gun licenses.

When should those have been paid?—The second quarter of this year.

In June, July, or August?—In August.

Do you know Fuaava?—Yes.

And Taofiloa?—Yes.

Do they belong to your district?—Yes.

Are they chiefs?—*Tulafales*.

Do they belong to the Mau?—Taofiloa was selected by the committee to be the leader, the conductor, and he was appointed *pulenu'u* by the Mau Committee.

Did Fuaava or Taofiloa tell you what the Mau people were going to do about beetles and taxes?—Yes.

What did they tell you?—The orders from Mr. Nelson were that they must not obey the law.

Did they say anything about what they were going to do with any Government instructions?—He told them that they must not pay gun licenses and dog-taxes, and they said to me, "That is the order from Mr. Nelson, not to do anything more and not to pay taxes."

Are they obeying the other regulations, about cleaning the villages and repairing fences?—They do not do anything.

Mr. Barter.] Who appointed you as *pulenu'u*?—I was selected by the people of Falefa.

When was that?—In 1923.

Having been selected, there was not any need for any other selection being made, was there?—No, no further selection.

How were you selected to be the *pulenu'u* of Falefa?—The district village first received a letter from the office of the Secretary for Native Affairs instructing them to select a *pulenu'u*.

What happened when they got this letter instructing them to select a *pulenu'u*?—When they receive a letter the Natives make a selection, and when they have picked on a man they notify the Secretary for Native Affairs that they have found a man and mention his name.

Who does the selecting: is it the Village Committee?—The Village Committee.

And who composes the Village Committee?—The whole lot—the chiefs and orators.

That is, the *matais* of the village are members of the Village Committee?—Yes.

Are you talking about your own village only or all the villages that you know of?—There are two *pulenu'u* in Falefa. I was selected by the village under my control.

At the present time if they want to select a *pulenu'u* do all the *matais* in the village have a say in the selection?—Yes.

That is because they are all on the Village Committee?—Yes.

Has the Governor published in the *Savali* or sent a message through the Secretary for Native Affairs or the Faipules stating how many people are to be on the Village Committees?—It has been stated in the *Savali* that all the *matais* of the village are to be on this committee.

You are in charge of the village, are you not?—Yes.

And I suppose that when any Faipule receives any instructions he sends them to you and you see that the village obeys them?—I get a letter from the Faipule when he receives orders telling us all to come to the *fono* of the district, and when all gather, then the Faipule makes known to the head of the committee and the rest of the committee what the orders are. Some of these orders are only just put on trial in the district, but are not passed as laws.

When it is on trial, how do you get along? If a man disobeys it does he get punished?—He is exhorted.

Is it this way: those who want to obey do so, and those who do not want to obey, do not do so?—It acts that way.

They just do what they like?—We urge always that they should do it.

What laws are you talking about, the laws made by the District Council or the Fono of Faipule?—The matters decided by the District Council.

When one of the District Council laws has been on trial, and you are satisfied that it is a good law, do you make it a law to carry on with?—These matters when decided on are sent to the Fono of Faipule, and from the Faipule Fono they are brought before the Legislative Council and forwarded to the Parliament in New Zealand.

So that the Faipule Fono has not any powers to make laws at all?—I am not a Faipule and I do not want to be mixed up with it.

You have seen these books that you can buy down at the Native Office for 6d.—the Faipule laws?—I know.

Who made those resolutions, the Fono of Faipule or somebody else; and when they make these resolutions do the people have to carry them out?—Yes; I will see that they are carried out, and I urge them to be carried out.

When these District Councils are called together for a meeting, who brings the matters before the District Council for discussion?—We put the matters forward—the *pulenu'u* or any other person appointed by the District Council.

You say "any other person appointed by the District Council"?—Yes.

Who are on the District Council?—The whole district.

When you say the "whole district," who do you mean: all the *matais*?—The *matais* and *taulelea*.

Are you talking about the *fa'a-Samoa* Council or the proper District Council?—The recent District Council.

All the *taulelea* and *matais* are on it, are they?—Yes.

What is the name of your district?—Lufilufi.

How many villages are there in that district: eight or nine, are there not?—Yes.

Of these eight or nine villages, all the *matais* and *taulelea* are on the District Council?—On some occasions some *matais* are absent and some are appointed to take their places. The *taulelea* on some occasions come and on some occasions they do not come.

What about the women: are they on the Council?—No.

I do not think that you have told me the truth when you say the *taulelea* are on that Council?—I am telling the truth, because I have seen the *taulelea* at the District Council meetings, but they have nothing to say.

What about the *matais*: have they all got a say, or have they nothing to say?—Yes, the *matais* can always say something.

You told us of the *matais* that they could go : did they go only because they were entitled to ?—The *pulenu'u* tells them, because the Faipule of the district orders the *pulenu'u* to assemble the District Council.

But the *pulenu'u* has to get the permission of the Faipule as regards the number ?—Then the *pulenu'u* and the committee of my village will make the arrangements.

Does the Faipule say to the *pulenu'u*, “ you can instruct three chiefs, four chiefs, a dozen chiefs to come ” ?—No ; he does not give the number to be assembled.

When this Council first started did the Faipule tell them ?—No.

You are quite sure of that ?—I am quite sure of it.

What is the name of your Faipule ?—Tainau.

You told Mr. Meredith that the people had not been collecting beetles since the 12th June : perhaps they are collecting them and giving them to some one else ?—I do not know if they are or not.

You mentioned about another *pulenu'u* : do you know whether there is another *pulenu'u* or not ?—I do not know.

You say that last year some paid and some did not pay the medical tax, and this year some did not : of the some that paid, were some in the Mau at that time or not ?—They are in the Mau.

Were they in the Mau then ?—They were in the Mau when they paid the medical tax of last year.

Who collects the medical tax : do you collect it ?—I do.

You have not collected any this year at all ?—No.

The Chairman : I fancy that it is not payable yet.

Mr. Baxter.] When is it payable ?—In November of this year.

You said that the Mau people in your village—and all are in the Mau—had appointed a *pulenu'u*. What do you mean : do you mean that they have appointed some one to look after the committee ?—Yes.

You say that these two men that you mentioned had told you that they had received instructions from Mr. Nelson not to pay any more taxes : when was it that you were told this ?—On the 13th June, 1927.

Did they tell you where they got that information from or not ?—They said that they received it from Apia.

They received it, I suppose, from some of the delegates ?—I did not inquire.

In fact, you did not bother about it ?—I took no notice of it.

But this was a very important thing, and you made no inquiry of any sort ?—No, I made no investigations.

And you believed it ?—I accepted what they said.

You did not bother to make any inquiries about it ?—I only took note of it, and I did not go any further.

You did not bother to report it to the Secretary for Native Affairs ?—I reported these two men.

Although you reported it, you made no inquiries as to whether it was true or a pack of lies ?—I made no investigations, but I applied to them three times about the taxes, and every time they told me what I have said.

It was quite probable that they did not want to pay their taxes ?—(No answer.)

Mr. Meredith.] Does every one come to listen to the District Council ?—Yes.

Every one who wishes to come to the District Council to listen can do so ?—Yes.

Who are entitled to speak at the District Councils ?—Nobody is held up ; any *matai* can speak.

Can *taulelea* speak at the District Council ?—No ; they can only come and do the work and serve food.

What rank has a man to be before he is allowed to speak ?—Chiefs and orators.

Do you remember a further time being given for the payment of medical taxes last year ?—I have forgotten.

Do you remember whether the time for payment of last year's medical tax was extended to March ?—Yes.

The Chairman.] You have told us that there are three bodies—the Village Committee, the District Council, and the Fono of Faipule ?—Yes.

The Fono of Faipule is a sort of Samoan Parliament ?—Yes.

Do they consider remits from the District Council ?—Yes.

Does the Fono of Faipule pass laws or recommend to the Administrator laws to be passed ?—They recommend what would be for the prosperity of Samoa.

They do not pass laws themselves ?—No.

With regard to the District Councils, do the District Councils make recommendations to the Fono ?—Yes.

Do the District Councils also make regulations relating to local matters and what I might call local controls ?—Yes, the District Councils make regulations to put the district in order.

Do the District Councils, in fact, make any general laws binding Samoans ?—No.

Those general laws have to be passed either by the Legislative Council or by Order in Council in New Zealand ?—Yes.

Would you just tell me shortly what sort of subjects the District Council deal with by regulation ?—They have a fund which they lodge in the Post Office Savings-bank for water-supplies, electric lighting, and other things.

Do they regulate in any other way : give me a further illustration ?—They must put the village in order.

The Chairman.] I come now to the Village Committees : do the Village Committees make regulations for the control of the village affairs ?—The *pulenu'u* and the committee do things for the good of the village.

AULAVEMAI sworn and examined.

Mr. Meredith.] What is your name?—Aulavemai, *pulenu'u* of Vaimoso, in the District of Faleata.

What is your rank?—I am an orator.

Are there many Mau people in Vaimoso?—Most of the chiefs and orators are in the Mau; there are very few supporters of the Government and myself.

Are the Mau people in your village bringing in beetles to you?—That is not the practice now.

Since when have they ceased to bring them?—Commencing from the 4th July of this year.

Do you know Leleua-Moe?—I know him.

Does he belong to Vaimoso, and what is his rank?—He is a *tulafale* of Vaimoso.

Do you remember a meeting that he addressed at Vaimoso?—One night, the 29th June, 1927, I was asked to attend a meeting of the chiefs and orators of Vaimoso. I attended that meeting, and Leleua-Moe addressed the meeting and he said that he was pleased to see the *pulenu'u* and the other people supporting the Government there. He said that he wished to state that we were to part. I am leaving out the unimportant parts of the speech. One of the important parts was that they would not bring the beetles to me any more. He said that they would not pay taxes to the Government—that is, the medical tax and the poll-tax. He said that they would not recognize the inspection of the Plantation Inspectors, together with the inspection of pig-fences and villages and other Government regulations, and would not abide by them.

Did any other orators speak on the same lines?—Others spoke, including one Une. The speech meant the same thing.

Was the Mau committee mentioned?—He said, “We cannot help ourselves. We are afraid to bring beetles to you and obey the Government regulations, as the general committee has given instructions that we are not to obey any more laws or search for beetles.”

What committee do you refer to when you speak of a general committee?—There are two committees in the Mau, the European and the Samoan. I do not know which particular committee they referred to. I included both.

Did the Mau people in Vaimoso appoint a man to act as *pulenu'u*?—It was stated that night that they would appoint a committee to handle matters. Leleua-Moe was appointed to the committee for that purpose, to whom beetles would be handed.

Anybody else beside Leleua-Moe?—Since the 4th of July several meetings have been held, so that I do not know whether there is anybody else. This appointment was made at the meeting.

How far is Vaimoso from Apia?—I am not quite sure whether it is one mile and a quarter or one mile and a half.

Mr. Slipper.] Do you keep a diary of the various things that you attend to officially as *pulenu'u*?—I record them in a paper supplied by the Government for the purpose.

Have you got that paper here now?—No.

When did you last look up the paper about that meeting held on the 29th June?—I looked at it last night, I have a paper here.

What is it about?—I made a note on that paper the night of the meeting.

The very night of the meeting?—The main points are recorded on that paper.

And did you write down the name of Une on that paper?—No; I stated that I wrote some proceedings of the meeting, but not all.

But you noted down that Leleua-Moe was saying these bad things, and you did not note down that Une was doing the same thing: why was that?—I did not note Une's speech because Leleua-Moe was the first and Une's speech was very similar.

Why did you not note Une's name down, so that you would not forget it?—I knew that I would not forget Une's name.

Have you forgotten the names of the others?—No.

You did not mention them?—It was unnecessary to mention the whole lot, because Mr. Meredith did not ask for the lot.

Can you remember the names of some of them now?—Yes.

What are they?—Lealofi Tamasese, Leleua. The Fa'amasino also spoke on his and my behaviour when standing together supporting the Government.

Can you remember any more people of the Mau who spoke these bad things?—I can only remember these three speaking.

Was it not your difficulty that Leleua might have taken your position as *pulenu'u*?—I said at the meeting that if they did not want me to be *pulenu'u* then they could remove me from that position and appoint another one.

They have not appointed another *pulenu'u*, have they?—They said that they were quite satisfied with me in that position, but it is the Government regulations that they opposed.

Have the Mau people of your village appointed a *pulenu'u*?—In that speech it was mentioned that they would appoint some one to perform the duties of *pulenu'u*. They called it a committee.

How many people is that committee composed of: do you know?—Leleua was the one and only one appointed to be the committee.

For what purpose?—To receive the beetles. The other work, such as cleaning the villages and other things, was to be left in abeyance.

Has that work been left in abeyance?—Yes, up till to-day.

Do you mean that some of these duties have been in abeyance, or that the village has been neglected, and that sort of thing?—I know that they are not obeying the regulations, because they do not recognize them.

Are they neglecting their villages?—Yes; they are neglecting the pig-fences as well in the villages.

Who asked you to attend that meeting on the 29th July?—The chiefs and orators asked one, Tua'i, to go and ask me to attend the meeting.

Do you understand how many *fonos* there are at which the Natives may attend in connection with the Government?—I can remember three *fonos*.

The highest one is?—The Fono of Faipule with the Administrator.

Do you know of anything to show that the Mau have in any way interfered with that Fono?—I cannot say anything about the Fono of Faipule. I am only concerned with my work as a *pulenu'u*.

What is the next *fono*?—It is the District Committee, with the Faipule as chairman.

Can you tell me what sort of people go on that District Council?—The Faipule is the chairman, and when he calls a meeting he writes to the *pulenu'u* of the village. He will write and say that he wants two other members of the Village Committee to attend at that meeting.

The Faipule decides how many chiefs will sit at that Council meeting?—He advises the number. Sometimes he gives the names of those so appointed, and he might call more or less than two members. Sometimes he leaves it to me to appoint who is to go with me.

MOENOA sworn and examined.

Mr. Meredith.] What is your name?—Moenoa, *pulenu'u* of Saleimoa, in the district of Sagaga North.

Have you some Mau people in your district?—There is a division of the Mau in my district.

What is your rank?—*Tulafale*.

What attitude are the Mau people taking in regard to beetles and taxes in your district?—They have rejected my work regarding the dog-tax.

What do you mean by that: have they refused to pay the dog-tax?—Yes.

What are they doing in regard to bringing the beetles to you?—They do not bring them.

Did any one tell you why they were not doing this?—Because of the announcement of the Mau committee.

Who told you that?—Lotuanuu-Faalii.

Is that one name or two?—That is one name.

Is he a member of the Mau?—Yes.

Do you know whether another *pulenu'u* has been appointed by the Mau?—I know who is taking the records of the beetles and who has become a *pulenu'u*.

Who is that?—He is Tau Lauilo.

Do you know whether they are taking beetles to Tau Lauilo or not?—I have not seen them taking beetles, but I have been informed by others belonging to the Government that they have been seen beetle collecting.

The Chairman.: We cannot have that.

Mr. Meredith.] Did any of the Mau people tell you that they had appointed Tau Lauilo?—No.

Mr. Baxter.] When were you appointed a *pulenu'u*?—In 1919.

And you have been a *pulenu'u* of the village ever since?—Yes.

I suppose no question has arisen as to whether anybody else should be a *pulenu'u* other than yourself?—No others.

And how did you come to be appointed a *pulenu'u* in the first place?—The Faipule requested me to work as a *pulenu'u* on my side of the village and Lotunu'u would work as a *pulenu'u* on his side of the village.

There is a Village Committee that looks after village affairs?—Yes.

Besides being a *pulenu'u* you are also on the District Council?—Yes.

All the other Native officials of that district and the Land Komisi—are they on the District Council?—There are no other officials but the *pulenu'u* on the District Council.

I am talking about the District Council?—Occasionally the Fa'amasino attends.

He can be there if he wants to?—Yes.

What about the others, the *pulefa'atoagas*: have they never been on the Council?—No, because we have no *pulefa'atoaga*.

Have you any Land Komisi, and do they ever attend?—We have Land Komisi. It is optional for them to attend.

Are those the only people on the Council, or are there others, too?—The whole district attends the *fono*.

The whole district?—Yes. If there is a meeting of any importance, then the Faipule orders the *pulenu'u* to assemble the whole place, and sometimes he only orders them to bring two.

When you say "bring two," does he name the two?—He leaves it to the Village Committee to select the two.

Who is the Faipule of your district?—Toelupe.

When you have one of these meetings of the District Councils you make laws sometimes, do you not?—They do not make any laws, but only according to the matter that has been put forward by the Village Committee and the *pulenu'u*.

The *pulenu'u* and the Village Committee remit something to the District Council, and the District Council consider it and perhaps they will make a law out of it?—They make a trial law.

When you say "a trial law," what do you mean?—A trial to see if they can carry it out.

Is the trial for one or two months, or for how long?—There is no limit. When they make another Council, then the President asks, "How about the matter we discussed at a previous meeting?"

And while this matter is on trial have the people got to obey it, and are they punished if they do not obey it, or do they please themselves?—No one at all.

They need take no notice of it if they do not like it?—When any one is not carrying it out they put it forward again to the committee and the District Council.

When they make it a trial law perhaps some people do not obey it: are those people punished?—Not at all.

So they need not worry about it if they do not want to have anything to do with it?—There is no need to worry about it. They leave it to the Village Committee again to discuss the matter and put it to the District Council.

That is not what I am talking about. I am talking about this: they make a trial law and a man does not do what that trial law says he should do—is he punished?—No.

After it has been on trial and there is nothing the matter with it you put it before the Council, and perhaps you make a proper law: is that so?—They will discuss it again.

And if they think it is a right thing to do they will make a proper law?—If the majority agree that it is good, then they will make a law.

From the time that it is made like that in the Fono or District Council every one has got to obey it or be punished?—They will leave it to the Fa'amasino.

Well, say you hold the Fono this morning and make a law: does that become law right away?—That would be a District Council law.

Nothing more has got to be done with it once the District Council has passed it?—It will be a District Council law.

Are you sure of that?—Yes; that will be the end of it.

Has your District Council made laws like that?—Yes.

Do you not know that no laws passed by a Council can become laws until passed by the Administrator?—I know that.

I suppose the Faipule go to this Fono and meet the Governor there, and come back and tell the people what has been decided by the Fono of Faipule?—Yes.

That, I suppose, is the first you know of what they have been talking about at the Fono, unless you hear it talked about in Apia?—We do not listen to reports from outside; we wait for the report from the Faipule.

And you do not know that the matter has been before the Fono until the Faipule comes back and tells you?—Yes.

You know these books, I suppose [Samoan Book of Laws shown to witness]?—I know.

It contains the workings of the Fono of Faipule?—Yes.

Has all that is in those books got to be carried out by the people or not?—They should obey anything there that they can carry out, but they cannot say anything towards any matter that cannot be carried out.

Is it your point to say that those things are carried out in your village?—When we want to carry out anything I discuss the matter with the committee.

MANO'O SWORN and examined.

Mr. Meredith.] What is your rank?—*Tulafale*.

What is your village?—*Samatau*.

Are you the *pulenu'u*?—Yes.

What district do you belong to?—*A'ana West*, a sub-district of *Falelatai*.

Have you got members of the *Mau* living in your village?—Yes.

Are they refusing to search for beetles?—Yes.

Are they paying taxes or are they refusing?—They have not paid the dog-tax.

Did any of the *Mau* people tell you why they were not going to search for beetles and were not going to pay taxes?—The people of the *Mau* gathered at my house, and they stated that they wished to mention that they had severed their connection with me and the Government, and that they would not receive instructions. They had received instructions from the committee in Apia not to obey any more Government regulations.

Can you remember when that was?—Monday, the 13th June, 1927.

And since then they have refused to carry out your instructions?—They have neglected everything and have not carried out any instructions.

Do you know whether they have a *pulenu'u* of their own in the village?—I asked if they had appointed a *pulenu'u* and they said "No." I asked again who was attending to beetle-searching, and they said, "Everybody does that."

Mr. Slipper.] Did the *Mau* people have a committee in the village?—I do not know.

It is customary to do everything by committee in Samoa, is it not?—Yes.

Are the beetles being collected?—I do not know, since they do not hand me the beetles.

Did you make any note of the 13th June of this year?—No.

When were you first spoken to about it since then?—Not at any time.

Did you inform the authorities about this meeting; did you report it?—No.

Did you know about *Tamaseu* case?—No.

You never heard that he was punished in this Court for doing the same sort of thing as you say this man was doing?—I do not know.

You did not report it because you did not look upon the matter as being very important?—I reported to the Government that there were very few beetle-searchers. Most of the people turned over to the Mau.

Did you tell him about these people not paying taxes?—I reported to the Faipule that they had come and severed connection with me as *pulenu'u* in quite a friendly way.

Have you ever been present at a District Council when it has been in meeting?—Yes.

For how many years have you been in a habit of attending these meetings?—Two years.

Have any laws been made while you have been there?—They were made, after discussion, concerning the district.

Were there any by-laws made?—Yes.

Can you tell me what one law was about?—They made a law that nobody was allowed to stay out of the District Council, and that was to include *taulelea*.

Who brought that question up?—It was suggested by the Faipule who convened the meeting.

Was that his own idea or did he get it from some one else?—The Faipule's own opinion.

Have you read these duties of the District Council [book shown]?—Yes.

When they make a law does it become a law at once?—No.

What happens?—The matter is discussed to consider whether it is proper to bring it before the Fono of Faipules, through the Faipule, to be passed as a law.

Have you ever been at a Fono of Faipule?—No.

Does your District Council ever make any laws at all?—It cannot do so.

Can it make a law relating to the modelling or remodelling of existing villages, for example?—We have regulations of that kind, but there is no penalty for any breach.

And when you have made regulations like that, is that the end of it: is it necessary for anything more to be done with it before it is put into force?—The District Council is largely concerned with the prosperity of the district. Matters in connection with taro and banana plantations, and that sort of thing.

The Chairman.] You told us that you were asked to act as *pulenu'u* by the Faipule?—No.

By whom were you asked to act?—By the instructions of the Administrator, issued through the Secretary for Native Affairs, the village elected me to be appointed as their *pulenu'u*.

Judge MacCormick.] Do you know that the by-laws of the District Council have to be approved by the Administration before they can be put into force?—Yes.

MOENOA further examined.

The Chairman.] Can you give me any idea of the proportion of the Mau members in your village?—Over forty.

Out of how many?—Out of 336.

When you were appointed *pulenu'u* was your village in any way consulted about your appointment?—Yes.

Mr. Baxter.] Was the *fono* when you were appointed a full *fono* or just some of the people?—The whole gathering.

Mr. Meredith (through the Interpreter to the assembled *pulenu'us*): Have you heard the evidence of these four, and are the same conditions with regard to the Mau not searching for beetles and refusing to pay taxes also existing in your villages?—All agreed.

The Chairman.: When you were appointed *pulenu'us* were your villages in any way consulted?—Yes.

[List of names of *pulenu'us* and villages called out as follows (total number, thirty-five, of whom two were sick and one absent.)]

1. Salapo, P.N. . . . .	..	..	Laulii.	18. Mata'afa, P.N. . . . .	..	..	Afega.
2. Tulia'u, P.N. . . . .	..	..	Letogo.	19. Tupa'i, P.N. . . . .	..	..	Tuana'i.
3. Tupuana'i, P.N. . . . .	..	..	Vailele.	20. Sala, P.N. . . . .	..	..	Leauva'a.
4. Safai, P.N. . . . .	..	..	Fagalii.	21. Timu, P.N. . . . .	..	..	Levi.
5. Tamapua, P.N. . . . .	..	..	Moata'a.	22. Moenoa, P.N. . . . .	..	..	Saleimoa.
6. Fanua, P.N. . . . .	..	..	Vaiala.	23. A'iono, P.N. . . . .	..	..	Fasitoota.
7. Puleiata, P.N. . . . .	..	..	Magiagi.	24. Otemai, P.N. . . . .	..	..	Nofoolii.
8. Tupuola, P.N. . . . .	..	..	Tanugamanono.	25. Liufau, P.N. . . . .	..	..	Leulumoega.
9. Tuisaula, P.N. (attending Church meeting) . . . . .	..	..	Matautu.	26. Valu, P.N. . . . .	..	..	Fasitootai.
10. Leta'a Sui, P.N. . . . .	..	..	Apia.	27. Tuigamala, P.N. . . . .	..	..	Vailu'utai.
11. Aulavemai, P.N. . . . .	..	..	Vaimoso.	28. Letele, P.N. . . . .	..	..	Satuimalulufi.
12. One, P.N. . . . .	..	..	Lepea.	29. Taefu, P.N. . . . .	..	..	Si'ufaga.
13. Taimalelagi, P.N. . . . .	..	..	Vaiusu.	30. Salu, P.N. . . . .	..	..	Falelatai.
14. Tupu, P.N. (sick) . . . . .	..	..	Saina.	31. Mano'o, P.N. . . . .	..	..	Samatau.
15. Ale, P.N. (sick) . . . . .	..	..	Toamua.	32. Multalo, P.N. . . . .	..	..	Anoama'a.
16. Leatufale, P.N. . . . .	..	..	Faleula.	33. Satiu, P.N. . . . .	..	..	Musumusu.
17. Mauala, P.N. . . . .	..	..	Malie.	34. Togia, P.N. . . . .	..	..	Maasina.
				35. Laumea, P.N. . . . .	..	..	Loua.

PUNI sworn and examined.

[Present in Court members of the District Councils who are not also officials.]

Mr. Meredith.] What is your rank?—*Tulafale*.

And your village?—*Samatau*.

And your district?—*Falelatai*, a sub-district of the district of Aana.

And you are a member of that District Council?—Yes.

By what right are you a member? How did you become a member?—By nomination by my village.

When was the last District Council meeting?—The 30th June of this year.

Did you attend it?—Yes.

Were any members of the District Council who used to attend regularly not attending on that occasion?—Yes.

Who were those who did not attend on this occasion?—Those people who have changed over to the Mau.

Had they always attended before?—Yes.

Did any of them tell you why they did not attend?—Some members of the Council who changed over to the Mau informed me that they would not attend the meeting.

Mr. Baxter.] When were you appointed on this District Council?—In 1925.

Who was it brought your name before the District Council as a suitable man for the committee?—The *pulenu'u* and the chiefs and orators of my own village.

Was your appointment confirmed by the Faipule?—Yes.

Would it have mattered whether or not the Faipule did approve of your appointment?—If I was rejected by the Council and the chairman, who was the Faipule, I would retire from the meeting.

Did the Faipule let the *pulenu'u* know how many were to represent your village besides the *pulenu'u*?—Yes.

You have the same number of representatives from your village at each meeting of the Council?—The same number at each meeting.

What is the name of your Faipule?—Nanai.

You have a *fono* in the District Council and you discuss matters that are sent up to you from the Village Committees, and you make a law if you think it is right to do that?—That is the practice.

Does the Fono of Faipules also make laws that are carried out in the district?—The law cannot be passed by any other body except the Fono of Faipules, and if the District Council wants a law passed they have to refer it to the Fono of Faipules for them to consider.

The District Council sends a remit up to the Fono of Faipules?—That is the practice.

Then when the Fono of Faipules makes these laws they have to be carried out, I suppose?—They are referred to the Chief Judge.

You have told us the Fono of Faipules makes laws: Then, I suppose, when they are made laws the people have got to obey them?—They have to pass through the Chief Judge to go to the New Zealand Parliament, where they are made law.

You have seen these books before [Samoan Book of Laws]?—Yes.

Have all the things that are set out here got to be obeyed by the people?—They are obeyed.

Because they are laws: is that what you mean?—Yes.

Judge MacCormick.] What is the proper name of your District Council—the District Council of which you are a member?—Falelatai, which is a sub-district of Aana Saute.

The Order in Council prescribes that the District Council is to meet twice yearly?—Yes.

At other times if the Administrator directs?—Yes.

SEINAFO sworn and examined.

Mr. Meredith.] What is your rank?—Chief.

What is your village?—Musumusu.

And what district?—Va'a-o-Fonoti.

And are you a member of that District Council?—Yes.

Whom were you chosen by to be a member of the District Council?—My own village.

What was the date of the last meeting of the District Council which you attended?—The 26th August this year.

What was the meeting before that?—I forget.

Did the Mau members of the District Council attend at that last meeting?—One village did not attend.

Did any of those members tell you why they would not attend?—They wrote. They sent a letter to the District Council.

What did the letter say?—We have departed from the District Council. I have the letter, as follows: "To the Faipule.—We are not attending. It is not because we oppose your order and the District Council, but we are not satisfied with the announcement by the leader of the Fetu, and also there have been too many orders from yourself. Therefore we notify hereby that we will not attend. We will not abide by any more orders or any instructions from the District Council.—Signed by the Ali'i and Faipule of Saletele." Letter dated 24th April, 1927.

Mr. Meredith.] Do you know whether those Ali'i and Faipule are members of the Mau?—They are at present in the Mau.

TULIAU S. sworn and examined.

Mr. Meredith.] What is your rank?—Chief.

Your village?—Letogo.

And what district is that in?—Vaimauga, Tuamasaga North.

You are a member of the District Council?—I am.

How did you become a member?—There was an order given by His Excellency that the committee from each village shall be selected.

And who were you selected by?—The whole village.

What was the date of the last District Council meeting?—The 13th June this year.

Did some members who used to attend not attend at that meeting?—That refers to Apia, this village here. When they held the meeting that day they said that they were departing from the District Council.

At the last meeting did several men who used to attend before not attend?—Those that joined the Mau did not attend.

Did any of the Mau members tell you the reason for not attending?—Because they were turning to the Mau.

INU sworn and examined.

Mr. Meredith.] Your name is Inu?—Yes.

And your rank?—*Tulafale*.

Of what village?—*Lufilufi*.

And what district is that in?—*Anoamaa*.

You are a member of the District Council?—Yes.

And you were chosen to be a member by your village?—Yes.

The last meeting of the District Council was in July, was it not?—Yes.

Did the members of the Mau who were also members of the District Council stay away from the district meeting?—They did not attend.

Mr. Meredith (through the Interpreter, to the assembled witnesses): Are you all members of the District Councils, and do you agree that at the last meetings of the Councils the Mau members stayed away?—We are all members of the District Councils. The members of the Mau did not attend the last District Council meetings of our District.

[List of thirty-one witnesses called out as follows, of whom all were present except one, sick.]

District Council.	District.	District Council.	District.
1. Sila	A'ana South.	17. Vaaulu	Faleata, Tuamasaga Matu.
2. Puni	"	18. Ulugia (sick)	"
3. Tuionoula	A'ana North.	19. Inu	Anoama'a "
4. Toleafoa	"	20. Falealo	"
5. Tofae	Sagaga, Tuamasaga Matu.	21. Leota	"
6. Sanui	"	22. Seinafo	Vaa-o-Fonoti.
7. Lotuanuu	"	23. Fuamatu, L.	Vaimauga.
8. Fata S.	"	24. Tuala, F.	Anoama'a.
9. Pula	"	25. Samoa	Vaimauga.
10. Saena	"	26. Pilimai	"
11. Tuimaseve	"	27. Fata-Faitele	Tuamasaga Matu.
12. Toa	"	28. Leu	"
13. Atoa	Vaimauga, Tuamasaga Matu.	29. Tautolo	Aleipata.
14. Maposua	"	30. Papalii, F.	Vaimauga.
15. Patu Togi	"	31. Taupau	Aiga-i-le-tai.
16. Lelena	Faleata, Tuamasaga Matu.		

LEIATAUA-MANA sworn and examined.

Mr. Meredith.] What is your name?—*Leiatua-Mana*.

You are a *pulefatoaga*?—Yes.

What are your districts?—*Aiga-i-le-tai*, sub-district *Manono*.

Is that the district you inspect?—Yes, the whole of *Aiga-i-le-tai*.

Are they Mau people in your district, or Government people?—A very small section of *Apolima* joined the Mau. The majority of people in my district are still supporting the Government.

Are you having any trouble about the Samoans obeying your instructions in regard to the plantations?—I have had no trouble in connection with my work.

SAIPAIA sworn and examined.

Mr. Meredith.] What is your name?—*Saipia*.

What village do you belong to?—The village of *Satapuala*, in the District of *A'ana-matu*.

Are you an Agricultural Inspector?—Yes.

Have you been inspecting the plantations in your district lately?—I gave instructions on the 9th July.

Instructions to what village?—To the Village of *Faleasiu*.

What others?—On the 11th July at *Fasitoo*. They opposed me and did not accept or obey my instructions.

What about *Nofaalii*?—*Nofaalii* on the 12th.

Did you issue instructions to them, too?—Yes.

And to *Leulumoega*?—Yes, to *Leulumoega* on the 13th.

What were the instructions you issued to these people?—To plant bananas and coconuts, and to clean plantations.

What was said to you by these people?—The *pulenu'u* of *Faleasiu* replied to me, saying, "We do not agree with your instructions, because *Faleasiu* have all joined the Mau."

Was the man who spoke to you a member of the Mau?—He is at present in the Mau.

What about the other villages?—*Fasitoo* is divided in two.

Did they tell you that they would not obey your instructions?—Yes. I was well received by the Government people, but the division of the Mau rejected me and would not obey my instructions.

What about the other two villages, *Nofaalii* and *Leulumoega*?—They gave the same reply—that they did not wish to obey my instructions.

Do you know *Sauvao-tafoe*?—He was the *pulenu'u* in *Faleasiu*.

Is he a *pulenu'u* now?—He is the one I mentioned a little while ago who has joined the Mau.

Have the people of Faleasiu given you any records of beetles caught?—Sauvao told me that two *pulenu'us* have been appointed by the Mau to attend the searching of beetles.

Mr. Baxter: That is rather hearsay evidence.

Mr. Meredith: Yes. (To witness:) Have you inspected and seen the conditions of the Mau plantations?—Yes, I have inspected them.

And what is the condition of them?—Some are good and some are bad.

Where are most of the bad plantations: are they Mau people or are they Government people?—Mau plantations.

Mr. Baxter.] These plantations which you have been telling us about—for how long have they been neglected?—From the beginning of the Mau; when they started the Mau they neglected their plantations.

You mean right back after the first meeting in October of last year—they have neglected them from then?—I do not know when the Mau started.

But right from the very beginning?—I do not know about any Mau meetings.

You said “since the Mau started”: what do you mean?—I only know that when I gave the instructions in July they were rejected, and they took no notice of my instructions.

Was that the first time you had noticed anything wrong, or that your instructions had not been carried out?—That was the first time.

That is, from the 9th to the 13th of July this year?—Yes.

Then you instructed them to plant bananas, I think, and coconuts. Had you ever given such instructions as that before?—Yes.

When was that?—I inspect every quarter, and I give the same instructions every January, February, and March—that is, the first quarter.

They obeyed instructions that time, did they?—They obeyed them the first quarter.

And the same with the coconuts: they obeyed that order, no doubt?—Everything I instructed them to do.

Who told you to give these instructions about planting coconuts and bananas?—Our leader, Mr. Ritchie, the Director of Agriculture.

Then, you said that their plantations were neglected. I conclude that they were not entirely neglected: perhaps they had not done as much work on them?—“Neglect” means that they have thrown away most of their plantations: they are overgrown with weeds and they are not weeding them at all.

Does that include their foodstuffs as well?—The taro and food plantations are being attended to.

But the other plantations, you say, they have neglected?—Yes.

Did you prosecute them for not carrying out your instructions?—I prosecuted no one, because no one came to me. I could not punish any one, because no one came to me.

You did not pick out anybody to whom you had given your instructions—like this *puluni'u*, for instance. Why did you not prosecute him?—His plantations are all right.

Oh, then, they were not all neglected?—The foodstuffs are all right, but the bananas and coconuts are not all right.

But the *pulenu'us* bananas and coconuts; what about them?—Very good.

Is that the *pulenu'u* who said, “We do not agree to these instructions, because we are in the Mau”?—Yes, that is Sauvao.

His plantations are all right?—Yes.

Well, then, they were not all neglected. You told us that all the plantations were neglected; now, here is a man who is in the Mau and his plantations are not neglected. Are there any more like that?—There are plantations of the Mau that have been attended to and cleaned.

There were some that have been attended to and cleaned?—Yes.

Mr. Meredith.] Where were most of the bad plantations?—At A'ana-matu—that is, North A'ana.

You have told us that some of the plantations are all right?—Well, those are the plantations of the people in the Government.

How long had this *pulenu'u* Sauvao you spoke about left the Government and joined the Mau?—I do not know.

In your district can you say what proportion there is of Mau plantations to Government plantations?—Since they rejected me, that is the only time I have inspected the Mau plantations. I do not know much about the Mau plantations now. I have inspected only the Government plantations since I was rejected by the Mau.

You know how many Malo (Government) plantations there are? Can you say whether there is a large number of Mau plantations in your district? You know how many plantations there are in the district, and you know how many Government plantations there are: are there many left or are there but few?—Mainly with the Mau, because they have mostly joined the Mau. There are more of the plantations with the Mau.

Judge MacCormick.] This *pulenu'u* of whom you spoke, is he still in office?—He had just left and joined the Mau.

Judge MacCormick: Some of them have joined the Mau and they are still Government officers.

Mr. Meredith: I do not think so, sir.

Judge MacCormick: I was speaking of one man only just now.

Mr. Meredith: I understand from the departmental officer, sir, that they have not had time to go into every case. The particular *pulenu'u* in this case has been dismissed.

LETA'A SWORN and examined.

Mr. Meredith.] What village do you belong to?—Apia.

Are you the *pulefa'atoaga*?—Yes.

What are the boundaries of your district?—From Tufulele to Lau'i'i.

That will include Apia and also the villages of Levi, Lepea, and Leauva'a?—Yes.

In regard to your instructions, how are the members of the Mau treating you?—I have nothing to do with the people of the Mau. When I go on my inspections I do my business with the *pulenu'u*.

Are your instructions being carried out by the Mau people?—On my last inspection I found that they had not been obeying my instructions at all.

What had you told them to do and what had they not done?—From one end of my district to the other I gave orders that each person was to plant twenty-five yams. All the supporters of the Mau did not obey that order.

Did you give any orders about bananas, or coconuts, or anything?—Each person was to plant one hundred bananas and ten coconuts. In some villages they have been ordered to plant cotton and to clean all plantations.

That is, to clean the weeds?—Yes.

And had any of these instructions been carried out by the Mau?—On my last inspection the *pulenu'u* of villages where there were members of the Mau stated that the people of the Mau would not do as I had instructed.

And did you have a look at the plantations yourself?—Yes.

And when you got there could you see that your instructions had not been obeyed?—Yes, and I felt very sorry to see the neglect.

In your district are there many villages which are nearly all Mau?—May I make an explanation?

What we want to know is are there more Mau plantations in your district than Government plantations; and, if so, how many more?—The proportion that eight is to twelve—eight representing Government plantations and twelve representing the Mau plantations.

Mr. Slipper.] Are you in the Mau?—No.

Do you want to be in the Mau?—No.

Did you ever want to be in the Mau?—No.

Did you not attend the first public meeting, on 15th October, in the Market Hall?—Yes, I was there.

And did you not hand in a written statement of grievances of the Samoans against the Faipules and the Administrator?—No.

You swear that you did not hand in that statement?—Yes.

Did you not make a speech, speaking strongly on these questions of grievances against the Faipule and the Administrator?—I did not speak about any subject.

Did you speak at all?—Yes, I spoke, but I did not speak strongly of anything.

Do you remember what you did say?—No; perhaps you can refresh my memory.

I will refresh your memory to this extent—say this Yes or No: did you or did you not bring forward grievances of the Samoans against the Faipule and against the Administrator—any grievances at all?—No.

You did not?—No.

Consequently, then, you did not beg that these grievances would be embodied in the committee's reports?—No.

Will you deny that when Mr. Nelson returned from abroad last year that you called at Tuaeфу with other chiefs last year?—I admit that I went with other chiefs.

And that this was primarily a social call of the chiefs on the chief Taisi?—Yes.

And you made a speech condemning the Government?—No.

And that you asked Mr. Nelson if there was any news which you and others should not divulge?—It is probably true that I asked if he had brought any fresh news, but nothing in connection with the Mau.

Well, what is the fresh news you would expect him to bring?—Any news from outside. It is the usual custom when anybody returns home from another place to ask if there is any fresh news.

From what place did he return?—European countries; I do not exactly know what countries.

Did Mr. Nelson not tell you that he had no private information for anybody, and no private information at all?—I do not remember words to that effect.

And that if he (Mr. Nelson) had anything to tell he could tell it openly for anybody to hear?—I do not remember that.

Did you contribute to the first lot of donations to the Citizens Committee?—No.

When you inspected these plantations you say that you went to have a look at them yourself; that is, of course, what inspecting means. Is that correct, that you went and had a look yourself?—Yes.

And did you go through them and about them sufficiently to be able to see the condition of each plantation?—Yes.

Can you tell us the name of any one of the Native Mau plantation-owners of those plantations which you inspected?—Yes.

Give us one?—One is Lotuanu'u.

Have you any written record that you wrote at the time?—Yes, I recorded the names; but I did not think that I would be questioned on that point, and I did not bring my book.

Well, take this person Lotuanu'u?—Yes.

How did you know?—Because when I went on my inspection he did not attend, as is customary and the *pulenu'u* informed me that he had joined the Mau.

So that was clear blank hearsay on your part?—I do not know personally; it was information from the *pulenu'u*.

Is this not the position: that you conclude that every one who did not meet you was in the Mau?—Before the Mau movement was commenced it was customary for the chiefs and orators to attend when I went to their village on inspection. Since the Mau movement has commenced only those supporting the Government attended; those who had turned to the Mau did not attend.

But you do not know whether they are in the Mau or not, do you?—I also saw the beetle-searching records of the *pulenu'u*. I asked the *pulenu'u* to produce his beetle-searching record, and found those names missing, as not having searched for beetles.

Are you prepared to give, to-morrow morning, to Mr. Meredith a list of all those you say were inattentive to your instructions, and to give evidence to show why you say they are in the Mau?—I can give the names of all those who failed to obey my instructions, but I cannot see how I can prove that they all belong to the Mau?

From whom did you get your instructions to plant yams, and bananas, and coconuts?—The Administrator to Mr. Ritchie, and Mr. Ritchie to us.

Have you seen the instructions from the Administrator to Mr. Ritchie?—That is from information received from Mr. Ritchie. I have not seen the instructions. Mr. Ritchie, in giving instructions, says that those instructions are from the Administrator—that this should be done and that should be done.

Do you know if there is any law providing that these things should be done?—I have not seen any law, but I have always asked advice from Mr. Ritchie.

And, lastly, are you in a position to prove that the *pulenu'u* notified these alleged Mau planters who did not attend you for the purpose of inspection?—As regards recently, I do not know. I cannot prove if the *pulenu'u* has conveyed my instructions.

The Chairman: Mr. Interpreter, please tell the witness from me that he is under no obligations to prove it.

PALELEI sworn and examined.

Mr. Meredith.] And to what village do you belong?—Samamea.

And you are a *pulefaatoaga*?—Yes.

And what district are you Inspector of?—The Vaa-o-Fonoti District.

And that district is Faleapuna East to Uafato?—Yes.

What is the proportion of Malo (Government) people and Mau people in your district?—The majority are with the Government.

You have an actual list, have you not?—The total number of the people who have joined the Mau amounts to 341, and the Government people are 596.

Do these figures refer just to grown-up people?—That includes males, females, and children.

That is the number of the respective families, then?—Yes.

Have you given orders to the people in your district in regard to planting new stuff and clearing weeds out of the plantations?—Yes.

Do you know whether those instructions have been disobeyed in any parts?—It is difficult for me to reply to the question, because of this: I was rejected in Faleapuna on my inspection.

Well, how were you rejected: what happened?—When I arrived in Faleapuna I met the Tulafale, Pasui, who belongs to Faleapuna. He said to me that he was a member of the committee of the Mau.

What else did he tell you?—I told him that this was an inspection. The reply that he made to me was to the effect that no inspection would be made in that place. I asked, "Why not," and he replied, "It is the decision of the committee of the Mau in their *fono*," and they were "not to agree with any more things from the Government."

Did you go and look at those plantations?—No.

Did they refuse to let you see any of the Mau plantations in any other parts of the district?—Yes, in Sauago and Saletele.

What did they tell you there?—That they would not receive any inspection, as they were afraid of the decision made by the *fono* of the Mau.

Mr. Baxter.] What committee is this to which you refer—this *fono* of the Mau: Are you talking about the Vaa-o-Fonoti *fono*?—I was pointing to the committee here in Apia.

Was the man who told you that?—Yes, he pointed to the committee in Apia.

How did you work out those figures for Vaa-o-Fonoti?—I have been in the custom of taking records of everybody under my control in my district since I have been appointed to this position.

If you thought that a person was Malo (Government) you put him down as Malo, and if you thought that he was Mau you put him down as Mau?—There are places which are quite distinct in my district that have gone to the Mau and those that have not gone to the Mau.

Did you put down just the grown-up men, or have you got the women too?—The women and children as well.

FRANK GEORGE LEWIS further examined.

Mr. Meredith made a statement to their Honours that the evidence of Mr. Lewis had been typed in six copies, and that it was proposed that Mr. Lewis should read out this statement to the Court; also, that counsel for the other side should be given time in which to peruse and examine the statement, Mr. Lewis to be cross-examined at a later date.

The Chairman: You will be allowed ample time, Mr. Baxter, in which to consider it.

Mr. Baxter: The course proposed will assist me.

Mr. Meredith.] What is your name?—Frank George Lewis, clergyman, and at present occupying the position of Secretary for Native Affairs in Samoa.

And you produce the attached statement, which, to the best of your knowledge and belief, is true?—Yes, I was for a continuous period of five years, 1920-25, a missionary of the Methodist Church among the Natives of Savai'i and Upolu. In the year 1925 I was appointed Inspector of Intermediate Native Schools; in February, 1926, I was appointed Assistant Secretary for Native Affairs; from May, 1927, to the present time Secretary for Native Affairs. I submit the following reports: (1) Fono of Faipules; (2) District Councils; (3) "Fine mats." (4) Banishments.

THE FONO OF FAIPULES.

The Fono of Faipules is a present-day constituted body of ruling chiefs which can be traced back to an Assembly that was in existence in the Consular period of Samoa. It has passed through various changes since its inception in the attempt to establish a suitable representative Assembly in the self-governing system of this country.

In 1899 there was a body of Faipule signing themselves "The Thirteen"—Toelupe, Lauati, Moe'aa'u, Lau'afa, Fu'e, Matau, Asiata, Tufuga, Lei'atua, Moli'o'o, Suatele, Autagavaia, Lemana. This body was in existence in Mulinu'u at the advent of German Administration.

1905.—A definite step was made by Governor Solf in 1905 by appointing twenty-seven Faipule to live in their districts and assemble twice a year in Mulinu'u. The *Savali*, issue No. 1, September, 1905, publishes the names and districts, and states that these chiefs were appointed by the Governor for life, unless guilty of conduct unworthy of office. I produce the following:—

Extract from Address by Dr. Schultz, Governor, at Government Fono, June, 1913, and Published in Savali, July, 1913.

"In the days whilst Dr. Solf was Governor it was done this way: The Faipule Kaisalike is to join in the deliberation for the appointments of Faipule, Komisi, Fa'amasino, and Pulefa'atoaga. Now I shall follow the same way. When you bring your considerations to me and, if I find them suitable, then I will yield to them; but if they do not suit, then I will declare my choice. Now you shall choose successors to these members: (1) Ama, Lotofaga, Faipule; (2) Posala, Samauga, Faipule; (3) Magele, Iva, Faipule; (4) Maiava, Sato'alepai, Fa'amasino; (5) Tuala, Leatele, Fa'amasino; (6) Faamo'e, Matautu, Komisi."

Reforms.—From time to time reforms have been made concerning this Fono—reforms effected by the Governor and the members in consideration of the interests of the country, e.g.:—

- (a) 1923—The Fono was given statutory recognition in the Constitution by the Samoa Amendment Act 1923.
- (b) District boundaries have been altered, resulting in a gradual increase in the number of seats in the Fono till it has reached thirty-four.
- (c) For several years appointments have been made for three years on trial, and only when proved are Faipules themselves kept in office.
- (d) Latterly the district chiefs have been asked to nominate in writing their choice for Faipule elect.

The Present Personnel, and Method of Their Appointments.

Aiono and Toelupe: These are the only two Faipule now living who were appointed under the German régime and by the method indicated above as used by Governor Solf. Toelupe was one of the original thirteen, and has been the Faipule of his district for more than twenty-eight years, through changing systems and changes of Governments.

Tainau and Malupo: Under British military occupation the same method was continued, the Administrator accepting two lines of advice—(1) The highest suitable chief available in the district; (2) the promotion of officials already serving the Government—Malupo, appointed 1916; Tainau, 1918. Malupo was *puleni'u* from 1905, Tainau from 1917.

The epidemic of 1918 carried away all Faipules except the above-mentioned four.

1919 and 1920.—The Administrator appointed a great number of Faipules on the recommendation of the Secretary for Native Affairs, who had been in conference with his Native advisers. Of the present Fono the following were thus appointed: Sagapolutele, Tuatagaloa, Salanoa, Malaitai, Unasa, Fonoti, Ama, Logo, Va'ai, Mataa'afa, Manai, Sciuli, Tuisalega, Seinafo, Tuilaepa, Tapusoa, Leilua—seventeen in all. There was complete satisfaction with these appointments, no complaint being heard of prior to the 15th October, 1927.

1923-1927 (the present Administrator's régime).—Ten appointments have been made, some being to fill vacancies and others additional appointments, the appointments being by the Administrator with the approval of Ali'i and Faipule of the districts concerned.

Pei and Suisala, 1923; Asi Mama and Sua Latu, 1924; Sui Mui, 1925; Fuamatu and Seumanutafa, 1926; Tafua, Tupuola, and Sua Soloi, 1927: In the case of Tafua and Tupuola the approval is certified by signatures of the Ali'i and Faipule. Sua Soloi had been Acting-Faipule for about two years during the illness of the late Faipule Lemalu. Two months after his permanent appointment the Lefaga District expressed to the Administrator, when on *malaga*, their satisfaction at the appointment.

Pei, Suisala, Sua Latu, Sua Mui, Seumanutafa: These five Faipules from Savai'i were appointed to fill vacancies caused by death or dismissal, and were chosen for their high titles and previous service. After consultations of the Resident Commissioner of Savai'i with the Ali'i and Faipule of the districts concerned he recommended the appointments, and the Administrator approved. In no case has there been any complaint by the people over the appointments till now.

The duties of Faipules are set out in a booklet on "Duties of Officials" [put in: Exhibit No. 57A], a copy of which is supplied to all Government officials, and from which it will be seen the Faipules have no power of punishment. This is done by District Judges.

SAMOAN DISTRICT COUNCILS.

District Councils were constituted by Order in Council (the Native Regulations (Samoa) Order, 1925), and since their establishment have played a successful part in the teaching of self-government to the Samoan people. There is a distinct resemblance between the District Councils and those outlined in the published laws of Malietoa, 1891, as follows:—

"For the Control of District Matters.—Fono will be held in each district on the first Tuesday in each month, to be called the District Council (Fono Itamalo). There will assemble the leading official of the district, all Native Judges, together with the leading and responsible chiefs of the district in accordance with Samoa custom. The *fono* may discuss all matters for the good of the district. Discussion should be held and decisions made concerning cleanliness of villages, keeping roads in good order, protection of water, planting useful trees, feed, and care of various animals. District *fono* is not competent to make any resolution out of harmony with the laws of the Government. The leading official of the district may call together a district *fono* on any day he wishes or on a day so directed by the King. Immediately after the conclusion of the *fono* a complete report of all proceedings shall be forwarded to the King."

Present Organization based on Samoan Custom.—It is to be noted that there is no waiving of the custom of chief control, for the District Council comprises in some cases fifty, in some cases eighty chiefs, all who have any say in the district affairs. The Faipule is the chairman

Specimen business-paper is as follows. The business of the District Council assembled proceeds by method of the following questions: (1) Who are present? (2) What are the minutes of previous *fono*? (3) Is there any business arising out of the minutes? (4) What is the state of the villages in this district? (5) What are the by-laws of this District Council as already submitted to be approved by His Excellency the Administrator? (6) Are there any cases of default of by-laws to be reported to the Fa'amasino by this Council? (7) What further recommendations do we decide to forward to the Administrator? (8) What matters do we decide to submit to the ensuing Fono of Faipules?

Minutes are properly recorded, and any decisions are unanimous, as per *fa'u-Samoa* custom. Such resolutions are forwarded by the Secretary of the District Council to the Secretary for Native Affairs, and where they are remits for Fono of Faipules are all placed on the agenda paper and dealt with by representatives from District Councils of all Samoa—that is, the Fono of Faipules—under the chairmanship of the Administrator. The decision of the Faipule Fono is then conveyed back by the separate Faipules to their own districts, and is also published in the *Savali*, with the record of the proceedings of the Faipule Fono.

The members of District Councils are not "elected"; they are admitted because of their *fa'u-Samoa* rank, and no chief of any standing is excluded. This is acceptable to both the chiefs and the people, as it respects their dignity.

A specimen of District Council remit for consideration of Fono of Faipule, December, 1926, is appended, together with list of subjects submitted by other districts.

[TRANSLATION.]

To His Excellency the Administrator.

WITH the greatest respect I put forward the following matters from my district for discussion at the Fono of Faipule:—

- (1) The District Council of Amoa have decided that each *matai* when he dies shall leave a will *re* his title.
- (2) The District Council of Amoa have agreed to the division of land for the advancement of Samoa.
- (3) A road should be made from Pu'apu'a to Lealatele.

SUA MUI, F.P.

The resolutions of the Fono on the matters referred to in the specimen mentioned above (as well as on other remits) is appended:—

Subjects from District Councils for Fono Faipule, December, 1926.

SAVA'I.

1. Gagaemauga.
2. Amoa—(1) Decision to divide up lands as per forward policy. (2) The right to will titles. (3) Construct the road between Puapua and Lealatele.
3. Faga.
4. Safotulafai—(1) Express gratitude and satisfaction. No further requests.
5. Iva.
6. Palauli.
7. Satupaitea.
8. Salailua.
9. Salega—(1) *Re* the lease in our district on which much Government money was spent. (2) Make a passage in the reef for boats. (3) Station the Samoan nurse at Faiaai.
10. Neiafu.
11. Falealupo—(1) Establish a wireless at Falealupo. (2) *Re* wills.
12. Vaisigano—(1) That this district be under the care of doctor and hospital at Safotu. (2) Tools required for road-making. (3) Savai'i Savings-bank, &c.
13. Gagaifomauga—(1) Residency to remain at Fagamalo. (2) Medical levy to be inquired into. (2) Wish explanation *re* portion of money (grant) for Savai'i roads and also Upolu roads. (4) Standard of education in schools: Is it true that His Excellency has expressed the wish to keep the standard of education down—not to give much education lest the Samoans become unmanageable, or wanderers, or haughty?

UPOLU.

1. Aleipata.—(1) The right of *matai* to will a successor to his title. (2) Plea for additional F.M.P. (3) *Ie Toga* (4) Special awards or "decorations" for specially loyal servants of Government.
2. Vaa-o-Fonoti.
3. Lufilufi.
4. Saluafata.
5. Vaimauga.
6. Faleata.—(1) Government fix the price for *popo* (copra). (2) Making of wills.
7. Sagaga.—(1) Government to take delivering of *popo*. (2) F.M.P. Court costs to accrue to districts concerned. (3) *Re* paying for the ambulance. (4) European traders to have no controlling interests in Samoan affairs. (5) Heavy punishment for Samoans mixing up in European matters. (6) Land wanted for Faleula, Malie, Levi, Salepouao.
8. Leauvaa.—(1) Land for banana-planting. (2) *Re* willing of family titles. (3) Individual ownership of lands, not village ownership.
9. Fasitoouta.
10. Leulumoega.—(1) Why have Europeans stolen our lands Nofaalii? (2) *Re* payment of £20 deposit to Union Steamship Company. (3) Court cases: call the case at the hour stated on the summons. (4) Do not contract any further loan without consulting Faipule Fono.
11. Fasitootali.
12. Aiga i le tai.
13. Falelatai.—(1) Banana-growing approved gratefully. (2) Land required as per offer, 600 acres from Government land.
14. Lefaga.
15. Safata.—(1) *Re* Agriculture Inspector: too many orders all at one inspection; spread them out over the four quarters. (2) Explain, *re popo*, high price in Europeans but Samoan growers get so little. (3) Wish the banana-steamer to take their produce. (4) Transfer the Samoan nurse. (5) Model villages. (6) Second-grade school to be Government school.
16. Falealili.
17. Lotofaga.

The resolutions of the Fono on the matters referred to in the specimen mentioned above (as well as on other remits) is appended:—

Faipule Fono Resolutions, 14th December, 1926. No. 12.

(Published in pages 6 to 8 of *Savali*, January, 1927.)

Re Company Tuufaatasi: Let the money remain at present, but that an inquiry be held as to when the deficit was incurred and who is responsible for the losses. Decision: a Board of Inquiry of three white officials and four Faipules. Witnesses to be called—Lago Lago, Asiata, Malietoa, Tuimalealiifano; Mr. McCarthy, as a lawyer, to be on this; Mr. Allen, Native Department; Mr. Croudace, Public Trustee.

Re Land and Title Commission : His Excellency gave explanation as to why the Komisi were no longer on this pay-roll, and that the Komisi will be called as soon as the number of cases pending warrant a meeting.

Arbor Day : Next year tree-planting to be done between November and December. Faipule to select day for his district.

Dispensary in Fasitootai : Salenoa, F., and Logo, F., to arrange for house to be built at once for dispensary. The Government to supply locker for medicines.

His Excellency's Malaga : His Excellency announced that he would be going to New Hebrides for a few weeks to help difficulties that have arisen in that country.

Land in Falelima : European land near Falelima, 295 acres : Mr. Jensen wishes to sell for £1 per acre, to be paid off within three years. The Government will buy the land for the Samoans.

Orator's Staff for Faipule : Ordered from London. Will be distributed to Faipules when they arrive. Silver mounting, "Faipule, Western Samoa." To be used by Faipule when speaking officially.

Taxes : Resolution of Fono ; to be further discussed next Fono.

Wills : Reconsider.

Debts : *Tulafono* to stand no alteration.

Copra-driers : When satisfactory driers have been found each Faipule to be supplied with one.

School Committee for Savai'i : Leilua to take place of Taimalelagi (deceased), together with Tuisalega and Suisala.

Shooting Season : Discussion adjourned until next session.

Titles : This law to stand as it is.

"Fine Mat" Regulations to stand : Fono to definitely state in what ways the "fine mat" is forbidden and what is allowed.

Re Loans : No loans will be made affecting Samoa unless first discussed by Fono. Loan for specific purposes, such as hydro-electric scheme (and this applies to the new wharf) ; people who use it will pay for it.

Road round Upolu : This will be done gradually.

Road, Saleaula to Patamea : This will be arranged early in January.

Money spent on Upolu and Savai'i roads : The information as to proportion of money spent will be supplied. More money will naturally be spent on Upolu than Savai'i for some years to come. The population and number of plantations warrant this.

Water-supply, Faasaleleaga : Supply will be installed by gravitation, if possible, from new spring, and if spring impossible, then pumping-scheme could be put on. Scheme to be financed by Government as far as other schemes have been.

Saliagua Water-supply : Engineer will report whether possible to connect the Saliagua scheme with Salega.

Falelatai Water-supply : Extension scheme will be commenced early next year. Intake enlarged and other villages connected up.

Vaimauga Water-supply : Asi-Mama to bring this matter up again in three months' time. Probably new supply through Vaivase will be used.

Roads, Lealatele, Falefa, Samusu, Safata : To be gone on with.

Water-supply : Repairs to Lotofaga will be carried out.

Road to Falelatai : Matter to be reconsidered whether beach road or *ala sopo* to be made.

Bridges for Falealili : Four bridges to be built in Falealii this year.

Road to Puapua : Sua Mui wishes this road to be made. Fono of Sua Mui, Suisala, and Engineer and District Fono to be held on this road when Engineer visits Savai'i.

Cement for Dispensary at Fusi, Lotofaga : Cement will be supplied for this work.

Water-supply at Saluaifata and Lufilufi : Wish to be joined up with Solaua Plantation.

Road, Lepa-Lotofaga : To connect with new ala-faalava to Samusu will be undertaken by the Lepa-Lotofaga people.

Re Officials taking active part against the Government : The Fono unanimously agreed with His Excellency that Alipia, P.F., and Tofaeono, P.F., be dismissed from their Government appointments from the 15th instant.

Land : His Excellency will discuss matters of extra land required in Districts with the Faipules.

P.F. for Alataua District : Matter not dealt with at present.

Depots for collecting bananas : Definite instructions *re* these depots will be given by the Agricultural Department.

Pulefaatoaga and District Inspector : Time is not ripe for any alterations at present. The work of committees under the instructions and oversight of Faipule is showing good results.

Communal Cleaning : This is left to the committee as to how the cleaning is to be done. The committee may make by-laws to govern this matter.

Cotton-seeds : Are available now at the Agricultural Department. Faipules may obtain seeds as they require them.

Copra : Production this year is less than last year by about 1,700 tons. Some districts are not cutting all their copra ; urged to do so.

Second-grade School, Safata : His Excellency consents Safata Grade II school becoming a Government school.

Government Land in Salega : His Excellency will inquire into this and send a reply to Tuisalega, F.P.

Re one more house at Aleipata Hospital : His Excellency will see the Medical Department *re* this matter.

I also produce a copy of *Savali*, January, 1927, showing on pages 6-8 the publication in the Native language to the Samoans of these Fono decisions.

In addition to the remits from the districts themselves, matters are also submitted by the Administrator direct to the Fono of Faipules for consideration ; but in this latter case such matters are conveyed by the Faipule to the District Councils for expression of their opinion and brought up at a later Fono before a definite decision is arrived at.

The remits from the District Council originate in the Village Committee, the chain of procedure being Village Committee to District Council to Fono of Faipule, and thence to Legislative Council if to be an Ordinance, or to the Hon. the Minister of External Affairs if to be an Order in Council.

"FINE MATS."

The following is a record from German times, written at some time between 1905 and 1909, and is an extract from Faipule Fono minutes :—

"This subject was discussed before the Government in the last Fono held, but no decision was arrived at. The matter was deferred for further consideration, as there were these two opinions : (1) Fine-mat custom is good, and should be maintained according to custom ; (2) Fine-mat custom is not good, and should be discontinued.

"The Fine mat in itself is not sinful, but the conduct of men cause it to be bad. The person who has many mats holds firmly to the opinion that the custom is good, but he who has not many mats contends that mats are no good, and he belittles the custom. The Governor does not wish to prohibit fine mats, but wishes to straighten out the matter causing such contention in our country at the present time, because of these two opinions.

"(1) Fine mats are good.

"(a) It is the wealth or property of Samoa. If there are no mats, then Samoans will have no wealth.

"(b) Mats are a means of introduction, and conserving the right relationship between chiefs and orators, and are useful gifts between friends.

"(c) Used for the meeting of bride and bridegroom.

"(d) Bring dignity to chiefs and causes orators to show them due respect. If there are no fine mats, then orators will cease to respect chiefs, and good fellowship will be broken.

- “(e) Useful for exchange, for with the gift of a fine mat the giver obtains a recompense, except in cases where the mat is a straight-out donation.
- “(f) A help in time of trouble. Mats are taken and offered with an apology by persons who have committed serious offences.
- “(g) The mats are themselves beautiful, and more suitable for clothing of Samoans than European clothing.
- “Therefore the fine mat is good. But we know there are reasons for the opposite opinion :—
- “(2) Fine mats are not good.
- “(a) Misunderstandings and squabbles arise between chiefs and orators, and between families, because of the reward for the mat not being considered equal in value.
- “(b) Poverty is caused because of some trying to equal the number of mats given by others, or some trying to outdo others. On some *malagas* many mats are offered and a small amount of gifts given in return.
- “(c) Hardship is caused because it is a difficult work to make the mats, and many years are occupied in the making of specially valuable mats. If a chief gets only a few mats, then he has trouble, as he is not able to make an adequate distribution to his orators. Some chiefs, too, call orators and give them no reward.
- “Therefore it is not the fine mat that is sinful, but the crooked conduct of men causes the evil.
- “But there are no great quarrels that arise now. It was only in connection with the fine mats of kings that wars arose, and this will not further be a cause of trouble, because there are now to be no further kings of Samoa. The Kaiser himself has the sole control, with his Government. The names Tumua and Pule are also abolished.
- “There are quarrels, misunderstandings, and poverty and hardship caused over all things of worth in this world.”

Fine-mat ceremonies, *malagas*, and presentations are Samoan customs which have, unfortunately, been associated with quarrels and much difficulty. Much consideration and various regulations have been made at various times with a view to a satisfactory working.

1916.—The *Savali* dated the 1st September, 1916, outlines regulations newly framed for the fine mats, and states that such was the decision of the two Fautuas and Faipules, and approved by the Administrator (Colonel Logan). The following prelude appears (translated) :—

“The Government has considered this subject very carefully and with some anxiety in their desire to find a way whereby Samoa may be lifted into a position of light and understanding, as she is still struggling in a position of darkness and poverty owing to not desiring the light. This Assembly is certain that the reason why Samoa is held back and subdued by this custom of fine mats is as follows, and because of (1) falsehood, (2) selfish ambition, (3) arrogance, (4) avarice, (5) self-glorification, (6) underhand scheming, and other undesirable features. These subjects are found in the custom of fine-mat *malagas* in Samoa, and are responsible for the bad name given to the fine mats and also responsible for the transgression of the law by some. Fine mats in themselves are not responsible, but the hearts of the people give the custom a bad name.”

Then follow the details, set out in eight sections of a regulation. The chief features appear to be : (1) The appointment of a committee to work under the Faipule for the purpose of the costing and distribution of fine mats at any ceremony. (2) The values of various make of mats is set down. There was no restriction at this time upon the number of mats that may be presented, or upon fine-mat *malagas*. But troubles seem to have arisen previously over the costing and distributing of mats, and this regulation it was hoped would solve the difficulty.

January, 1917.—The above-mentioned regulation is repeated in the *Savali* of January, 1917, over the signature of Saga, and approved by Colonel Logan, Administrator. This system of committee control apparently worked satisfactorily in places. In the *Savali* of the 1st April, 1917, there appears a letter from a committee reporting on a fine-mat *malaga* to Fagaloa district. At the outset they were anxious as to the smooth running of the ceremony, owing to the usual accompanying troubles with such events, but the letter congratulates the Fautua and Faipule for setting up these committees of control, and states that all proceedings went well. It was, however, a wrench from the old style.

July, 1918.—The question was still causing agitation in the Native minds, and the regulation was further amended. A section of Samoa wished to let this custom go, and the appeal is made to them that the regulations may stand, with minor amendments. By this time, it was evidently discovered that the committee control was not working satisfactorily, and they were not further used. Mats were to be marked and costed, and these distinctive marks were to be permanent, doing away with the need of a committee, which apparently varied the costs according to their own calculations, not always acceptable.

October, 1918.—In the *Savali* of October, 1918, a clear instruction was issued as decided upon by a *fono* with the Governor, Fautua, and Faipule. This was to notify that all fine mats must be marked by the Government, any newly made or imported mats to be brought at once to the Native Offices to be marked before they could be used. Heavy penalties were to follow breaking of this regulation.

1923.—This custom was a matter for discussion at the Faipule *Fono* in June, 1923, and the following resolution passed, as appeared in the *Savali* of the 10th July, 1923 :—

“*Fine Mats*.—(1) Fine-mat *malaga* will be withheld for three years. (2) Any person who has a debt of fine mats will pay such debt, but a *malaga* for such purpose is prohibited. This only holds good until December, 1923. (3) *Malagas* for the purpose of presenting fine mats or goods in exchange therefor are prohibited. (4) This order to take effect from 1st July 1923.”

1924.—This subject was further discussed at the Faipule *Fono* in January, 1924, and the following resolution passed, and published in the *Savali*, 22nd February, 1924 :—

“A committee to be appointed to inquire into breaches of the regulation as to fine mats : four Faipule from Savai'i and four Faipule from Upolu. The regulation to be still in force, but it is allowed for any one to use fine mats for the [payment of] building of his house, or for anything that he wishes to purchase with a fine mat, such as boats and the like ; but a fine-mat *malaga* for such purpose is forbidden.”

1926.—After discussing all remits from District Councils on the subject, the following decision was registered by the *Fono*, 1926, as published in the *Savali*, July, 1926 :—

“It is the resolution of His Excellency the Administrator and the *Fono* of Faipules that the regulation concerning fine mats shall be continued as commenced in 1923 until the full term of experiment has expired. No change has been made in that regulation. *Malagas* for the exchange of fine mats and property, and also death feasts, are prohibited. But it is permitted to use fine mats for the following objects : (1) The building of houses ; (2) the building of boats or purchase of boats ; (3) presentation to parents in a weak state or about to die ; (4) interment and reburial (not more than two mats) ; (5) gift to widow just after her husband's death (not more than two mats) ; (6) for buying and selling ; (7) for the payment of work done.”

This is the regulation being experimented with at the present time before making it law by Order in Council, in the attempt to bring to a settlement a difficult subject for the Samoans.

BANISHMENTS.

The practice of expelling a man or family from a village or district is a very old one in Samoa. Even before the advent of European control or the establishment of a Samoan kingship, this was a Native custom. Under the kingship of Malietoa laws were proclaimed by him (1892) showing this form of punishment to be legalized. [Exhibit

No. 57B.] Under the German regime it was still continued, but controlled and certain features amended. I append the Proclamation of Governor Solf, 16th September, 1901, as follows :—

“ PROCLAMATION.

“ WHEREAS many reports have reached me saying that some of the Samoan people have been banished and forced away from their own homes and villages. It is also said that such is the Samoan custom.

“ I hereby make known to you all that such custom is a very bad one, and I have now decided that I cannot uphold such a bad custom. I do therefore declare that if any one, whether he may be a chief or *tulafale* or a common person, whether he be a Government official or not, again take the law into his own hands and remove a person away from his own house and family he will be severely punished with imprisonment not less than six months.

“ That is my word ; every one must obey it.

“ SOLF, Governor.

“ Apia, 16th September, 1901.”

Under the present British Administration the custom is further amended in the interests of humanity, and extreme hardships regulated or deleted. I append Proclamations of Colonel Logan, Administrator, 20th March, 1916, and 12th February, 1918, as follows, and also Samoan Offenders Ordinance, 1922 :—

“ PROCLAMATIONS TO ALL SAMOANS.

“ I HAVE received several reports to the effect that certain members of Samoan families have been driven out from their relations and families and from their own towns according, it is said, to the Samoan custom in such matters. This Samoan custom is a very bad one, and has been stopped by the former Government. To make the matter clear to all, I have decided to reissue the law in this Proclamation. I therefore make it known to all Native inhabitants of Samoa that this custom, being an exceedingly bad one, I have firmly decided that I will not support such an evil practice. And I hereby declare that if any person, whether he be indeed a chief, or an orator, or a Government official, or whether he be of common rank or otherwise, shall take the law into his own hands and expel any person from his house, from his relatives, or from his town, such wrongdoer shall be severely punished by me or by duly constituted Courts of Upolu, Apolima, Manono, and Savai'i, by imprisonment. If the *matai* of a family is satisfied that the conduct of any member of his family is very bad, and he also considers and believes that the peace of the family will be broken or ruined by the wickedness of such member, then he may apply to the Fa'amasino of his district for the removal or punishment of the wrongdoer, and on such application being made the Fa'amasino must bring the complaint to the Native Courts. In the case of Upolu, Apolima, and Manono the matter must be referred to the Native Court at Apia, and in Savai'i to the Native Court at Faganafo, Matautu.

“ ROBERT LOGAN, Colonel, Administrator.

“ Dated at Apia, this 20th day of March, 1916.”

“ REGULATION.

“ CHAPTER No. 15 of the Faipules' proposals at the meeting held on the 20th December, 1917, and approved of by me, and to be now taken as a public order for all Natives within the British Occupied Territory :—

“ The Order of 16th September, 1901, by Dr. Solf, *re* the expelling or removing of people from their homes by town or by family authorities is still in force, and a fresh addition to the above shall read as follows : ‘ A mischief-maker whose actions have proved to be the cause of trouble or breach of peace in a family or village, no matter if he is holding the position as *matai* and head of the family on his father's or mother's side, or whether he lives there without a title, will have to be removed from his present home to another place.’

“ ROBERT LOGAN, Colonel, Administrator of Samoa.

“ Mulinu'u, 12th February, 1918.”

Old Samoan Form.

(1) As an example of the custom prior to 1889 : In Fagaloa a chief named Pulu killed another Native with an axe. The Ali'i and Faipule of the village chased Pulu and all his family away from the Village of Saletefo, in Fagaloa—they to find any place they could to live in. Pulu went to Satapuata, about fifty miles away to the western end of Upolu, and never returned. Only since the days of German Government have some of the members of the family returned to Fagaloa.

(2) A wider-known example is that of a chief named Luafalemana, of the Village of Falefa. This chief refused to go on a special *malaga* to escort a *tulafale* named Tupuola to Leulumoega. The Ali'i and Faipule of the village decided to go to Leulumoega. When the *malaga* returned to Falefa they decided to chase away Luafalemana. He went to Falealili, on the opposite side of the Island of Upolu, and all his family. After many years the appeals of Falealili were heard by Falefa, and Luafalemana was escorted back by Falealili to his home in Falefa and the people reconciled.

Banishments were quite common in pre-Government days. In the war Mataafa *versus* Tamasese, about 1890, the people of the Village of Salefavale (Tiavea) were ordered away by Mataafa, and all left the place and never returned. This was a bad custom, and the Government control of the country has stopped it, whereby Samoa is much better off.

Samoan Kingship, 1890–1900.

The laws of Malietoa speak for themselves concerning this period—*e.g.*, Chapter IV, para. 4, of Malietoa's Laws, 1892, as follows :—

“ If the King is aware of any Samoan being disobedient to the Government or doing anything by which the peace and good order of the country is compromised, it is left to the discretion of the King to order him from his place to some other place in Samoa, and to determine one or several places with which he may have intercourse and boundaries which he shall not transgress ; also the number of years his banishment shall last, not exceeding ten years.”

German Government Period, 1900–1914.

Under the period of the German Government the Governor himself dealt with cases deserving of banishment, as per Proclamation, Dr. Solf, 16th September, 1901. The outstanding and well known cases are (1) Moefaauo, of the Village of Lufilufi, who was sent to the New Britain (Rabaul) with his wife and child ; (2) Lauati and other chiefs and their families were sent to Saipan (1909). In this latter instance it is clear that European influence was behind the Native unrest, as the following extract from an address delivered by an Admiral of the German fleet shows (*Savali*, July, 1909) :—

“ Samoa : If any high chief or orator persuades you with his sweet words, remember this present time and the Kaiser's love for you, and do not accept the misleading advice from such person. There is no doubt that there is a white man who wishes to turn your minds from the Governor. May the love of Almighty God, who is able to do all things, keep you from following the opinion of that white man and keep you distant from him. For you know well that he is not a German and he is not working with love for Samoa or the land of his birth. For you know that true Germans remain faithful and with one mind in time of war and of peace.”

There were fewer cases of banishment under this Government period than in former Samoan times, and the Native felt this benefit of Government control.

British Administration, 1914-27 (the Present Time).

Under the British military administration the former German Government procedure was continued: see Proclamations 20th March, 1916, and 12th February, 1918, by the Administrator, Colonel Logan. The Samoan Offenders Ordinance, 1922, passed since Civil administration commenced, requires the Administrator to satisfy himself that banishment or loss of title is a fitting punishment before putting the order into effect. The present practice, therefore, is that before any order is issued by the Administrator removing a Samoan from one village to another, or ordering a Samoan not to use a certain title or titles, an inquiry is held. Further, since 1925, when District Councils became properly constituted, requests for banishment made by families or chiefs are not entertained until the resolution of the local District Council is first obtained. By this means a great number of applications for expulsion are, on investigation, found to be capable of a reconciliation, and such has been effected and no such punishment has been given. The harsh measures that in the old Samoa custom accompanied expulsions are not now allowed—*i.e.*, the burning of a house or houses of the accused; (2) the uprooting and bringing of all his crops into the village compound; (3) destroying and devouring of all live-stock of the accused. There have been no deportations to places outside Samoa under British administration up to the present time.

I'IGA sworn and examined.

Mr. Meredith.] Your name is I'iga?—I'iga Pisa.
 You were banished to the Marianne Islands during the time of the German Government?—Yes.
 Before you were banished you were living in Savai'i?—Yes.
 Was Lauati living in Savai'i with you?—Yes.
 Did Lauati come and tell you some story about the German Government?—I went to visit Lauati and he told me a story.
 And what was the story that Lauati told you?—He explained about the Government finance or the Government moneys.
 And what did he tell you about the Government moneys?—The German Government had concealed or failed to publish the particulars of the Samoan Government moneys.
 Did you believe Lauati?—Yes, I believed him.
 What, without anything further?—Yes, just from what Lauati told me alone.
 Did you tell other people about it?—Lauati told me this after he had told quite a number of others.
 Did you spread the news to others after Lauati had told you?—Yes.
 Why did you do that?—Because I believed what Lauati said.
 Did Lauati tell you where he had got his information from?—No.
 Did you know where he got it from?—No.
 What steps were taken by you to spread this complaint over the island?
The Chairman: Need we go into that? I understand this is only being given as an incident of banishment.
Mr. Meredith: That is one aspect of it, sir; but I also wish to put before the Commission an argument in support of the simplicity of belief of the Samoan, and the way in which he is willing to spread a story and the way in which it is accepted.
The Chairman: Very well.
Mr. Meredith.] What steps were taken by you to spread this complaint?—I was very annoyed when I heard Lauati's story, so I went and visited big chiefs in Savai'i and told them the story.
 And did they believe the story when you told them?—Yes.
 And did they get angry, too, and hold meetings?—Yes.
 And eventually did a lot of Natives collect in Apia from Savai'i?—There was a big meeting held in the Fa'asaleleaga district before the Savai'i people came to Upolu, and they came to Vaiusu really and not Apia.
 How many people came over from Savai'i?—All of Manono and the majority of Fa'asaleleaga—about two thousand in all.
 Did Governor Solf go and tell them to go away?—Yes.
 And did they finally go away?—Yes.
 And, later, the German warships came and you and others were taken up to the Marianne Islands in the warships?—Yes.
 You were up there and only came back to Samoa when the British troops had possession of Samoa?—In 1915 there were about sixty of the banished people returned to Samoa. I escaped and returned to Samoa in 1919.
 How many were banished at the time?—There were ten chiefs, including myself, with their families.
 You are the only one who remains of the chiefs?—I am the only one alive of the chiefs.
 Are all the other chiefs dead?—All the other chiefs are dead, but some of the women and the young men are alive.
Mr. Baxter.] What was the date of the Lauati trouble?—In 1908 it commenced.
 When was it that you were sent away?—On the 19th April, 1909.
 Did it commence at the end of 1908 or the beginning?—The last month of 1908.
 So there was a comparatively short period between?—Yes.
 I think that one of the duties you tried to perform was that of trying to collect arms, was it not?—It was alleged that I had gone to Tutuila to bring arms, but it was not so.
 But you had gone to Tutuila?—Yes.
 You are employed in the Government offices now, I think, are you not?—Yes.

ASI-MAMA sworn and examined.

Mr. McCarthy.] Your name is Asi-Mama, and you are the Faipule for the Vaimauga district?—Yes.

When were you appointed a Faipule?—This is my fourth year.

By whom was your appointment signed?—The present Administrator.

Before that appointment was signed, what took place in the district with regard to the appointment of Faipule: was there a meeting?—Yes.

What happened at that meeting: did they agree or disagree?—There was a disagreement: the part from Fagali'i as far as Lauli'i were dissatisfied.

Did they maintain their objection?—No, they revealed their objection and they withdrew their objection.

Was that the only objection at the time?—That was all.

So that your district sent in your name as a suitable person for the position of Faipule?—Yes.

Are there any persons you can remember who could tell us about these things?—Salapo, Tuliau, Setoa.

What part of your district do they belong to?—To the part that objected to the appointment.

Tamaseu has given evidence in this Court, and he has made a complaint against you as Faipule, and has said that you have been guilty of oppressiveness and that you have an overbearing manner towards your people: what have you to say about that?—I do not know what I have done to deserve the accusation that I have been oppressive and overbearing.

Do you understand what is the meaning of the word "overbearing"?—I understand it.

Will you tell us how you have done your work as Faipule?—The work that I have done was done to create peace and friendship in the district.

Anything else?—And the mutual love of the people.

The Chairman.: There is a specific charge against this man. It is contained in Tamaseu's evidence, as follows: "During the time of my holding office of chief village *pulemu'u* there were certain village laws limiting the question of *lagi*, or funeral ceremonies, and the Faipule disregarded these regulations." Please ask witness if he knows anything about that.

Mr. McCarthy.] Do you know anything about your having disregarded the funeral laws?—I do not know what laws I have disregarded, and I would like to be enlightened.

The Chairman.: We will pass on.

Mr. McCarthy.] Well, Papali'i-Ulu is another chief who has made a complaint against you. He says that you were not properly nominated, and that you have been overbearing in your manner?—If he does not believe in my appointment, then it is true because he does not belong to here. He belongs to Savai'i. He is a chief of Savai'i.

He also complained that you have not brought matters to the Fono which you have been requested to bring before the Fono?—There is not one matter since I have been a Faipule that I have held back.

Tofaeono, another chief, complained that you did not place the request with regard to "fine mats" and also to the medical tax before the Administrator?—I handed all that in in the presence of Tofaeono and the whole district to Mr. Lewis, the Governor, and Tu'u'u down at Lauli'i.

Are there any Lauli'i people who can say that you did that?—Yes, all the officials that were there, and also the non-officials, Ali'i, and Faipule; also Mr. Lewis and the Governor himself.

Asi-Vatau complained that you tried to intimidate the people of Magiagi by threatening them with banishment if they did not attend the district meetings, and threatening them with having their titles taken away if they joined the Mau?—I did not do anything like that; I am very careful about frightening anybody.

Have you ever tried to take anybody's title away?—No.

Were you one of the Faipule who sat on the Molio'o case?—Yes.

What happened?—We only investigated to find out the right matter.

And what did you do?—When we found the right matter we put it before the Governor.

It has been said that some of the Faipule are under the thumb of the Administrator, and that they are frightened of him: can you say something of your relations between the Administrator and yourself?—I am not afraid of doing the right thing.

Does the Administrator allow you freedom of speech: does he give you a chance to think for yourself?—In any difficult matter the Governor has always given me a chance to think and decide: the same also in the Fono of Faipule.

If the Fono of Faipule cannot agree on a matter, what happens?—If they cannot agree over anything, it cannot be recorded before the Governor and the Fono.

What procedure do they follow for a matter that is not quite settled?—When the Faipule are divided, they discuss the matter further.

Is it settled at that Fono, or do they leave it for another Fono?—They leave it till the next meeting, till they are decided about it.

Is it discussed then in your District Councils between times?—Yes. When I go to the District Council I put the matter before them, and then I say that we shall discuss this over again.

Prior to the 15th October, 1926—that is, the date of the first political meeting—will you tell us what state the Samoans were in at that time: was there any unrest?—The Samoans were at peace.

Did you know of any objections that were raised against your appointment as Faipule at the time of or after your appointment?—I did not know of any.

FRIDAY, 14TH OCTOBER, 1927.

ASI-MAMA further examined.

Mr. Baxter.] There are one or two points, Asi-Mama, which I wish you to help me to clear up about these matters. Take the position of the Faipule in the district: I suppose that in the district, and particularly since 1925, the Faipule is nearly the most important man?—Yes.

And I suppose that it is his business to pass round to the rest of the district and to his committee the various orders of the Government?—Yes.

And I suppose that in his district all the other Government officials would be under his control?—Yes.

And consequently when the Governor wishes to appoint a *pulemu'u* or a *pulefa'atoaga*, or any of these people, he sees the Faipule about the right man to put in?—In the case of a *pulemu'u* I have nothing to do with that, that is the business of the village.

Does the Administrator ask you whether you approve of him or not, after the village has selected him?—Yes.

And I suppose it would be the same with the *pulefa'atoaga*, and the Fa'amasino, and all these other people?—I know nothing regarding the *pulefa'atoaga*.

He is appointed by Mr. Ritchie?—Yes.

If anybody in a district wishes to make a complaint, the Faipule would take that complaint, would he not?—If it is any one that is in distress or suffering, then he applies to me, the Faipule; I am their “door.”

The Faipule is the “door” between the people and the Government?—Yes.

About the Fono of Faipules; that meets once or twice a year?—Twice.

And at these meetings you discuss the recommendations from the District Councils and anything that His Excellency might bring forward?—Yes.

And anything that the Faipule bring forward—that is, apart from what they get from the District Councils—do they discuss that too?—If the Faipule has anything himself it can be discussed.

Then you discuss it, and if the Fono thinks it a good matter they make a law of it, do they?—No.

What do they do about it?—If the Fono agree that it is a good and proper thing, then it is sent to the Parliament in New Zealand.

Now, take these “fine mats”—this idea of preventing *malagas* for “fine mats.” I am not saying it is a good matter or a bad matter; we will leave that open. There is a resolution or a law about “fine mats”?—There is no law; it is only an order to try it for three years.

Was that order made by the Fono of Faipules for trial for three years and then to send it on to Parliament?—If it is tried and found all right it can be sent on to Parliament.

You make an order and then you try it for three years, and if you think that it is a good law you send it to New Zealand; is that right?—Yes.

For the three years it is really no law at all; is that right?—Yes.

So that in that case nobody need to obey it who does not want to?—It is no use, because we are only trying it.

People do not need to take any notice of it at all?—They cannot take any notice of it, because it is not law.

That is the same with all these orders and resolutions that have been passed by the Fono of Faipules and that have not yet gone to New Zealand to become an Order in Council?—Excepting only what has been sent back from New Zealand.

Judge MacCormick: There is one matter—death feasts are prohibited by law?—

Mr. Baxter: Yes, sir, I am going to deal with death feasts and the medical tax. (To witness:) Who prohibited the death feasts?—The Faipule.

Did that go to the Parliament in New Zealand?—I do not know. I have forgotten whether that matter of death feasts has been sent to New Zealand.

I would just like to know a little bit more about these laws when they are on trial. Take a couple of cases. The individualization of land: is that a law on trial or is it actual law?—That has not been made law.

I suppose that in your district, then, you have made no attempt at all to put it into force?—No, up to date I have not.

We have had some witnesses here who have told us about their Faipule, whom, they say, made them divide up their land. Now, those Faipule would be wrong in making them divide their land?—I am speaking for myself.

I want you to tell me. You are a Faipule, and I want you to let me know, if the Faipule comes back and tells his people that they have got to divide up their land, he would be wrong, would he not?—If he has forced that, and done it with a high estimation of himself and without the consent of the people, I will say that he has done the wrong thing.

Have you heard of Lauifata and Lutu, of Safata?—I know them.

Have they not been banished for making “fine mat” *malagus*?—I do not know.

Now, do you know Moananu, of Mulifanua?—I wish to state that the matters of Moananu were before I was appointed Faipule.

You can tell me if you know; and if you do not know, then say so?—If I do know of it I am not certain of it.

You have heard of it, but you are not certain of it; very well, that is quite all right. There has been a lot of trouble with the Mau, has there not?—Yes.

Did you ever think it necessary to declare war on the Mau?—I did not speak.

Are you sure that you did not attend a meeting at the house of Safai in Fagali'i?—I was not in the meeting, but I came there in the evening and all the other people had left. I found there only Safai and Tuliaupupu.

And was it you who went with another Samoan and asked the Administrator to let you have arms and ammunition? Did you not go with Auimatagi?—No.

You told us about your appointment, and I think that you said it was four years ago, and you said there was a meeting requesting your appointment?—Yes.

And that there was a disagreement, and that the people who had disagreed withdrew their objection?—Yes.

Were all the Ali'i and Faipule of Vaimauga present at both of these meetings?—They were all assembled; the whole of Vaimauga assembled, from Lau'i'i as far as Alamagoto.

That is your district, is it?—Yes, the villages of the district of Vaimauga.

You do not remember the date of your appointment, do you?—The 1st February, 1924.

And, having been appointed, I suppose that you remain Faipule all the time, unless the Administrator wishes to dismiss you?—Yes, I have been a Faipule from the time of my appointment.

It is not necessary to have any further *fonos* about who should be Faipule for Vaimauga; that is all fixed up?—That was the cry of the Vaimauga people to me—that they wanted a Faipule for the other part.

Yes, they wanted a separate Faipule. That has been fixed up now, and they have had no further *fonos* since the Vaimauga people asked for you and got you?—Yes.

I just want to ask you about Tamaseu. There are two Tamaseu's; what are their names?—Tamaseu Fouvale and Tamaseu Taifau. Tamaseu Taifau is the one who is in gaol at the present time.

This bit of *fa'avelave* (trouble) over Tamaseu's house: that was Tamaseu Fouvale, was it?—Yes.

He was building it in the wrong place and they were trying to get him to shift it; was that it?—Yes. They wanted him to erect his house on the place agreed to by the village—that is, on the new model-village site.

And he would not do it?—He did not like it.

Regarding the medical tax—I am not saying whether it is a good or a bad tax. We have had a lot of Samoans coming along here and they have told us that they have never liked the medical tax. It may be silly of them, but they say that they do not like it. Do you know whether that is true?—That is not true.

I see. They have always liked it, have they?—The Samoans have been paying that tax from the beginning until the present time, and this is the first time we have heard of the objections to it.

All I want to know is whether they were opposed to it?—When?

Let us say, probably, 1924?—I heard it only by rumour, but nobody came direct to me and said that they were not satisfied with the medical tax.

And I think that quite recently the Fono of Faipule agreed with His Excellency that the medical tax should be done away with as a separate tax and made part of the personal tax?—Yes.

And I think that you did that because you thought that the Samoans would probably be more willing to pay one tax than the two taxes?—That has not been put into operation yet.

I know that it has not. I want to know why you wish to make one tax of it instead of two?—That is just to lighten the burden; because by paying one tax only, that lightens the burden. In former times, when the Samoans had to pay two taxes, there was the matter of the weather.

You look at it like this: they will be able to cut their copra and get it dry and pay both the taxes together?—Yes.

There is just one other question I wish to ask you, Asi, and that is this: In the banishments we have heard several times that the matters were inquired into by various Faipule, and generally your name has been mentioned?—Yes.

Was there a general committee to inquire into things like that?—Yes.

It was generally the same men every time?—In this committee they can change about.

They pick a number of Faipule and they always pick a committee out of that selection?—The committee is chosen from the Faipule.

Then, is there a small committee of Faipule to advise the Secretary for Native Affairs upon Samoan matters?—I do not know of any committee like that being appointed; but this is what I know: if there are any Faipule about here and there is anything at all to be put in order or to be advised to the Secretary of Native Affairs they go and confer with him.

They go themselves, or does the Secretary send for them?—If there is anything the Secretary of Native Affairs wishes to ask about.

He might send for two or three at the same time?—I do not know for certain that he has called only one.

But sometimes, perhaps, the Secretary of Native Affairs has an important matter to deal with that does not concern only one district—it might concern two or three districts—then does he get three or four Faipule to talk over what is best to do?—if you do not know, say so?—I do not wish to tell falsehoods.

I just want to find out; if you cannot remember any instances, say so?—I do not remember any.

Mr. McCarthy.] You have mentioned about the Faipule being the “door” through which complaints go to the Administrator. If there were any complaints regarding land and titles, who would the people go to with those in the first instance?—I have no recollection. I am not concerned in that.

Who is the one?—To the Secretary for Native Affairs, and he would pass it on to the Land and Titles Commission.

Where there are offences against the law, to whom would the complaint be made?—To the Chief Judge.

Similar matters in your own district would be referred to whom?—To the Samoan Fa’amasino.

And if the Samoan did not get satisfaction, to whom would he go?—It is open to him where to go. He may go to the Chief Judge or to the Secretary for Native Affairs.

With regard to this medical tax and the amalgamation of this medical tax with the personal tax, did your district agree to it or did your district oppose it at the Fono of Faipule?—There has been no *fono* about that, on account of the trouble in Samoa at the present time.

Did you in the Fono of Faipule oppose the two taxes being amalgamated?—No. I expressed my opinion. I would like to have the two taxes amalgamated; it is my own opinion.

When you said that they were to be amalgamated because they would lighten, was it not because the medical tax was collected in the rainy season?—Yes.

The Chairman.] The two taxes were originally collected at the different times?—Yes.

Mr. McCarthy.] But your district asked for a reduction in the medical tax?—Yes.

What is your rank?—I am a chief.

Mr. Baxter: I think I should mention that we have no objection to this man’s rank. We think this man’s rank is such that he is quite entitled to hold the position.

The Chairman: Some one said that this man was a very high chief.

Mr. McCarthy: According to *fa’a-Samoa* a man cannot praise himself, sir.

Judge MacCormick: I began with that impression, but I must say that numerous questions have been asked through your case as to the relative ranks of chiefs.

Mr. McCarthy: Yes, sir.

Mr. Baxter: I knew that this man was of good rank.

The Chairman: As far as I can judge it, “chief” is about as distinct in Samoa as “esquire” is distinct in European countries.

Judge MacCormick: I have been surprised at the questions that have been asked in view of what I was told about it.

TULIAU-SETOA sworn and examined.

Mr. McCarthy.] Your name is Tuliau, and you are a chief of Letogo?—Yes, Tuliau-Setoa of Letogo.

Who is the Faipule for your district?—There are two Faipules in our district now, but my particular Faipule is Fuamatu.

I do not want to ask you about Fuamatu; I want to ask you about the other Faipule?—Oh, Asi-Mama.

Did your district oppose the appointment of Asi-Mama or did they agree to it?—The people in the villages from Fagali’i to Lauli’i objected.

What happened after that?—Our district was called together again before the Secretary for Native Affairs and on reconsidering the matter our side, which had objected to the appointment, agreed to let the appointment stand.

Did that make the whole district in accord?—Yes, there was not a single person who objected further.

Are you satisfied or dissatisfied with the work of that Faipule Asi-Mama, you and your people?—When Asi-Mama was the Faipule for the whole of that district there was not a single complaint we had against him. We were in accord with all his instructions.

It has been said that he refused to put the matter regarding fine mats and medical tax before the Administrator: do you know anything about that?—Yes; the meeting which was held at Lauli’i at which the Administrator, Mr. Lewis, and the Interpreter were present, we brought this matter before His Excellency—about the fine mats. His Excellency said, in reply, “I wonder if you people would be satisfied if there was a big *malaga* party come to your villages with fine mats and consumed all your foodstuffs.” Tofaeono was the one that spoke about the fine mats before the Administrator, and when the Administrator explained the faults of that custom we were all agreed that it was right that it was a bad custom.

What about Tofaeono?—He was the one who spoke about it, and we were all satisfied, including myself. This matter was placed before the Administrator at that very time by the Faipule.

The medical tax, too?—That was dealt with at the same time.

SALAPO sworn and examined.

Mr. McCarthy.] You are an orator, of Lauli’i?—Yes.

Do you know anything about the appointment of Asi-Mama as Faipule of Vaimauga?—Yes; there was an objection to the appointment.

By whom?—Fagali’i, Vailele, Letogo, and Lauli’i.

What happened to that objection?—It was withdrawn.

And that withdrawal left the whole district unanimous for the appointment?—Yes.

Can you tell us something of the manner in which Asi-Mama has carried out his duties as Faipule?—Yes. He is a Faipule who is very kind and considerate towards the people of his district.

Mr. Baxter.] When this objection was withdrawn by these villages, was that at a *fono* that they withdrew it?—At a meeting in the office of the Secretary for Native Affairs.

I see. How many people were there at this meeting in the office of the Secretary for Native Affairs?—Representatives of our part of the district—that is, the eastern part.

Were you the objecting people?—We in the eastern portion of the district were the objectors.

So how many would there be there?—There were representatives of each village, but I cannot remember how many.

And do you know how these representatives were selected to go to this meeting?—Selected by the people of the villages.

Each village selected representatives and then the representatives talked amongst themselves, did they?—Yes.

And when the representatives decided to withdraw the objection, did they go back and tell the villages or did they just decide the matter themselves?—Yes.

Do you remember a meeting at Safai's house when it was discussed whether war should be made on the Mau or not?—No, there was no meeting in Safai's house.

Asi-Mama says that he remembers one, but that he got along there after it had finished: does that help you to remember?—That was not Safai's house.

What house was it?—At our Faipule's house—that is, the house of Fuamatu.

Was that a meeting in which he talked about making a war?—There was nothing discussed about a war.

Did you not make a speech about it?—I spoke at the meeting, but I did not speak about war.

But the others spoke about it?—Not a single person.

MATA' AFA SWORN AND EXAMINED.

Mr. McCarthy.] You are a Faipule?—Yes, Faipule of Aleipata.

Appointed by whom?—Appointed by Colonel Tate in August—the 1st August, 1920.

Prior to that time, Mata'afa, what positions had you held in the Government?—I was first the travelling marshal to the Governor round Samoa. My title at that time was Judge. Furthermore, that is the time I was in Falefa when I was acting-*pulenu'u*.

What title were you known by at that time?—Salanoa.

Is there any other appointment?—I was appointed as Commissioner—a member of the Land and Titles Commission. That happened in 1919.

Later on, I believe that you succeeded to the title of Mata'afa?—In 1919 I succeeded to the title of Mata'afa, the latest king of Samoa.

And then I understand that you shifted to Aleipata?—Yes.

Will you tell us about your appointment as Faipule?—The Faipule had a meeting with the Governor.

At the *fono*?—Yes.

Whose place did you succeed?—A Faipule by the name of Saomalua.

What did the district have to say to that appointment?—They were quite satisfied when I came home with the appointment.

Was there any person or persons who objected in any way?—Nobody objected.

There has been a complaint made against you by one Poloa Ali'i in connection with the Aleipata-Falevao road. The complaint, briefly, is that the people have done a certain amount of work on that road for the Public Works Engineer and that they have not been paid for it. Will you tell us about that transaction?—There was a contract made by the Engineer with the district of Aleipata, and it was signed by myself with the consent of the people. This contract said that the road must be made about two and a half miles from the Mafa right up to the Vaipapa, and they must take right from the spot which the Surveyor had shown them, and if they did not do as the Engineer wished they would never get their money—unless the Engineer was satisfied.

What happened?—The work was not done as the Engineer wished, so the people came to me to go and get some money from the Engineer. I came there, and the Engineer told me that he was going to inspect it. The Engineer went over and inspected it, and he said that he could not pay them, as the work was not done properly and as written in the contract; so the Engineer would not pay.

Did they follow the survey-line?—No.

Well, what did you do for your people about it after that?—I told them to bring an orator of the village to come with me to Mr. Watson (Engineer in Charge, Public Works). We went to Mr. Watson, and Watson said to go back and do the work properly and he would raise a little more for the work.

Pay a little extra?—Yes.

Did you report the matter to the Native Office?—Yes; I wrote a letter to the Native Department and warned them that the people would like to get some money, and the Secretary for Native Affairs consulted with the Engineer, and the Engineer told us all about it; so he (the Secretary for Native Affairs) wrote me back that the people of Aleipata could not get any money unless the work was finished.

However, you did all you could?—I did all that I could.

Now I want to talk to you about the Exhibition in Aleipata. There is another complaint made by the same man (Poloa Ali'i) with regard to that Exhibition and money that was subscribed and paid to you, which, it is said, you have not accounted for. Do you remember?—I remember it.

Will you tell us about it?—The said money was given to me by one of the clerks of the Exhibition, and of this money I gave back to the district before I went to New Zealand £10. They said that there was £18 lost, and they came and complained to the Secretary for Native Affairs. We had a case over it, and the Administrator and the Secretary for Native Affairs found that I had not stolen the money, but that the money had gone in some foolish way, so I paid £29 1s., and the District Council was called by the Governor and the Secretary for Native Affairs to Mulinu'u; that was in 1926. The people came there; the District Council, and Fuataga was there, too. The Governor told them about it, and they said that they were not going to receive the money. They said, "We are satisfied with our Faipule, and he may keep the money" (£29 1s.), and the money was returned to me by Mr. Allen.

There is another matter that Poloa Ali'i has complained about—in connection with the building of a house. Some objection was made which you upheld. Do you remember that?—I do.

Will you tell us about that incident?—There was a district meeting. The district meeting was to remodel the Village of Lalomanu, and the District Council of Lalomanu agreed that I should go and make a line for their remodelled village. I went over—that was about 1925—and it was agreed by the whole of the village the places where the houses were to be built. Poloa Ali'i was pointed out a piece on which to put his house. Instead of putting his house in the place where the District Council had given him land on which to build his house, he went farther on and built his house outside the line.

Off the line?—Yes. The members of the District Council complained to me about it, and I went back and told Poloa to put his house back where the line was.

There was another matter—that of a quarrel between Amoa and Fuimaono: "A chief named Tavai endeavoured to pacify the two." Will you tell us about that, Mata'afa?—Well, if a man has done wrong and he wishes to be safe, according to the Samoan custom he runs to Amaile—Amaile is a king village; and if anybody has done wrong or made mischief for which he is supposed to be killed he simply runs to Amaile and he will be safe there; that is a refuge for him. Fuimaono lives in Amaile; he is a member of the village of Amaile, and it is forbidden in all Samoa for any man to do anything like that (assaulting a man) in Amaile. That is a Samoan custom. These men, Amoa and Tavai, had assaulted Fuimaono, although he is a member of the Amaile Village, which it is forbidden that any one shall do. Then, instead of using a Samoan rule to punish them according to Samoan custom, I referred the matter to the Chief Judge, and I said that if anybody had done wrong he should be put out from the village *fono*, or village meeting. I have forgotten whether the Judge was Wilson, Walker, or Woodward to whom I sent the letter. I warned the Judge that these people had done wrong—they had assaulted Fuimaono. Amoa had struck him with an iron, and Tavai had held him with his hands and let the *tavilealea* Gigo hit him with his fist in his face, and he (Fuimaono) was very, very bad. A summons was issued by the Chief Judge for Amoa and Tavai to appear before the Court. They came to me and apologized, and then I said, "All right, I will take your apology, and you make a reconciliation with Fuimaono," and they made a reconciliation and I wrote back to the Chief Judge saying that the matter was finished.

Did you take the title of Tavai away?—I did not.

There is another complaint, made by Maui'a. His complaint is that you have tried cases in the village and fined people and given judgment. The first case he mentioned was between two girls of the village. Do you remember that?—I remember that.

Did you try the case?—I tried the case.

Will you tell us how you came to do that?—I was appointed to take the Judge's place.

Do you mean that you were acting-Fa'amasino?—Yes, I was acting-Fa'amasino.

Where was the Fa-amasino?—He went to Savai'i.

He was absent?—Yes.

The Chairman: It was an extraordinary case, was it not? The girl was charged with wanting a certain man for her husband.

Mr. McCarthy: I do not propose to go into that matter, sir. (To witness:) It was also stated in regard to that case that the girl who made the allegation was fined £2, £1 of which was to go to the injured one and £1 of which the Faipule was to keep. Will you tell us the position and what happened?—This girl had a quarrel with the other girl because the girl had given her a bad name, that she had run away at night with a young man, so she complained of damage of character, and she claimed £1 from the other one; and this other girl was ordered—not punished, but ordered—by me to pay £1 which the other girl had asked for—only £1 for the girl; but the other £1, which he states I kept, there was no £1 at all. There was only £1, and it was given to the girl who had the damaged character.

There was another case—a civil claim with regard to the value of a pig: "Three young men of my village caught a pig up in the Native plantations. It is another instance of the Faipule trying a case. A civil claim for the value of the pig was filed against the three who got the pig, and in giving judgment for the plaintiff the Faipule included the other five, who got a portion of the pig, in judgment. This is another instance of the Faipule taking the powers of the Fa'amasino upon himself." You were acting-Fa'amasino then?—Yes.

Did you try the case or not?—I did not try the case. It was sent over to the Secretary for Native Affairs, and it is there now. It was tried at Mulinu'u.

You did not try that case?—No, I did not try it.

Then there is another complaint by Maui'a, and it is this: He said the Faipule "drove away a woman and her child from his village because she had turned to the L.M.S. Church"?—I have never driven any woman away from her village, except I told them to put their house away from where it stood—that is, put it on the line which was agreed on by the *fono* of the District Council.

The Chairman: He said that it was evidently done as the head of the family, and that it was a family matter.

Judge MacCormack.] To you it seems to be a very unimportant matter?—Yes.

Mr. McCarthy.] Did the woman suffer any hardship on account of the order?—No. She was warned to build a good house.

There is another matter which is complained about in the district—it is about the sum of 133 dollars paid in connection with the building of a church. Do you remember that transaction?—I remember it.

What happened over that?—I had nothing to do with it. I only wrote a letter to the Secretary for Native Affairs to help the people.

Who was the European concerned in that transaction: was not his name Ripley?—I am not sure.

Were you successful in helping the people: did the Governor help the people to get their money back?—Yes.

Now, there is also a complaint by a man named Amoa: do you know him?—Yes.

He complained that you took his job away from him?—How could I? I am not the Government. I cannot take any position from anybody. The Governor is the only person who could do that.

Did you have occasion to report this man in any way?—I reported him to Mr. Lewis on account of his disrespect.

What was the disrespect that you mentioned?—It was to the Governor on account of his late *malaga*. He was ordered to go and receive him, but he did not attend. Furthermore, at a *fono* of the District Council he made a speech that he was one of the Mau, and I reported the matter to Mr. Lewis.

You said that it was a disloyal speech?—Yes.

There is another complaint against you, and it is that if you are displeased with any official you endeavour to get him dismissed?—Nothing of the kind. There was the case of the *pulemi'u* of Samusu.

What was that case?—The *pulemi'u* used to gamble, and this was known. The outcome was that the Secretary for Native Affairs asked me for my opinion. I could not hide the fact, and I told him that this man was gambling although he was a *pulemi'u*. It is my duty to tell the Secretary for Native Affairs as to what is being done in my district. Furthermore, this *pulemi'u*, although he was married, got another wife and sent the first one away. It was my duty to tell the Secretary for Native Affairs.

It has been suggested here during the course of the evidence that the Fono of Faipules is intimidated by the Governor; can you say anything about the Fono being intimidated?—There is nothing at all in it.

And it has been said that you are under his thumb, and you have to do what the Governor wants you to do?—No; the Governor gives his points, and we give him our points, and then we discuss them. I am not afraid to tell him what I think is good for my district. I will give you an instance. The Governor wants to divide the land. I spoke to him about it, and said that the land was not fit to-day to be divided, and we had better leave it until some other time and we will see. The Governor agreed with me.

You considered that the division of the land was not justifiable, and that the time was not ripe for it to be gone on with?—That is so.

What is your idea of the fine mat *malaga*?—I was the last Faipule to agree to the trial, because I informed the Governor that this fine mat custom we had better go easier with—that is, it is a Samoan custom and we had better go easy with it. I was not afraid to tell him that. The Governor listens to what we say to him, and we listen to what he says to us. In the Fono there were only two of us—namely, Seinafo and myself—who thought that the fine mat custom should continue; but the Fono agreed to adopt the new idea and we had to fall in with the wishes of the Fono.

You gave way to the majority?—Yes.

What about the medical tax?—I was one who opposed the Government with respect to the medical levy. I had a *fono* with my district about the matter, and it was decided that I should tell the Government that the levy should be stopped.

You reported to the Governor what happened in your district?—Yes. When the Governor came round on his *malaga* in 1925 one of the orators, Fuataga, made a speech.

He is at present in gaol, is he not?—Yes. He made a speech to the Governor, and said, “Now we agree; will you please give us a hospital after all?” and that finished it. They were agreeable to have the medical tax, and I think that it is a very good thing for the Samoans.

Have you had any trouble in your district with regard to people and their taxes?—Yes; the Mau people will not pay their taxes—their dog-taxes and their gun licenses.

What about the beetles?—They will not search for beetles. In Samusu, Saua and Tufagaatu were appointed to be their *pulemi'us* and receive the beetles, instead of Vaigafa, the real *pulemi'u*, who was appointed by the Government.

Can you tell us, generally, the effect on your district since the Mau movement started?—I am very sorry to say that at this time Aleipata is awful. Aleipata used to be a very good district in former days, but to-day, when you see coconuts which the beetles are playing on, it is awfully bad. The Mau people do not attend to any of the Government work any more: they neglect to clean their plantations, they neglect to plant anything or to cultivate any food, and so forth. In former days we used to tell them to plant bananas, and taros, and all sorts of things, and cotton; but to-day they will not attempt anything at all except going backwards and forwards and having *fonos*.

Can you say, Mata'afa, whether the present system of Native administration conflicts with the old Samoan customs of government?—It compares favourably with the old ways.

You mean to say that it is more or less in accordance with the Samoan customs?—Yes.

What about the Legislative Council: should the Samoans have representation on the Legislative Council?—No. We think the Legislative Council should be for the white people only, and we Samoans will try to make our own. Let the white people do their part and let us do our own.

Mr. Baxter.] Colonel Tate appointed you in 1920?—Yes.

And you came up and saw him?—He sent for me when the Fono was sitting.

And he and the Fono agreed to your being Faipule?—Yes.

And you went and told the district?—Yes.

There has been no further question raised about your being Faipule?—No.

You control the District Council: you are the Chairman of it?—Yes.

And the District Council makes the laws for the District?—Yes.

Do you ever have any trouble with your District Council?—Everything goes on all right.

The Fono of Faipule—we know when it meets and that it discusses remits from the District Councils, and that if the majority think it is a good idea they make a resolution?—Yes.

What is done then with that resolution?—They let it stand until it is sent for to become finalized, and if it is agreed to by the parliamentary members in New Zealand it is sent back.

So that until these laws are passed by the Parliament of New Zealand they are not really laws at all—that is, they have got to be agreed to by the Parliament of New Zealand before they can become laws?—Yes.

That would apply to “fine mats”: this “fine mat” law is not really a law at all yet, is it?—It is a pending law.

But it is not really a law yet?—No..

Nobody has got to obey it?—People should obey it, because it has been discussed and decided by the Faipule and the Governor to use it as a trial.

But they need not obey it all the same. If they want to make a “fine mat” *malaga* they could go and do it?—They may have sent it to New Zealand, but I am not certain.

Mr. Baxter: They may have sent it to New Zealand, but there is no law out yet.

Judge MacCormick: What is the object of this cross-examination?

Mr. Baxter: The question is, sir, whether they can be treated as resolutions, or have they been enforced as laws.

Judge MacCormick: We have no instances of legal punishment under it.

Mr. Baxter: But there may be some yet.

Judge MacCormick: The position is that if a man is a Government official he has to obey instructions not because they are laws, but because he is a servant of the Government.

Mr. Baxter: It is a matter, sir, of tracing down which official is responsible. It is essential to get it down to bedrock to see who issued the instructions.

Judge MacCormick: I am not suggesting that you should not ask the question.

Mr. Baxter.] It is not yet a law, and people need not take any notice of it at present?—No; but if some of the officials are punished they ought to be, because they have to do as they are instructed.

Yes, the officials must be punished; I quite understand that. I do not quite understand this idea, Mata'afa, about the remodelling of villages: that was decided on by the District Councils of your district?—Yes.

Would they decide that just because the Council itself wanted to, or would the village ask the District Council whether they could do it?—Would it be suggested by the village or by the Council?—It is suggested by the village and the Council agrees.

Then, I suppose you yourself told somebody else to go along and fix a line?—I went myself.

I suppose that in fixing that line to get a nice village you have to make it that they put all their land together: you make a nice line and then you tell each man where to build?—Yes, but the village first of all must agree on a village-site.

If anybody disagrees with this scheme has he got to fall in with it, or can he do what he likes? There might be a man with a bit of land who says that he does not want to join in: well, does he have to join in?—He has to do what the majority says; and, furthermore, it is now a law that villages have got to be remodelled.

Is it a law that land has got to be divided up?—No.

Regarding this case of the two girls, you said that you were acting-Fa'amasino?—Yes.

Who appointed you?—I had the authority of the Fa'amasino.

Not from the Chief Judge?—The Fa'amasino asked me. He was leaving Aleipata for three or four months, and he just told me to act as Judge whilst he was away before the Secretary for Native Affairs, Mr. Griffin.

There is another point I wish to clear up, and that is beetles. You said that the Mau people had appointed two men as *pulenu'us*: you meant two men to collect beetles, did you not?—Yes.

You said that you do not think that Samoans should be on the Legislative Council: the Legislative Council should be for the white people and the Fono of Faipule for the Samoans?—Yes.

Now, do you think that the Fono of Faipule ought to be able to make laws themselves, or do you think that they ought to carry on like they do now and send the laws to New Zealand?—I think that it is good to send the laws to New Zealand now, and record them, until the Samoans are able to do it themselves.

You know Tupuola?—Yes.

He is a chief down Aleipata way, is he not?—Yes.

I think that at one time you got the Village of Amaile to sign a document with you requesting the Administrator to remove that title?—Yes.

And that the Administrator issued an order for its removal and then gave it back as soon as Mr. Connor (Agricultural Inspector) saw the Administrator. Tupuola had the title back again very soon after it was taken away?—Yes.

And you know why. The Government Inspector, Mr. Connor, came to Apia, and it was because he saw the Administrator that it was given back?—Yes. Tupuola himself sent a wireless in and appealed to the Governor.

And Mr. Connor came to Apia, too, did he not?—Yes.

As a matter of fact, you did not like that man having the name of Tupuola; you wanted to have it yourself, to get control of all those Tupuola lands?—Not at all.

Did you not want to give the Tupuola name to your sons?—Not a bit. There is another branch of the family who is supposed to have the name, but I myself gave it to the present Tupuola.

And you wanted to take it back?—Yes, because he was bad in the village.

You considered that he acted badly?—Yes.

Mr. Connor fixed it up very quickly, and he got it back again, did he not?—Yes.

Mr. McCarthy.] Is that Tupuola matter pending in any way?—Yes.

There is one other matter I would like to refer to and to which I did not refer previously, and that is the Native Petition of 1921.

The Chairman. : Very well; Mr. Baxter will be able to ask any question he likes.

Mr. McCarthy.] Do you know anything about the Native petition to King George?—Yes, I was there.

Will you tell us about it: what was the origin of it, and what was the procedure adopted?—Yes.

You signed the petition, did you not?—Yes, on the 16th July, 1921. We were in Mulinu'u and the Faipule were instructed by Afamasaga and Asiata to make a petition. Then when Mr. Nelson returned from his voyage round the world we went to see him in his office upstairs—five or six Upolu Faipule, with myself and some Savai'i Faipule. The two Fautuas were there, too; and we met Mr. Nelson upstairs and told him all about what had happened, and, of course, Toelupe made a speech of welcome to Mr. Nelson, and Mr. Nelson made an address in return to us, saying that we must be strong and hold on to get satisfaction for the country. We may find a good position in the future for Samoa. That meant to be strong with the petition.

What was the main object of the petition?—The main object was that we may get a written article of the Faipule in the final Act of Samoa (that the Fono of Faipule be recognized in the Samoan Act); and, furthermore, that we should get an Administrator from the Home Government and make Samoa a Crown province (colony).

That was, in effect, to get the control away from New Zealand?—Yes.

Do you know who drew that petition?—Yes, Lago Lago (Afamasaga) and Asiata.

Do you know who was the first mover or designer of the petition?—I am not really sure. I suspect only, and I do not wish to say anything.

Mr. Baxter.] Lago Lago and Asiata were, just at that time, on the Fono: did they have any districts?—They were members of the Fono, but they had no districts.

They had just been put on really by the Government: Mr. Macdonald was then Secretary for Native Affairs, and he put them on to have some representatives of the Government without any districts?—Yes.

You are quite sure that Toelupe made a speech of welcome to Mr. Nelson?—Yes, I am quite sure.

FONOTI sworn and examined.

Mr. McCarthy.] You are the Faipule for the district of Vaa-o-Fonoti?—Yes.

When were you appointed Faipule?—On the 1st September, 1919.

The Administrator at that time was?—Colonel Tate.

Prior to your appointment was there any district meeting to discuss the question of a Faipule?—No, there was no meeting.

Will you tell us how your appointment came about?—After the epidemic there was a discussion of the Fono of Faipule together with the Governor. Then I received the appointment; I was appointed as a Faipule. Other Faipule were appointed in the same manner, because they called on those officials who had been a long time in their positions carrying out their official duties and who understood their duties.

Had you held any other official positions?—During the German regime I was a soldier; and then I was a policeman, like the local policemen here, for four years in the German Government; and then I could not tell you how long I was a *pulemu'u* in my own village during the German Government.

Was it for years?—About seven or eight years. Then after that, and still during the German Government I became a Fa'amasino in my district of Vaa-o-Fonoti. I was appointed Fa'amasino—that is, Native Judge. I continued in that position as Judge until the arrival of the occupying force, and then right on to the epidemic, and then from that position I was made a Faipule.

Did you ever hear of any objection—either before or after that appointment—to your holding the position?—No.

Now, there is a complaint against you in the evidence of Savusa. It says "Can you remember shortly what the grievances were?—I cannot remember some of the grievances. Q. Can you remember some?—One was the dissatisfaction with our Faipule living so far away in Solaua; the other was that the Faipule Fonoti had used words that we had reason to complain about in conversation between himself and another Faipule, Tainau, in which Tainau asked why his (Fonoti's) village did not get any Government appointments. Fonoti, in reply, said, 'Who are they to deserve Government appointments when they are all bad people?'" Do you remember that?—I do not know of any conversation like that.

You remember Molio'o?—Yes.

Did you make a representation on behalf of your district to the Governor about Molio'o—this was after he was banished?—Yes.

There is a complaint that you did not request his return?—There was a petition from my district.

There is another complaint against you, by one Tialavea, in which you are accused of having made a threat to the people?—What is the threat?

“If they did not immediately apologize to His Excellency the Administrator and the Faipule Fonoti they would be severely punished”?—I do not know one thing about that.

There is another complaint by the same man that “the Faipule are exercising the powers of the Chief Judge.” Do you know anything about that?—In which way?

Adjudicating in cases and inflicting penalties?—I do not know.

Have you ever done such a thing?—No, I have not.

Then there is a further complaint by the same man that you “are overbearing in your manner towards your people”?—How overbearing: in which way?

He does not say, but only says that you are overbearing?—I do not know about that.

Do you know what the word “overbearing” means?—It is my real wish that my people should prosper and also to live in friendship, loving one another.

Tialavea says later on, in describing the overbearing manner of the Faipule, that “they drive people away from their homes, like they did to me”?—I have not driven any one away.

It has been said, Fonoti, that the Faipule are the puppets of the Administrator: will you tell us how you are allowed to act in the Fono of Faipule?—Thank you for bringing that matter up, as I should like to make a statement. We are not at all afraid of the Governor. Our hearts are put together for the prosperity of our country. We have faith in our Governor; we have faith in our country, but what is uppermost is that we wish for the prosperity of our country. Our desire is the prosperity of our country. At our discussions in the Fono we bring the matters from our District Councils together with the matters which we individually put forward. We put these matters before the Fono. If these matters are difficult, then we make it known to the Governor, to allow these matters to rest over; they can rest over for two or three years until the matter is settled, because we consider that matters done in a hurry are not important. We are pleased and we are satisfied because we know that we agree with our Governor.

I would like to ask you, Fonoti, about that petition of 1921?—Yes.

Were you a signatory to that?—Yes.

Will you tell us what you know of the origin of the petition and the procedure adopted?—Yes.

First of all, perhaps, you had better tell us what the petition was for?—That petition originated from the dissatisfaction of the Samoans and their chiefs, and, in addition to that, other matters which cropped up in Apia were put together with it, and that is the origin of that petition.

Who drafted it?—Afamasaga (Lago Lago) and Asiata.

Was there any other?—All the Faipule advised.

Can you tell us anything further about it?—We tried to agree respecting that petition, and then we signed all our names to it.

Where were you when you signed your names?—At Mulinu'u.

After the petition was signed, did you and Seiuli do anything about it?—What, for instance

And you see anybody in connection with it and ask anybody about it, either before or after?—There were many actions taken in those days and it would be hard for me to remember them all, but I remember one. One night we discussed the matter of the petition before we signed it, and then Aiono whispered to me, but not Seiuli. He whispered to me, saying, “Let us go, leaving Mulinu'u and come in the direction of Matafele (Apia centre).” Then Aiono said to me, “Let us go and interview Mr. Nelson.” Then we did so. When we arrived there we knocked at the door, expecting that they had gone to sleep.

The Chairman: I do not know what that has got to do with it.

Witness (continuing): Then Mr. Nelson came and talked with Aiono regarding the petition. Then Aiono told him that the Faipule were not united in this petition. Then Mr. Nelson said that we must have courage and be of great heart. Then we went back to Mulinu'u. Then, when we arrived in the Fono House, we signed the petition right away.

Mr. Baxter.] Since 1919 there has been no question of a *fono* to discuss whether your district should have another Faipule other than yourself?—No.

You have a plantation, I believe, in Solaua—part of the Government plantation?—Yes.

And I think that you get quite good rubber there, too?—Yes.

And, naturally, you have got to work pretty hard to look after that good rubber, and you have also got to work pretty hard to see that the boys look after it?—Yes.

And is it not one of the reasons that you are unpopular with people in your district, because you spend too much time on the plantation and not enough time in your district?—Perhaps that is the way others think. My opinion is that if they agree and work together with me it is a good education for them, because I myself worked and I learned from the labour. But that is no reason why they should murmur. I have also put aside time to meet them.

But your desire is all to have a prosperous district, and I conclude that these people do not see why you should press them to make them have as prosperous a district as you want?—That is why they are not pleased with me, because I tell them their things and give them instructions; that is why they are not pleased with me. What they like is to sit down with their fly-flappers and drink *kava*.

And you are not, of course, approving of that, and pressing them to work is why they murmur against you?—That is just what the Mau appreciate—sitting down in Apia and assembling in Apia.

We have heard a lot about the Fono, and I do not wish to ask you a number of questions about that, but I have no doubt that the Governor himself brings up quite a lot of matters at the Fono for you Faipule to discuss and advise him on?—Yes.

And probably he brings up matters that you have not known were going to be brought up before you get into the Fono?—Yes.

And then you talk about it, and if you think it is a good idea you go back to your districts and tell them of the order from the Administrator?—Yes.

Mr. McCarthy.] You have mentioned the Mau, Fonoti: will you tell us briefly what has been the effect of the Mau in your district?—The majority of Faleapuna has joined the Mau, and the Village of Saletele has joined the Mau; also the Village of Sauago.

How do you find the people carrying out their duties now: do the Mau people pay taxes or search for beetles?—I got a letter from the *pulefa'atoaga* informing me that he had been rejected by the Mau people on his last inspection. I asked the *pulefa'atoaga* if he had examined the plantations of the Mau people, and they were in good order. This refers to Sauago and Saletele Villages. There is one thing which I wish to point out, and it is that I am very sorry for them because they do not attend, or did not attend, the last District Council. They have opposed the *fono* of the Village Council, and they do not wish to obey one thing; and they did not attend the *malaga* of His Excellency when he went round. After His Excellency left we held a *fono*, and they also did not attend. They have not helped in putting the school-children in order. They have also not helped in matters regarding a house for the nurse. These works were going on very well at first, but they are quite different at present. They were all united in the past, and suddenly they are now disunited. That is my report.

TUILAEPa sworn and examined.

Mr. McCarthy.] What is your name?—Tuilaepa, and I am Faipule for Aiga-i-le-tai.

Which includes the balance of Manono and Apolima?—Yes; Manono, Apolima, and Mulifanua.

Before you were Faipule did you ever hold any other Government appointment?—I was first of all clerk for the Fa'amasino of our district; then I was appointed *pulenu'u*. After that I was a Fa'amasino, and from that I went to Faipule.

Will you tell us the procedure of how you were appointed to the position of Faipule?—I was selected by the Fono of Faipule.

Judge MacCormack.] When were you appointed?—In Colonel Logan's time, just after the 1918 epidemic.

Mr. McCarthy.] Was there any objection laid before that Fono or after that Fono?—Not a single objection, and my district supported me.

Is your district a Mau district or not?—My district is supporting the Government.

Is there one section of it belonging to the Mau: what about Apolima?—There is a small section of the people at Apolima who have turned to the Mau.

Do you know when they turned to the Mau?—After Afamasaga and Faumuina's arrival there.

We have had a man, called Sau, from Apolima in the Court to give evidence, and he has made a number of complaints against you. His first complaint was with regard to your appointment, but we do not want you to answer that. This is what Sau says: "We applied to him (our Faipule) for a Native nurse for our island; and also for some medicine to be kept on our island, because when the weather is bad it is very hard to bring anybody to the shore, and if we do not help them with Native medicines, then there is no other help at all. The Faipule said that he would go and see the Governor about it, and then we would get some medicine for our island, but up to the present time we have received no medicine on the island"?—I have made application for a nurse for my district and it is being considered by the Chief Medical Officer, but up to the present time I have received no decision from him.

How do you arrange about a nurse or about medicine for Apolima in case it is required?—The Apolima people have never made application to me for a nurse or for medicines.

What about Manono: would there be a nurse there?—No. We have asked the Chief Medical Officer for a nurse for Manono.

There is one more complaint which he makes against you: "We applied to the Faipule for a school-teacher for the second-grade school to be established in Apolima, as it is very difficult to send our children to Manono. There are many difficulties, such as keeping them in Manono, &c. He said that he had seen the Governor and the Governor said that we could not get a school-teacher established in Apolima"? They did not make any application to that effect to me. They had the opportunity of making that application to the Superintendent of Schools when he was at Apolima.

Moanau also complained against you, Tuilaepa. He said that you tried cases which the Fa'amasino should try: is that so?—No.

Another complaint he makes against you is that you appointed the title of To'oa?—I am the controller of To'oa and I have appointed the holder of that title.

You mean that you control it personally, and not as a Faipule?—From my position as Tuilaepa.

And not as Faipule?—No.

He also said that you appointed another young man in Moanau's family to the title of Moanau, and that you had no right to do this and had no say in this title?—I am interested in that family and the title, but I deny having given the title to anybody.

He says, further, that you and the Administrator decided that Moanau would not be returned to that title?—The Administrator and I did not discuss that matter.

He also says that when he was Fa'amasino he issued three summonses against you and that you failed to appear in answer to them?—That is quite wrong.

He also says, further, that you tried cases yourself and then advised him (Moanau) not to interfere in his own job?—I know of no trial which I have held which should have been referred to the Fa'amasino.

The Chairman.] He (Moananu) said that you were reported verbally about one hundred times to Mr. Griffin: is that so?—From the time I was appointed *pulenu'u* right through the time I was Fa'amasino and through the time I have been Faipule there has been no complaint about any errors of mine by the Secretary for Native Affairs.

Mr. McCarthy.] Where does your title come from, Tuilaepa?—From Manono.

Moananu gave evidence that his title came from the Malietoa branch, and I wondered if you had any particular branch like that?—I think that we would be well advised to leave that alone: it is a very deep subject.

Mr. Slipper.] The Fono of Faipule, in a manner, is the House of Representatives, is it not—the House of Parliament?—Yes, representatives of the whole country.

And the representatives of the people?—Yes.

Was there any *fono* of your people when you were elected to that position?—After I was appointed Faipule there was a meeting of the people of my district.

Was it a full meeting—that is, a representative meeting?—It was a representative meeting—two representatives from each Village Committee.

What did they decide?—They discussed matters for the prosperity of the district.

What about your appointment?—That was mentioned, and they were very pleased that I was appointed Faipule.

How long was that after your appointment?—About three weeks afterwards.

Has there been any *fono* since as to whether you should keep the appointment?—Since my appointment there has been many meetings, and the chiefs at these meetings have expressed their pleasure at having me as their Faipule.

Is there any method of bringing forward an objection against a Faipule?—I do not know.

To whom should objection be laid, if one were laid?—It would be laid with the Administrator, through the Secretary for Native Affairs.

And do you know if any such objections ever have been laid against any Faipule?—I do not know.

You spoke of Apolima having turned to the Mau after the arrival of Faumuina and Afamasaga: was that not the very time when people all over Samoa were turning to the Mau?—That was the time when not a single person in my district had turned to the Mau.

That is not an answer to my question. Was that not the time when people all round Samoa were turning to the Mau?—No.

How long after this complaint regarding a nurse for Apolima was made to you was it that you carried the complaint to the Medical Department?—I have received no request from Apolima for a nurse.

Did, then, you receive a request from Apolima for medicine?—No; they have made no application to me. My district is in the habit of getting their medicines from Mulifanua.

Well, what was this report that you handed on to the Chief Medical Officer then?—That was a request by the whole district, including Apolima and Manono, asking for a nurse to be supplied with medicines, so that people could get their medicines from that nurse.

How long after you got that request was it that you handed it to the Medical Department?—When I received that request the doctor was at my house in Manono and he was informed at once.

Have you ever sat on a Board that deals with possible cases of banishment or loss of title?—Yes.

I notice from the records that it appears that in most cases the Board consists of Toeplue, Asi-Mama, Seiuli, and Aiono: can you tell us how it is that they appear so frequently to act upon this Board?—I do not know anything about those inquiries by those Faipules.

Do you know of any reason why they so frequently act: that is all I wish to know?—Because in a lot of cases the offenders are people of the districts of those Faipule.

Did you get a request from the Apolima people that some provision should be made for the maintenance of Faumuina and Afamasaga?—Yes.

Did you hand on that complaint or that request?—Yes.

To whom?—To Mr. Lewis, Secretary for Native Affairs.

Have you received any reply?—Up to the present time I have not received any reply.

TOELUPE sworn and examined.

Mr. Meredith.] To what village do you belong?—Malie.

And what is your tank?—A *tulafale*.

And you are also a Faipule?—Yes.

What district are you the Faipule of?—Sagaga.

How long have you been a Faipule?—I have been a Faipule during the old Samoan Governments. I was a Faipule in the first Malietoa Government.

Were you a Faipule during the German control?—After the Malietoa Government, then I was under the Government of the German Brandeis, and was a Faipule in that Government; I was adviser to Tamasese. After that I was a Faipule again in the succeeding Government—that was the Malietoa Government. I was also a Faipule under the Berlin Treaty. I was a Faipule in the Mataafa Government—that was after Malietoa died; and I was a Faipule under the German Government, and then under the New Zealand Government.

Have you heard of any objection being raised to your being a Faipule until the present time?—No.

Was there, in your opinion, any unrest in Samoa before October of last year?—No.

And you agree that there is unrest in Samoa now?—Yes.

On one occasion you had some trouble with Dr. Schultz?—Yes.

Will you tell the Commission shortly what was that?—That was a revolt by the Samoan boys against the German Government.

How do you suggest that you were implicated?—Dr. Schultz blamed me because the boys were found in the village. They were flying the British flag.

Did Dr. Schultz dismiss you as a Faipule because of that?—Yes.

When Colonel Logan came he was in charge during the military occupation by the British?—Yes.

And Colonel Logan asked you about this and you told him the facts?—Yes, I explained it to him.

After the matter was discussed by the Fono of Faipules Colonel Logan reappointed you?—Yes.

With the exception of that, you have been continuously a Faipule for a great number of years?—Yes, and my life has been given for the service to my country.

Do you know a man named Nu'u Iali'i?—Yes.

This man said that you got some cement from the Public Works Department and did not pay for it: what do you say as to that?—There were four barrels of cement left over from that work, and I applied to the man in charge to let me have the four barrels because my cement was late, and when I received my cement I would repay it. It was merely an exchange.

Did you get an account from the Public Works Department for that cement?—Yes.

Judge MacCormick: The charge made by the person in question was that the cement had been paid for by the village of the accuser, and they had lost the value of those four barrels of cement: is that not the position, Mr. Baxter?

Mr. Baxter: I am not quite clear on the point.

Judge MacCormick: If it had been Government cement we would not have listened to the statement.

Mr. Baxter: I understood it was that he took three bags of cement, and he (the witness) was accused of having it for his own use.

Mr. Meredith.] Was the cement bought from the Government, and were you not charged for it by the Government?—The cement I bought from the Government was charged to me by the Government.

Did you take away three bags that belonged to the village?—There was no cement belonging to our village which was taken. The cement that was taken belonged to the Government.

If it is said that you took any cement that belonged to the village, that is untrue?—It is not a true statement.

Do you know a man named Tupa'i?—I know him.

It is said that you banished him because of the insulting language he used to chiefs: what do you say about that?—I did not banish him.

Did the question of Tupa'i and his dispute come before the District Council?—It was put before the District Council.

Is this the minute of what happened before the District Council [minute-book produced and handed to witness for his perusal]?—Yes.

The matter came before the District Council and it was minuted in the book, and it reads, "Decision: Tevita to return to Tupa'i and reconcile. Tupa'i and Leuma should not chase away Tevita and family. If Tupa'i does not look after Tevita, then Tevita's wishes will be conceded to. Tupa'i is to give Tevita a separate house and land. Tevita is to undertake to the P.W. and committee Faleula that she will be of good behaviour and obey Tupa'i and keep the plantation in order." That was the dispute between Tupa'i and Leuma against Tevita?—Yes.

Tupa'i was not banished at all?—No.

And the parties were told to reconcile by the District Council?—Yes.

Ainu'u has complained about the cutting-down of trees on his land?—Yes.

Will you tell the Commission what is the position about Ainu'u and the land about which he complains?—It is Ainu'u's land.

Did the Village Committee decide to remodel the village?—Ainu'u gave it to one of my boys. My boy is a policeman, and Ainu'u gave him the land to take care of. This policeman gave it over to my brother, who is living in Malie, to look after this land and take care of it. Whenever an Inspector comes round and the land is found not to be in order my brother would pay the fine. I made it known to Ainu'u that it is a big piece of land and it is difficult to keep it in order, and would he consider putting a house on it. I was told that a white man was going to live there. I told him to lose no time over it and to do it quickly. Subsequently they had a discussion at a meeting at Malie with a view to establishing a new model village, and they were going to make a survey of this new village site. I told Ainu'u that his land was going to be included in this new village site, and informed him that the committee had made a survey of the land so taken in. Then Ainu'u said to me, "Take pity on me and be kind, and let that piece of land go through the Government so that I could get some money out of it." I said, "All right, I will see Mr. Griffin, Secretary, Native Affairs." I made it known to him, and he was agreeable, and he said, "Leave the matter to me and I will have a talk to Ainu'u about the matter." Subsequently I received a letter from Mr. Griffin to the effect that Malie Village was buying the land. I then came and told Mr. Griffin that it was a difficult matter for the Village of Malie to buy the piece of land. The right thing to do when it was made known who was going to live on that piece of land was to have the purchase price of the land paid by those who were going to live on the land. Then the Governor came to inspect the plantations, and I made

the position known to him. The Governor informed me that the Government would buy that piece of land and that I would have to pay back the Natives' money. That is the position that has arisen at the present time.

Can Ainu'u go and live on his land if he wants to, so far as you are concerned?—He can live on the land if he desires to do so.

In laying out the village, were not trees cut down on the land?—Yes, four coconut trees were in the way of the line made by the committee for the house.

Only four trees were cut down?—Yes, that was all.

There is a complaint against you by Nuiali'i that you refused to give any information about the Government expenditure: do you remember him ever asking you anything about that?—He never expressed any desire to me about the matter.

You do not ever remember him asking you?—I do not remember. My reply to the *pulemu'u* was this: "I am very thankful if you understand financial affairs, but I am quite ignorant about those matters. We will wait for the Governor to arrive here and we will raise that matter before him."

That was not to Nuiali'i, but to somebody else?—It was the *pulemu'u*.

How often does the Fono of Faipules meet?—We meet twice a year.

At those *fonos* do you discuss remits from the District Councils?—The position is that when the *fono* is due, then I get a notice from the Governor to announce to my district to send in matters to the District Council, so that we can discuss what matters we wish to send in to the Fono of Faipules. I then convene the meeting and we discuss those matters to be brought before the Fono of Faipules. These matters are then brought before the *fono* supporters and they are then sent to the Governor.

And are the matters that come up brought before the District Council by the Village Council?—Yes.

What does the Fono of Faipules do in connection with remits from the District Councils?—These matters from the District Councils are already in the hands of the Governor, so that when the Fono starts he mentions in his speech matters for discussion that are known to us, and we discuss his matters that are known to us, and one district is taken at a time. We start with one Faipule and we go right along, and after discussion, if the Fono agrees to any matter, then it is recorded; and if we do not agree, then the matter rests.

Where they do not all agree is the matter taken back again to the District Council or is it brought up again?—If it is a difficult matter that we cannot agree on it is taken back again to the District Council to discuss the matter over again there.

When the Fono is over, do the Faipules get copies of the decisions in writing?—Yes.

Do the Faipules take these decisions back to their people?—The results of matters discussed in the Fono are all taken back to their villages by the Faipules. The Faipules then speak about it and announce it to their districts; and not only that—the matter is also forwarded to the *Government Gazette*, where it is also published.

Was there any difficulty in your carrying out the duties of Faipule before the Mau started?—There was no difficulty and no trouble.

Is there trouble now, since the Mau started?—Huge difficulties.

Do you see the *pulemu'us* in your district and get reports from them?—I order the *pulemu'us* to assemble before me and ask them to explain to me their duties, and also ask them regarding the condition of the places under their control, and then I advise them to return to their villages in order to carry out their duties and look after the welfare of the Government.

Are the reports from the *pulemu'us* satisfactory now that the Mau has started?—I am satisfied with the reports they send me.

What are they telling you about the collecting of beetles, &c.?—They say to me that the Mau does not search for beetles, and they have made it known to me that the Mau has appointed *pulemu'us* to receive the beetles, but they are not searching for beetles. I say that the Mau has no love at all for Samoa, because the coconut-trees are in a very bad condition as a consequence of the damage done by the beetles. The damage is increased at present, and the beetles have also increased. I have appealed to them, and we had a meeting before I went to New Zealand, and the result of the *fono* was that no one should join the Mau. I have said to them that if there is any one in our district who wishes to join the Mau he had better come to me first and discuss the matter, and if he can show me the benefits that we are going to receive from the Mau we will all join.

Did you ask them to come to you and to the District Council?—Yes, and to the District Council.

Are the Mau people bringing their complaints before you and the District Councils?—No. As I have said, I have asked any one who wishes to join the Mau to come before the District Council and myself to explain to us the benefits that we are going to receive from it, and after they explain to me the benefits and I am convinced that it is going to benefit all Samoa, then I will go together with them to the Mau.

Have they accepted that invitation to go before you and the District Council?—No.

Are the Mau people attending the *malaga* of the Governor?—No. They do not appear with me and they do not ask me, and all they are doing to me now is that they are threatening or intimidating me. What they do is they come along in a motor-car or a motor-lorry in great numbers, and as soon as they get in front of my place they shout out and make a terrible row, and say, "Ha, Toelupe, the Mau stands now."

Did you try to get a meeting lately with the Ali'i and Faipule of your district?—I have tried when the Governor came through. I asked them to come and respect the Governor.

Would they attend his meeting?—No. They have never shown any respect to the Governor.

They are leaving their districts and their work on the plantations in order to come to Apia?—The young plantations are attended to no more now. I have tried to persuade the people who are in

the Government to come and work, and they said, "What is the good of us doing work; we will be licked by the Mau and they will make use of our labour."

All the work has stopped?—All work is stopped.

Do you remember the banishments in the old days?—I remember.

What is the *Fa'a-Samoa* custom about banishments, and what did they banish the people for in *fa'a-Samoa* days?—A very serious charge in Samoa is adultery.

Did they banish the people for that?—Yes.

What form did the banishment take?—Not only the offender was asked to leave the village, but his whole family was ordered to go too; and not only that, his house was burnt, his trees were cut down, and the plantations were cut up.

What were the other reasons for banishments?—Another reason was that when they were dissatisfied with the chief, in the first place, they praised him up and then they got a wife for him. According to Samoan custom, they praise him up to a district where there is a maid of the village who has plenty of "fine mats," or there is a likelihood of "fine mats" in plenty. If they succeed in getting a wife for this man the "fine mats" will be brought along, and if the *matais* or *taulelea* are not satisfied with the distribution of "fine mats," then the very man they have praised up will be told to get out of the place, and he is banished.

To sum up, if they were dissatisfied with the distribution of "fine mats" that would be a cause for banishment?—Yes.

Was there any other cause of banishment?—Yes.

What were those banishments?—It was a case of where certain individuals exchanged bad words between them and one was banished.

Because they quarrelled, one was banished from the village?—Yes.

Have you discussed at various times the "fine mat" *malaga*?—Yes.

Do you think this is a bad thing for Samoa—that is, a "fine mat" *malaga*?—Yes. There is no sin so far as a "fine mat" *malaga* is concerned, but it is the conduct of the Samoans that is the trouble.

What do you object to so far as a *malaga* is concerned?—When going on a "fine mat" *malaga* the whole place would go, and they would take 100 barrels of beef. They would spend many days, and would call in at many places on their way home and do a lot of damage as they go.

While they are away are their plantations being neglected?—The plantations would not be attended to.

Does it cause them to get into debt with the traders when they are travelling around?—Yes.

Do they eat the people whom they visit out of their food?—They become quite poor, and the result is poverty.

The Fono of Faipules has agreed to try the experiment of not having any *malagas* or three years, has it not?—Yes.

And the Faipules have agreed that it would be a good thing for Samoa to try it?—Yes.

And, in your opinion, does the result of that trial show that it is a good thing to do away with the *malagas*?—It is a good thing for Samoa. That matter was also taken to the District Councils for their discussion.

What decision did the District Councils come to?—The result was sent to the Fono of Faipules by the District Councils, and it was that it would be a good thing and to uphold it. There were very few exceptions. There were only two districts that failed to realize it.

That is to say, two districts out of thirty-four?—Yes.

Do you think that Samoans should be on the Legislative Council?—The wish of the Legislative Council was put by His Excellency to the Faipules and they discussed the matter. The result of the discussion was put to the Governor: "Let the Legislative Council discuss its own matters—that is, discuss its own European matters." The opinion of the Faipules was that the Samoans should not be appointed to the Legislative Council, because they did not understand it. They are clever people, and the Samoans do not understand the business. It was decided by the Faipules that the Samoan matters should be discussed in the Fono of Faipules by the Samoans, and that the Legislative Council should attend to matters concerning the Europeans only.

Do you think it would be possible to get proper representation of Samoans in that Council—that is, numerically?—I am of opinion that no Samoan is fit yet to be in the Legislative Council.

You mean by that that they are not sufficiently educated and wise enough?—Not clever enough. The way with the Samoans in the past is that they make their Governments and discuss matters, and after a while they break up again and separate. There is no one who can carry anything on. The stores and companies cannot do anything in business. They have tried to make companies and work up companies, but after a while they break up and fail.

They have not got the gift of management and organization: is that what you mean?—They cannot do it. They must be educated before they are able to carry on anything.

In your opinion, is the present position a better way of discussing their own affairs—that is, in the Fono of Faipules?—That is the only thing that is good for this generation. Later on, after the Samoans are educated and have got the necessary wisdom and become clever, I say let them administer their own government.

Are they allowed by the Administrator in their Fono to discuss things in their own way?—Yes.

It has been said that they are the puppets of the Administrator; what have you to say as to that?—There is no reason for it at all. The Governor likes the Faipules, and the Faipules are very fond of the Governor. There has been no disputes at all between the Governor and the Faipules—in fact, there has been no reason for having any disputes with the Governor. We have never fallen out with the Governor.

Did they express their own opinions?—If the Governor has anything to put before us he puts it. If we do not agree with him we send it back to him. If the Samoans put any matter to him, and we know that it is a matter that will not be good for the country and will not bring prosperity to the country, the matter will be discussed among the Faipules and afterwards we will put it to the Governor, and if the Governor does not accept it, then we inform those concerned that it is of no benefit to the country.

Have you put anything to the Governor that he has not agreed with? What is his attitude then?—He does not do that at all. He does not put anything at all to us if we consider it is no good.

Has the Governor put forward certain claims for discussion that you have not liked?—If we do not agree to any matter, then it is not done.

Does the Governor explain financial matters to the Faipules?—Yes.

And do the Faipules then explain them to their people?—We are expected to explain them to our districts, but the Faipules do not understand finance.

Do they explain matters as well as they can to the people?—Yes, we explain matters to the best of our knowledge. The Governor explained the position with respect to the debt, and that matter has not been brought up again.

Are you referring now to the £100,000 loan?—Yes. That matter has already been explained to us, and now it has been brought up again.

Did you discuss this matter with Colonel Tate before the loan was made?—We opposed it with Governor Tate. I told Colonel Tate that we did not agree to the debt. Colonel Tate said, “You do not agree to this debt? What are we going to do? How are we going to carry out public works when we have not the money here to carry the work on?” I said to him, “Never mind that debt; we do not want it. We might die and our children when they grow up will blame us for it, so we do not want the debt.” Colonel Tate then said to us, “New Zealand will not lend money to Samoa to cause trouble, and if it did cause trouble New Zealand would cancel the loan.” That matter has been fixed up, and we still have the love for New Zealand and New Zealand loves us. We know that our Government has advanced and progressed. We have seen many things done by our Governor which have been done through his love and his endeavours, as well as the New Zealand Government. Furthermore, there is the good health of all of the people of the country, and the children are all clean; the roads are in good order, and electric lighting has been established. We have also a telephone system and we have wireless, and we have schools to educate the children, and we also have a waterworks system. Not only that, the Governor has improved the condition of the islands, and the Samoan land that was in the hands of the Germans is now protected and it is not allowed to be sold, and any one who wants to take up a piece of land can get it. All these things we have seen done by the Governor for the good of our country.

And they are well satisfied with the Governor and the Government of New Zealand?—We are quite satisfied. It is many years since the traders and the Samoans came together, but the traders have done nothing at all to improve the Samoans. From the beginning the only thing was the cry for copra, which has been a burden to Samoa. When the Samoans ask for the price of copra to be raised the traders do not do it, and the Governor cannot order them to do it, because it is not his business. The Samoans have been crying for the price to be raised from the German time to the present.

I want to show you a copy of the *Samoa Guardian* of the 14th July, 1927. You have read that piece before, have you not—the piece about the *kava* title: What meaning would a Samoan take out of that?—Yes. If all the Samoans were to read it, then the Samoans would know that Mr. Nelson had taken the place of the Governor and the Governor has fallen, because that is the *kava* title given to the Governor and now it has been given to Mr. Nelson.

The Chairman: I do not think that this is quite fair. Mr. Nelson was in the box and he could have been examined.

Mr. Meredith: It was not written by Mr. Nelson and I asked Mr. Gurr—

The Chairman: It affects him, and, if you go on, Mr. Nelson must have the right—

Mr. Meredith: It is not written by Mr. Nelson. I asked Mr. Gurr if he took the responsibility of what is in this paper. There will be no suggestion that Mr. Nelson is responsible for it.

Mr. Baxter: If it is going in the notes, Mr. Nelson should have the right to refute it.

The Chairman: Mr. Meredith must confine it to my ruling on this evidence.

Mr. Meredith.] Do you know a person named Muagutu?—Yes.

And it is said that you have taken away his title?—He is still called Muagutu.

You have not taken away his title?—No.

Have you any power to take it away?—I have the power over that title.

But you have not taken it away?—I told him that if he did not obey the committee I would report him to Mr. Griffin, and Mr. Griffin will tell the Governor to deal with him. He said, “Do not take this matter to the Governor; I am satisfied now.”

You know a man named Auimatagi?—I know him.

Did you take away his title?—No. I said that if you want to go to the Mau you should come to the District Council and tell them so, and if you can explain how you will get any benefit I will allow you to go. When I heard that Auimatagi had gone to the Mau I said that he must not return here.

Did you take his title away?—No.

Mr. Baxter.] You are the oldest of the Faipules, you have the longest service, and I think that you are generally Chairman of the Fono?—Yes.

And as such you often speak on behalf of the Fono of Faipule?—Yes.

And, in fact, you are really in the position of being the most important Native here; and you are the Chairman of the Faipule Fono and speak on behalf of the Fono, and as such have been sent on trips to New Zealand?—I do not want to reply to that, because I have not been appointed by the Samoans to go to New Zealand. If I am of any use to the Samoans I am happy.

You do not want to speak about that because you were not the selected representative of the Samoans in New Zealand?—Yes.

Fa'a-Samoa, you would have been selected?—Yes.

Do you know the reports that were sent to the Mandates Commission [Shown the report for 1926]?—It is read to the Faipules year by year.

What I want to know about the Fono of Faipules is this: when you come to a decision about the remits from the District Councils, do they become laws then?—After we have discussed them, then we give them to the Governor, who passes them on to New Zealand.

The division of Native lands into individual ownership: was that sent to New Zealand or not?—I do not know if it was sent to New Zealand.

Do you remember the 1926 report, on page 9, where it says that the Fono made regulations governing the division of Native lands?—Yes, I remember.

There was another regulation about wills?—Yes.

And another about marriages?—Yes.

I want you to clear up a few points on banishments. I notice that there seems to be a committee that always has the same Faipule on it, with yourself as one: is there a special committee to inquire into the question of banishments or not?—There is no special committee that is appointed to deal with banishments. It is a committee appointed by the Governor to investigate matters—any matters at all. He passes it over to Mr. Lewis and then the committee is called up.

Who is the committee made up of?—The nearest Faipule is called, and if there should be a Faipule from Savai'i here he is called.

You have been on a number of banishment inquiries. You make the inquiry, you hear what is said, and then you make a recommendation to His Excellency through the Secretary for Native Affairs?—Yes. They do not make any decision. They express the opinion of the committee to the Secretary for Native Affairs, who passes it on to the Governor, and then the Governor decides the matter.

Does the Governor always act in accordance with this recommendation?—If it suits him. If he searches this matter and finds that it does not suit him, then he does not do it.

Can you give me how many times he has refused your recommendations?—I do not remember.

I mean the recommendations of the committees that you have been on?—I do not remember.

Are the Faipule called in to discuss important matters with the Secretary for Native Affairs?—If it is a matter concerning the Samoans.

Have you ever been called in to assist in a Court case at Mulinu'u?—Yes.

Do you sit up at a table and help the Commission to come to a decision?—Yes, two or three Faipule.

That would not be a Land Commission case, would it?—No.

That would be a Court case, would it not?—My memory is not very good.

What was the last time that you were there?—I cannot remember.

Do you know whose case it was?—I will remember if any matter is put direct.

You cannot remember any particular case?—No.

Can you remember who the white Commissioner was: was it Mr. Lewis?—I have forgotten. If you mention the trial I will remember.

There has been a lot of talk about these emblems of authority: what was the idea when you handed these over to the Governor-General of New Zealand?—They were just presents given to show our respect to the Governor-General of New Zealand.

Just presents from yourselves or from the whole of Samoa?—Presents from the Faipule. They had been looking for these things to make a present.

Just the Faipule?—Just the Faipule; and if you want to change it and say the whole of Samoa—well, that is all right, because the Faipule are the representatives of the whole of Samoa.

Did the Faipule do it on their own, or did they consult the people of Samoa?—Just by the Faipule. There was no reason to discuss the matter with the whole of Samoa. It has been the custom of Samoa that when a high official comes, then they put together matters to make a present. It is not a remark that would be made by sensible people.

There was no particular significance?—No.

Regarding "fine mats": there was a resolution passed in the fono that "fine mat" *malagas* should be forbidden?—To hold it up.

Is that a law that has to be obeyed now or not?—It is proper to obey it, so as to give it a trial. But if the people do not obey it?—If they do not obey it they should be punished.

Do you know of anybody that has been punished for disobeying the "fine mat" law?—Yes.

Tell us one?—The Safata officials were punished.

Any others?—I cannot remember any more.

Are there any persons who have been punished who are not officials?—I have forgotten.

You know that there has been, but you cannot remember?—I cannot recollect.

What do you call a *malaga* within the meaning of the "fine mat" law—one person or two persons or more? Do you mean a small or a big *malaga*?—There are big and small *malagas*. That refers to big *malagas*. It is quite understood that small *malagas* are quite harmless.

Do you remember the petition sent to the King in 1921 from the Faipule?—I remember.

Who drew that up for the Faipule: did they decide upon it themselves, or did some half-caste, or did they get their ideas from some half-caste?—Perhaps it was done that way; I have my own opinion in the matter, and others were out and searched the opinions of others.

Your opinion was that no other Europeans had anything to do with it at all—that they had nothing to do with drawing up the petition?—It is my opinion that the whites were interested in matters in that petition. Lago Lago drew up that petition.

In fact, you wrote a letter to the *Samoa Times* at the time: you said that the Europeans had nothing to do with it, and the Samoans were quite capable of looking after themselves?—Those were the days of the wrinkling-up of words; I cannot remember.

Solia translated it for you?—I do not remember who translated it.

Recently you made a speech saying that the present trouble was a very minor matter?—No. I have noticed it in the *Samoa Guardian*, and I have read words that I have never used in my speech. People have been in the habit of coming and watching the words that I say, and then they go and put them in the *Guardian* quite different to what I have said.

When do you think that the trouble started to get serious, before or after the Minister's visit?—It started before the Minister came.

When did it first become to get serious?—The time of the meeting in the Market Hall.

It started right away to get bad on the 15th October, 1926?—It started gradually from that time.

When was it that they ceased to look for beetles and look after their plantations, after the Minister left or before?—They ceased before he arrived.

Just before he arrived?—Before he arrived.

They have continued to neglect their plantations from that time have they—all of them?—Yes.

The Mau people and the Malo people too?—The Government people try to work.

You told us that the Government people had ceased to work because the Mau people would get the benefit of their work?—They cannot work any more.

Is your district worse than the district of anybody else?—I do not know about any other district.

When you made an important speech in the Fono, did you write it yourself or did you get a white official of the Government to do it?—I spoke the words that sprang up from my heart.

We know that Faipule can be dismissed by the Administrator, and we have been told that one or two Faipule are appointed for just three years: is that right?—Yes.

SATURDAY, 15TH OCTOBER, 1927.

TOELUPE further examined.

Mr. Baxter.] You said that you saw no unrest until October, 1926?—Yes.

But I think that there was some dissatisfaction, was there not, about the medical tax and about banishments—not big trouble like now, but still some dissatisfaction?—In some districts there was some slight dissatisfaction.

Was that about the medical tax?—Yes.

What about the banishments?—No, there was none.

And was there any dissatisfaction about the “fine mat” *malagas*?—No.

Regarding these barrels of cement which you mentioned—I want to locate them. Were those barrels what were left over from that water-supply scheme of the Public Works?—Yes, they were barrels left over from the village water-supply scheme.

And you say that the Public Works charged you up with them?—Yes.

This model-village scheme—whose suggestion was that?—I know that it was approved of by the Fono of Faipule, but who suggested it to them; also about the individualization of land?—The Governor.

The Chairman.: Do you distinguish between the division of land and the individualization of land?

Mr. Baxter.: The individualization of land, sir, is the scheme which was proposed *re* dividing it up.

The Chairman.: But that is not two things—it is the one thing, and that is the division of land?

Mr. Baxter.: Yes, sir, it is the one thing I am on the whole time, and that is the division of land. (To witness:) This loan of £100,000 was explained to the Faipule by Colonel Tate, so that the Faipule would know about it and could correct any mistaken ideas which the Samoans may have had over this loan?—Yes. Perhaps they were able to explain the position.

The reports of the Citizens Committee, handed to His Excellency the Administrator to forward to the Minister: were those reports read out to the Fono of Faipule?—I cannot remember.

Regarding *kava* titles: are these the three *kava* titles of His Excellency the Administrator, Mr. Nelson, and Mr. Westbrook [handing *Samoa Guardian*, of 28th July, 1927, to witness for his perusal]?—The first one, “Aumai Tafa Mamao, is the Governor's title.

What about the next one—is it Mr. Nelson's *kava* title [title reads “Aumai Malo a fua ae sau le sau o le Ola”]?—I do not know.

Do you know whether the third one is Mr. Westbrook's *kava* title [title reads “Aumai Tafa Mamao ae a'e ma se Malo”]?—I do not know.

Regarding AINU'u's land: you are just going ahead with that scheme of remodelling the village, and would have gone through with it if AINU'u had not objected?—Yes.

Now, you heard about it, and you had not consulted with him at all, and had not even spoken to him about it when he came and objected?—I spoke first to him before he made the objection.

Before you started the scheme at all you spoke to AINU'u?—Yes.

Now it is AINU'U'S land, and he could go and live on it if he wished to do so?—Yes.

He could go and live on it to-day if he wished to?—Yes.

One FAIPULE—I do not know which one—said that the Faipule was the “door” between the Governor and the Samoans to carry complaints?—That is true.

And I suppose that when the complaint comes to you you inquire into it first and see whether it is a matter that should be taken to the Governor?—Yes.

And I suppose that the Governor has to help this way too, by taking up the attitude that he will not listen to complaints unless they are brought before him by the Faipule of the district?—Yes.

Judge MacCormick: I do not see that this witness can speak for the Governor.

Mr. Meredith: We will answer that through the Governor himself, sir.

Mr. Baxter.] *Re the fa'a-Samoa banishments*: you told us yesterday they were by the Ali'i and Faipule who used to inquire into those complaints and see whether the people should be banished or not?—Not as a rule: when they hear that anything has happened and it is proved as true, they just banish them right away without any investigation.

Who would decide on the banishment?—The Ali'i and the Faipule.

Would you suggest that it would be a good idea for the Legislative Council to look after *papalagi* (white man) matters and the Fono of Faipules to look after Native matters?—Yes.

Well, in that arrangement we know that the Legislative Council can make laws: do you think that the Fono of Faipule should make laws or not?—Yes.

Is that in the present way or according to the way that as soon as they pass a resolution it becomes law?—They will put that on record, and then they will deliberate on the same matter at some future date.

You think that there should be two deliberations on the same topic?—

Mr. Meredith: The difficulty, I understand, is that the word *tulafono* expresses “laws,” “deliberations,” “regulations,” &c.

The Chairman: I think that you should get that from the interpreter, because I am pointing out over and over again that this evidence will be read by people who know Samoa as a name only.

Mr. Baxter (to interpreter): Perhaps you would be good enough to make a statement, stating if it is true that the word *tulafono* in Samoan means “laws,” “regulations,” and “resolutions.”

The Chairman: The statement need not be made just now: put your question to the witness again, Mr. Baxter.

Mr. Baxter.] Do you think that the Fono of Faipule should have any more power as regards making laws than they have at present—meaning the actual making of laws and not resolutions?—They have been given power or authority by the New Zealand Government to discuss or decide on any matters, and if they know that it is good they hand it over to the Governor to make it law.

And are you quite satisfied with that procedure?—Yes.

Now, Mr. Interpreter, perhaps you can tell the Commission what the word *tulafono* means?

The Interpreter: It means “law.”

Mr. Baxter: Does it mean anything other than “law”—would “resolutions” be *tulafono*?

The Interpreter: No.

Judge MacCormick: Perhaps you had better give us the Samoan word for “resolution.”

The Interpreter: It is generally given as *fa'aiuga*.

Judge MacCormick: What about the word “regulations”?

The Interpreter: *Tulafono* means “regulations,” too.

The Chairman: What we are concerned with is the colloquial meaning as taken by the Samoan out of the word *tulafono*.

The Interpreter: The Samoan understands the word *tulafono* to mean “regulation” and “laws.”

Mr. Meredith.] Did you discuss the 1921 petition, asking that Samoa be removed from the control of New Zealand, in Mr. Nelson's office with other Faipule?—I remember being there at Mr. Nelson's house with other Faipule, but I have forgotten what was said.

Are these words the *kava* title of the Resident Commissioner in Savai'i “Ae sau le sau o le Ola”?—Yes, that is the Resident Commissioner's *kava* title.

And the three words “Aumai Tafa Mamao”—they comprise the *kava* title of the Governor?—Yes.

Who has the bestowal or the *pule* for those titles?—It is the Tumua party that has the authority to bestow *kava* titles, also the King, according to Samoan custom.

Would Mata'afa be the man who had the actual right to bestow that title?—The late Mata'afa could do that.

The Chairman: The present Mata'afa has succeeded to the title of Mata'afa, but not to the power with the title?—Yes.

Your career in Samoa has covered the greater part of the modern history of Samoa?—Yes.

Since the control of Samoa by New Zealand, either as a military power or under the mandate, has the material prosperity, comfort, and health of the Samoans increased, or otherwise?—Samoa has progressed much more than in the past.

Did you know Mr. Griffin?—I knew him.

Before he died had Mr. Griffin been long resident in Samoa?—Yes.

Was Mr. Griffin well acquainted with the characteristics and customs of the Samoans?—Very well.

What was the general opinion among the Samoans of his attitude towards the Samoans?—That he was a very valuable man for the Samoans, and he stood with the Samoans as a Samoan—that is, as though he was a Samoan.

Is it your opinion that the prohibition against *malagas* for “fine mats” has affected the present discontent among the Samoans?—No.

Are Samoans, generally speaking, competent to understand the details of financial matters?—No Samoan is competent.

Are they competent to follow the annual or other periodical statement of the public accounts—revenue and expenditure?—No.

Judge MacCormick.] I do not think that this is controversial: there is a large section of the Samoan community which I understand to be called the *tagata nu'u*?—Yes.

They are the rank and file of the people as distinct from the chiefs?—Yes, they are distinct from the chiefs and orators.

Have they any means of expressing their wishes and desires?—No.

Only through the chiefs?—Yes.

The government, *fa'a-Samoa*, is vested entirely in the chiefs?—Yes.

These people are not the serfs—they are simply common people of the Samoans?—They have different duties to attend to, and they are not concerned at all in matters of government. But they elect their own *matai*.

Have they land of their own?—No.

Then upon whose land do they work?—That of the chiefs and orators and *matai*.

What is the *ma'ai* that these people—the *tagata nu'u*—elect: you said that they elected their own *matai*?—Every family elects their own *matai*. Although they are *tagata nu'us*, they are members of a family, and they elect their own family titles.

Yes, but they have no land?—No, the land is under the control of the *matai*.

The Chairman: I have always understood that all land, with rare exceptions, is controlled by the *matai* and is worked by the family, and the aggregate produce is distributed in some way by the *matai* amongst his family.

Judge MacCormick.] Does his family include the *tagata nu'us*?—When all the high chiefs are together, that is the only time that those outside the chiefs are called the *tagata nu'u*, but with the *matai* the people of his family are not called *tagata nu'us*. The *tagata nu'us* have nothing to say on political matters.

That is the position, I understand, with the *taulelea*: they are young men who have not attained the dignity of *matais*, but who may attain to it at any time. Can the *tagata nu'us* become *matais*?—Oh, yes.

Mr. Baxter: May I suggest, sir, that no *matai* refers to his own *taulelea* as *tagata nu'us*, but when there is a big meeting of the chiefs and *tulafales* all those masses are referred to as the *tagata nu'us*.

Judge MacCormick: Any member of the Samoan race may look forward to being a *matai*: some time or another there is a possibility of his being a *matai*?—Yes, any man can be a *matai* if he is appointed.

TUATAGALOA SWORN and examined.

Mr. Meredith.] What is your name?—Tuatagaloa, Faipule for the subdistrict of Falaalili and district of Atua South.

What is your rank?—A chief.

When were you appointed a Faipule?—Soon after the epidemic. I had been a Land and Titles Commissioner for many years, commencing from the time of the German Government right up till my appointment.

Have you heard of any discontent over your appointment up to the present time?—No.

Were you in Court when Toelupe gave his evidence?—Yes.

Do you agree with what Toelupe said about the *fa'a-Samoa* banishments?—Yes.

And do you endorse what Toelupe said about the evils of the "fine mat" *malagas*?—Yes.

Do you agree with the description which Toelupe gave of the proceedings in the Fono of Faipules?—Yes.

Do they think for themselves, or just do as they are told by the Administrator?—Each Faipule uses his own mind as regards matters from his district.

And if he disagrees with the Governor, he says so?—Yes.

And the Samoans—are they more prosperous and are they living under better conditions now than they used to be?—More so at the present time than in former years.

Do you agree with Toelupe that the Government of Samoa under New Zealand has been for the good of the Samoans?—Yes.

Do you agree with Toelupe that it would not be a good way to have the Samoans put on the Legislative Council?—It would not be good.

Do you agree that the Samoans are not sufficiently advanced to take part in equal terms with the Europeans in the Legislative Council?—The time is not ripe. Perhaps when the younger generations grow up it may be more suitable.

You prefer to discuss Samoan matters in the Fono of Faipules as they are doing at present?—Yes, that is the proper procedure.

Mr. Baxter.] First of all, you have been away in Fiji for some time: when did you return?—I returned in May of this year.

Prior to that you had been away for a couple of years?—I was away from Samoa for eighteen months.

Were you at the Fono of Faipules that sat from the 6th to the 12th June, 1923?—I believe that I was there, but it was four years ago.

This is a copy of the *Savali*, dated the 10th July, 1923. On page 4 there is a copy of the resolutions passed by the Fono of Faipules?—Yes.

And this resolution No. 13 is a resolution where they asked the Governor to appoint two Faipules to the Legislative Council?—I do not remember that question.

Mr. Meredith.] What impression would a Samoan form from reading that passage about *kava* titles [extract from the *Samoa Guardian*, dated 14th July, 1927, read to witness]?—People would immediately think that the Administrator's place had been taken by Mr. Nelson, since the Administrator's *kava* title had been given to Mr. Nelson.

Mr. Baxter.] Would that be from reading the whole article, or from reading just the *kava* title itself?—That particular sentence about the *kava* title "Aumai Tafa Mamao." There are two *kava* titles joined in one in that.

And because that title has been given to Mr. Nelson, people would say that he had assumed the power of the Governor?—That is the *kava* title for all the Administrators, commencing from the time of the German Governor, Dr. Solf. It is a title from Mata'afa, the King.

Do not the other words, "Ae sau le sau o le Ola," added to it make a difference?—That is the *kava* title for the Secretary for Native Affairs.

The Secretary for Native Affairs, or the Resident Commissioner of Savai'i, which?—The Resident Commissioner of Savai'i, when he was called the Deputy Administrator of Savai'i, had that title first, but it has since passed to the Secretary for Native Affairs.

Well, putting the two together, does that make any difference or not?—It is a serious offence to join two *kava* titles, or to give any part of a *kava* title to any one else when it is already held by another person.

AIONO AIPOVI sworn and examined.

Mr. Meredith.] You are a Faipule of the district of A'Ana-Matu, and reside at Fasito'outa?—Yes.

You were appointed a Faipule under the German Government, were you not?—Yes, in 1912.

Were you a Faipule before that?—No.

I understand that Toelupe and yourself are the only two Faipules living who were appointed then?—Yes.

You heard Toelupe and Tuatagaloa giving their evidence, did you not?—Yes.

Do you agree with what Toelupe said about the *Fa'a-Samoa* banishments?—Yes.

And the evils of the "fine mat" *malaga*?—Yes, I agree with Toelupe that that custom is detrimental to the welfare of the Samoans.

Do you agree with Toelupe as to their method of working in the Fono of Faipules?—Yes.

And that the Faipules are allowed to exercise their own opinions in the Fono?—Yes. The reason why they are there is to represent Samoa and to use their own minds.

If they have any disagreement with the Governor have they any hesitation in saying so?—No, the point is argued.

Do you agree that the Samoans are not yet wise enough and are not fit yet to take their place on the Legislative Council?—They have not reached the stage when they could join that body. They will have to be educated up to that standard.

But they have not yet reached it?—That is so.

You prefer the method of discussing Samoan affairs in the Fono of Faipules?—That is my opinion.

Are the conditions of the Samoans better and healthier and more prosperous than they used to be when you were a young man?—The Samoans' prosperity has been increased considerably recently.

And what about the health of the Samoan children?—The children are thriving, and they are much better in health, as is shown by the body being much fatter.

And the children, are they clear of yaws?—The children are clear, and there are no such things as ringworms, &c.

In your opinion has the Government control of Samoa by New Zealand been for the good of the country?—Yes, it has been like gold to the Samoans.

Were the Samoans contented before October of last year?—Yes, fully contented.

Has there been a great change come over it since that time?—Yes. These days are different, and they have ruined all the good work that has been done for the prosperity of Samoa.

Are you having any trouble in your district since the Mau started?—No, everything is going well.

Have the plantations been looked after properly since the Mau started?—The people in my village are attending to their plantations properly, and although the *Faleasi'u* people have turned to the Mau they are still attending to their plantations.

What about the rest of your district?—There are only two villages in my district.

In regard to the 1921 petition, did you with any other Faipules have a discussion with Mr. Nelson about that petition?—Yes.

How many times did you go to Mr. Nelson's office—did you go with several Faipules first?—I was with Mr. Nelson on two occasions. On the first occasion there were several of the Faipules there; on the second occasion there were only two—namely, Fonoti and myself.

What did you go to Mr. Nelson's office for?—It was when we received word that the Hon. Mr. Lee was coming to Samoa, and we were not quite sure of the position. We went to be enlightened by Mr. Nelson in regard to the petition.

What did Mr. Nelson tell you?—Mr. Nelson said we should be firm—stand together and not break away.

Did he tell you to persevere with the petition?—Yes.

Mr. Baxter.] In March, 1927, did you not take part in a "fine mat" *malaga* regarding the daughter of one Vele?—That *malaga* came to my village.

Did you entertain them?—Yes, I received that *malaga* party.

Did you explain the position to them?—I explained about the "fine mat" law and told them that they had to abide by that law.

Did you feel that you were compelled to entertain them, or did you do it just because you wanted to?—I was not pleased with it.

SAGAPOLU-TELE sworn and examined.

Mr. Meredith.] What is your name and rank?—Sagapolu-tele, Faipule of Anoama'a.

Where do you live?—At Saluafata.

There was some roadmaking done at Solo Solo?—Yes.

And it was suggested that the people themselves should do the work on this road?—Yes.

There was trouble over that because the *pulenu'u* wished to take charge of the work?—Yes.

And the Public Works Engineer would not agree to that?—Yes.

They wanted their own foreman?—Yes.

And the result was that the villagers would not work, and they lost the job?—Yes.

You were appointed in Colonel Tate's time?—Yes; just after the epidemic.

After your appointment, did you visit all the villages in your district?—Yes.

And did they express satisfaction with your appointment on that visit?—Yes.

Have you heard of any dissatisfaction until the present time?—Only recently, since the commencement of the Mau have I heard murmurs.

Do you remember anything about a famine in your district?—After the recent big flood—it was the time that there was an epidemic of influenza in Samoa.

Was there a shortage of food in the district?—They were very short of food.

Was that as a result of the loss of food through the hurricane?—Yes.

What was done to meet the position?—People were ordered to plant food-trees, bananas, and other vegetables.

Did the Government Inspector come down and look into the matter and inspect the district?—Yes, Mr. Southon went and inspected the plantations with the *pulenu'u*.

Do you know when that was?—About three years ago.

Besides the one about three years ago about which you are speaking, do you remember a severe blow later on than that—on New Year's Day of 1926?—That was the only blow on New Year's Day.

It is the blow on New Year's Day, then, to which you have been referring?—Yes.

Did you get food from the other villages?—We did not have to go from our own district for food—we had just sufficient with which to carry on.

As a result of the inspection of the Government Inspector, were the people advised to plant these various things in order to catch up?—Yes.

And that was the position with other villages at that time?—Yes.

The Chairman.] Did you hear Toelupe's evidence?—Yes.

And the other witness who followed him?—Yes.

Do you agree in the main with their evidence?—Yes.

Are there many members of the Mau in your district?—Yes.

And are they obeying your instructions and the directions of the *pulenu'u*?—Yes, they are obeying the instructions.

The members of the Mau are obeying instructions?—Yes, though they are in the Mau, they carry out our instructions.

Are there many members of the Mau in your district?—Yes.

Mr. Baxter: I may mention, your Honours, that I am cross-examining now on fresh material only, as I do not wish to ask the same questions over and over again. There is nothing in this case upon which I wish to question the witness.

Logo sworn and examined.

Mr. Meredith.] What is your name?—Logo, Faipule of A'ana-i-alofi, and residing at Leulumoega.

What is your rank?—Orator.

You were appointed Faipule in 1919?—Yes.

Before that you were a *pulenu'u*?—Yes.

How long were you a *pulenu'u*?—I do not know, but I was appointed to that office in the German regime.

And you were a *pulenu'u* from that time on until you became a Faipule?—Yes.

When you were appointed did you hear of any objection to your appointment as Faipule?—No.

Did the chiefs express their approval of your appointment?—Yes.

Did you fine any *matais* for not attending the reception to the Administrator on his *malaga*?—I did not fine anybody.

You have nothing to do with those arrangements yourself personally, have you?—No, the *pulenu'u* arranges those things.

Alipia says that you dictated what should be said in a speech to be made to the Governor-General: did you forbid Alipia to say anything?—I spoke to him on one matter.

What did you say to him?—It was with reference to wanting to make an objection: I stopped his mentioning that point.

Why did you stop him?—It was not the proper time to speak of matters of that kind
Was this to be a speech of welcome?—Yes.

The Chairman.] Do you remember Umaga?—Yes, I know him; he was in my village.
He was a *pulemu'u*?—Yes.

Tell me, are there many Mau people in your district?—Quite a lot.

Do they obey your instructions and the instructions of the Government officials?—No, they have rejected the laws.

Have they said that they will not obey the laws?—Yes.

SEIULI SWORN AND EXAMINED.

Mr. Meredith.] Your name is Seiuli?—Yes.

From what village?—From Vaiusu.

From what district?—Faleata.

Of what district are you the Faipule?—Faleata.

That is the subdistrict of Tuamasaga Matu?—Yes.

You were appointed Faipule by Colonel Tate?—Yes.

Was there any complaint at the time in your district about your appointment?—No.

Have you heard of any complaint up to the present time?—No.

You remember the quarrel between Pepe and the chief Mataia Sui?—Yes.

I think that that matter was investigated by the District Committee?—Yes.

And as a result of that was a reconciliation effected between the parties?—Yes.

Did you do anything in the way of punishing either of them yourself?—No.

Has a Faipule any power to punish?—No.

Did you have difficulty with some of the people through their refusing to have hookworm treatment as complained by Leleua?—Yes.

They used to run away rather than be treated—some of them, that is?—Yes.

Did you speak to the Fa'amasino about it?—Yes.

What did you suggest to the Fa'amasino?—I suggested to the Fa'amasino that I felt pained because the people did not obey.

And did you go to the Fa'amasino and see if they could be punished for it?—Yes.

You felt that it was a serious matter for the health of the district that these men should refuse to have this medical treatment?—Yes.

You heard Toelupe give evidence?—I was not present this morning.

Were you present yesterday?—Only in the beginning.

Have you many Mau people in your district?—Many.

Are the Mau people obeying the general instructions of the *pulemu'us* and the general instructions that they should obey in your district?—They are refusing to obey my *pulemu'u*, the same as other *pulemu'us* are disobeyed.

Are they treating you with disrespect personally?—They respect me according to the Samoan custom, but official instructions they do not obey.

Do you have any trouble with visiting Mau people in your village?—Yes, trouble happens.

Do they make noisy displays in your village?—They discharge firearms.

They discharge firearms in your village?—Yes.

Has that happened often?—No, only on one occasion when they made a *talolo* [that is, celebrations over the arrival of strangers].

SALANOA SWORN AND EXAMINED.

Mr. Meredith.] You are a Faipule?—Yes.

Of what village?—Fasitootai.

And of what district?—A'ana Matu.

It is said that you appointed a Fa'amasino: is that correct, or was he appointed by the Administrator?—I did not appoint a Fa'amasino—he was appointed by the Administrator.

Was the appointment of the particular man who got the appointment discussed by the Fono of Faipule?—Yes.

And they agreed to the suggested appointment, did they?—Yes. I spoke in a hurry: the Governor said that there would be a Fa'amasino appointed for my district, and the matter was put before Mr. Griffin, the Secretary for Native Affairs.

And did you have anything to do with the appointment, or did Mr. Griffin recommend the appointment to the Governor?—He was appointed by instructions from Mr. Griffin.

Judge MacCormick: The charge is not embodied in your question, Mr. Meredith. The charge is that a special man was recommended, and that after a long delay a relative of Salanoa's was appointed.

Mr. Meredith.] Before the appointment of the man who was finally appointed, were there any other names suggested?—No.

Have you fined any Samoans for not attending at the school inspections?—Yes.

What did you do?—I told the committee that they must attend at the inspection of the schools, and there were members of the committee who did not turn up at the time appointed for the inspection.

Who did the fining—you or the committee?—The committee.

And where would the committee fines go—who would get them?—The committee.

Does the Village Committee in the village where the fined man lives—does that committee get the fine?—Another committee.

Well, which committee would get it?—The name of the committee is Ailolo—that is the name of the person who takes care of the money.

Was a committee set up to inspect plantations?—Yes.

And were people who did not attend at that inspection fined by the committee?—There has been no punishment.

Were some men fined for not erecting latrines?—Yes.

Who fined them, and what became of the money?—I punished them.

What happened to the money?—It was collected by the committee and not paid to me.

Do you know a man named Galo?—Yes.

Galo got into trouble with other people in the village, did he not?—Yes.

And was the matter brought before Mr. Griffin?—I brought it before Mr. Griffin.

And did Galo agree to return to his own village?—I would like to make an explanation.

All I want to know is, did Galo agree himself to go back to his own village?—He came there the first time and then he went away.

Mr. Meredith: I can deal with this matter by the file of Mr. Griffin—that will be more satisfactory and quicker.

The Chairman: Very well.

Mr. Meredith.] Have you got many Mau people in your district?—Many.

And do the Mau people obey the instructions of the *pulenu'u*?—No.

And have they refused to obey all the Government instructions?—Yes.

Judge MacCormick.] Do you know a man named Tito Mata Maui'a?—Yes.

Well, what happened: it is said by a witness that you gave a decision because you were bribed with food by both sides?—I pardoned them because they apologized to me.

You were not bribed with food?—No.

TAINAU SWORN AND EXAMINED.

Mr. Meredith.] What is your name?—Tainau, Faipule of the eastern portion of Anoamaa-Matu, but residing at Lufi Lufi.

When were you made a Faipule?—I was appointed by Colonel Logan in 1918.

Before you were appointed a Faipule, had you been a *pulenu'u*?—Yes.

How long had you been a *pulenu'u*?—I had been a *pulenu'u* for one year.

Until recently have you ever heard any objection to your appointment as a Faipule?—I have heard of no objection.

It is said by Taua Lelafu that you allowed Government appointments to be made because you were given foodstuffs: is that true?—That is not so.

I think that you recommended the appointment of Faleatanoa'i as a Fa'amasino?—Mr. Griffin wrote to me and asked me to send in the name of somebody in Falefa, so I sent in the name of Faleatanoa'i. Mr. Lewis, the Secretary for Native Affairs, later wrote me and asked me to send in another name, and I then sent in the name of Salanoa Ioane.

And which of them was appointed?—Salanoa Ioane.

So the first recommendation you sent in was not approved?—No, it was not approved.

Did you make a speech saying that you were in full sympathy with the Mau, but that you had to be careful as you had a Government position?—No. I did not say anything like that.

Did you hear Toelupe give evidence?—Yes.

Do you agree with what Toelupe said?—Yes.

Have you many Mau people in your district?—All the district has gone to the Mau except Lufi Lufi.

Are the Mau people disobeying the *pulenu'u* in your district?—They refuse to recognize all Government orders.

The Chairman.] You were a Fa'amasino for some years, were you not, before you were appointed a Faipule?—No, I was a *pulenu'u*.

ROBERT HOUGHTON ALLEN SWORN AND EXAMINED.

Mr. Meredith.] You are a member of the staff of the Native Office?—I am.

What is your position?—Accountant and Inspector.

How long have you been with the Administration?—Four years and seven months.

Of course, during that period you have been closely associated with the Natives and the Native administration?—Very closely.

The Chairman.] You have been associated with Mr. Griffin and Mr. Lewis?—Yes, sir.

Mr. Griffin had a long association with Native affairs?—A very long association.

Was he a considerate man towards the Samoans?—Very much so, sir.

And from your own observation, did the Natives appear to have a high regard for him?—I have never seen any man for whom the Natives had a higher regard.

Mr. Meredith.] You have taken from the official records, Mr. Allen, the details in connection with these various banishment cases, and the documents you produce now show the details taken from the official records?—Yes. They are in two schedules. The first one refers to the cases dealt with under the Samoan Offenders Ordinance [Exhibit No. 58] and the second refers to cases arising out of the political agitation [Exhibit No. 59].

Mr. Meredith: Practically the bulk of this, your Honours, was handed to my friends last Thursday. There may be some other matters on which I may require to call Mr. Allen later.

The Chairman: I quite understand. You will postpone your cross-examination, Mr. Baxter?

Mr. Baxter: Yes, sir.

We will adjourn until this day week at 8.15 a.m.

FAGAMALO, SAVAI'I, MONDAY, 17TH OCTOBER, 1927.

LEILUA SIAVI'I SWORN and examined.

Mr. McCarthy.] You are a Faipule of Safotulafai, in Savai'i, are you not?—That is so.

What is your rank?—A chief.

Before you were appointed Faipule did you have any previous experience as an official?—I was first of all a *pulemu'u*, and then I was appointed a Land and Title Commissioner, and after being that for about a week I was promoted to the position of Faipule.

Will you tell the Commission how that promotion as Faipule came about?—I was selected by my district to take the position of Faipule.

Was there any objection?—There has been no objection up to the present date.

Judge MacCormick.] What was the date of your appointment?—November, 1919.

The Chairman.] That was in Colonel Tate's time?—Yes, in Colonel Tate's time.

Mr. McCarthy.] There have been a number of charges made against you when the evidence was being taken in Apia: the first charge is that you tried to change the Samoan customs in the district?—I deny having tried to alter any Samoan customs.

It is said that you used your position to intimidate people: what do you say about that?—Ever since I have been a Faipule I have not intimidated any one. I have always tried to preserve the peace.

It is further said that you made a speech to the people not to join the Mau, as it was a bad movement?—That is true. I admit that I warned the people of my district not to join the Mau.

The fourth charge made is that you are reported to have said to a Samoan named Pasia, "You shut your mouth, because it is I who open my mouth in connection with the Government"?—I admit having said that.

Perhaps you can tell us the circumstances under which you came to use those words?—Pasia was punished by the Government. He was forbidden to make speeches or have any say in village affairs. It was myself who went and got that lifted: in other words, it was through me that he was allowed to make speeches again, and then he used his influence to get the people in my district to join the Mau. When I spoke to him I said, "I went and got your mouth opened by the Government, and now you go and use that mouth to mislead the people of my district."

Namulau'ulu was present at the time, and he said that the language used by you was calculated to cause trouble?—No, there was no language calculated to cause a disturbance—everything was quite peaceful.

Another charge which this man made against you was that you stopped the usual meetings of the village to which the village had been accustomed?—I deny that. I said that, as there were three *fonos*—namely, the Fono of Faipules, the District Council, and the Village Committee—I could not have any other *fonos* that were not conducted by Government officials.

The sixth charge that he accuses you of is that you said if anybody charges you with a fault then that family will be banished from their village?—I did not say anything of the sort.

Judge MacCormick: Mr. Baxter said that there was no occasion to worry about that. If he does not worry about it I do not see that there is any reason for you doing so, Mr. McCarthy.

Mr. McCarthy: Very well, sir. (To witness:) He also accuses you of having shown favouritism by giving your friends positions?—No, I have not used my influence in having any Government official appointed, either friends or relations. The chiefs of high standing have been getting the appointments.

Then, he has made another charge against you in connection with the building of a house for the London Missionary Society pastor: he said that you stopped payment for the work; that the supporters wished to pay the builders, but you would not allow them; that the chiefs replied saying that they wished to pay, but you used insulting words in reply?—I have a long explanation about that matter. I did not stop the payment to the builders. I merely told them that they were to pay their existing debt, which was a burden on the village at the time, and that that debt should be paid first. I merely wanted the village to pay their debt first before paying the builders.

What debt did they owe?—There was a debt owing by my village to the Mann estate. Mann committed suicide on account of a large number of debts that were due to him by the people in my village.

Is it not right that you told these people to pay their debt to the Mann estate before they paid the builders?—Yes.

It was Leilua Avau who replied to you on that occasion?—Yes. He replied by saying that the builder should be paid first, and then the other debt should be paid afterwards.

And he said that you replied by using strong and abusive language against him?—I said, "You have no debt—do not talk; you keep quiet."

He alleges that because he replied to you he was banished?—That is not so.

With respect to "fine mat" *malagas*—is there a law relating to that?—There has been a law passed, or a resolution, to the effect that that matter would be looked into in a few years' time.

Do you think that the "fine mat" *malaga* is a good thing or a bad thing for the Samoans?—It is not a good thing for big villages to go on *malagas* for "fine mats," because they eat out the food of other villages and then come back to their own villages and find that they are short of food by reason of their being away for a good many months and not attending to their plantations.

Can you inform the Commission if there is any old Samoan custom relating to banishments?—Yes, there is an old Samoan custom of banishing people.

Can you tell the Commission as shortly as you can how you understood it—that is, how they banished a man?—If a man got overconceited or overbearing they would drive him away, burn his house, kill all his animals, and uproot his plants.

Do you know the present law regarding banishments?—Yes.

Is it useful or not to have that law?—It is a useful law, in my opinion.

It has been said that the Samoans should have representation on the Legislative Council: what have you to say in regard to that, as compared with the present Fono of Faipules?—I do not agree with any amalgamation of the Fono of Faipules and the Legislative Council.

Do you agree with Samoan representation on the Legislative Council?—No.

How does the present system that is in vogue in Samoa—namely, the Fono of Faipules, District Councils, &c.—compare with the *fa'a-Samoa* system: does the present system offend against the old Samoan way of doing things?—The present systems are very good.

It has been suggested that the Faipules are puppets of the Administrator, and that they carry out in their Fono of Faipules what the Administrator wishes?—That is not so.

Do you wish to make any remarks about the procedure at the Fono?—The Administrator and the Faipules discuss and consider various questions which they consider beneficial to Samoa, and resolutions are passed, but there is no law made.

Are you free to express yourselves as you wish?—Yes, very often there are very strong arguments between the Administrator and the Faipules.

Are you satisfied with New Zealand control of Samoa?—I am absolutely satisfied.

Was there any unrest or dissatisfaction in existence in Samoa prior to October, 1926, that you are aware of?—I did not notice any unrest until October of last year.

Have you got many people belonging to the Mau in your district?—Yes.

Could you say, as near as you could, how many are there in comparison with the supporters of the Government?—In my district they are equally divided—that is, half of them are in the Mau and the other half is supporting the Government.

When did these people join the Mau?—I cannot remember, but they started to turn to the Mau in December last.

Can you tell me what the effect of the Mau has been in your district, particularly with regard to the plantations and Government activities?—Since the people of my district joined the Mau the plantations have been neglected and overgrown with weeds. The beetle has done very considerable damage. Particulars of births and deaths have not been reported to the Fa'amasino in accordance with the law. The people in the Mau would not accept service or summonses from the Fa'amasino, and they refuse to pay the fines inflicted by the Fa'amasino and the *pulenu'u*. The benefits that the Fa'asaleaga district were enjoying are all being wiped out since the Mau started.

Can you tell the Commission whether it has had any effect on the child-welfare work that was being done in your district?—Yes, it has affected the welfare work of the children.

I want you to tell the Commission as briefly as you can what a *matai* is, and how a *matai* is selected or appointed?—In some cases the holder of the title may will the title to any member of the family, so that when he dies his nominee will succeed the title. In other cases the family might select a suitable person to be the head of the family.

Which is the usual way or the more common way?—At the present time the majority of the heads of the family are selected by the family. In former times, as I have said, there were cases where the title was willed.

Is the *matai* a chief?—All chiefs and orators are *matais*.

Could a man be a chief or an orator and not be a *matai*?—No, every one of them must be a *matai*.

If a *matai* is banished what happens to his land?—If a chief is banished his family and relatives attend to his plantations and his land.

When he gets back does he have the right of that land again?—When he returns and lives in his family place he has control of his plantations and land.

That is, if he has his title given back?—Yes.

If he goes back and his title is not given back, does he still possess a share in the land?—If there is another *matai* elected in the meantime, then he must submit to the authority of that *matai*.

Would he not be deprived of his ordinary rights of the Samoans to share in the produce from the land?—He would have the right that is allowed to members of the family.

The Chairman: He informed us that if he was banished and another *matai* was appointed, then that *matai* would exercise the *pule* for the *matai* land; but supposing the family elected not to appoint another *matai* in his place, what would happen?

Mr. McCarthy: I understood him to say that he would go back and have a *pule* over the land.

The Chairman: I did not understand him to say that.

Mr. McCarthy: I understood that he would have his share in the land as an individual member.

The Chairman: I am sorry, but in case we have misunderstood the matter would you please put the question again.

Mr. McCarthy.] After banishment and there is no *matai* appointed to the title, and the banishee returns, what position does he hold in regard to the land which he held before?—If there is nobody elected to be the head of the family in the meantime he assumes his position as *matai* and controls the family land on his return.

The Chairman: Then you say that it requires not only banishment but the substitution of another person as a *matai* to deprive the person who is banished of the *pule* to the *matai* land.

Mr. McCarthy: That is the position.

The Chairman: Is every *matai* a chief?

Mr. McCarthy: They would be chiefs or orators.

The Chairman: Either one or the other?

Mr. McCarthy: *Matai* covers both.

Judge MacCormick: There is still the question of what happens when the man comes back and finds his place taken by another *matai*.

Mr. McCarthy: He takes his ordinary share in the communal land. (To witness:) If a man is banished from Upolu to Savai'i, how does he get on in Savai'i for food—is he under any hardship?—It is customary to banish a chief, say, from Upolu to the part of Savai'i where he has relatives to find him with the necessaries of life.

The Chairman: He is entitled from his relatives to his maintenance during the period he is banished?—Yes, and he would immediately start to make a plantation for himself and help the family.

All this is a matter of right and not of grace?—Yes, a matter of right.

Mr. McCarthy: I want to have this read to you with respect to the question of the *kava* title, and tell the Commission what the Samoans would understand by the last paragraph [the same passage as read to previous witnesses from the *Samoa Guardian* of 14th July, 1927, with respect to *kava* titles]?—If anybody sensible read that passage they would immediately think that the person who has that *kava* title wanted to be Governor.

Mr. Slipper: The Fono of Faipules is what may be termed the House of Representatives?—Yes.

And therefore each Faipule ought to be elected by his people, should he not?—Yes.

How were you elected?—I was selected by the people of my district.

Was there a full meeting of the people?—Yes, a full meeting.

Has there been any representative *fono* to see whether you should continue in the position or not?—No, they have been satisfied with me up to the present time.

I suppose if they had not been satisfied with you they would have made complaints against you?—Yes.

Am I not right in saying that complaints have been made against the Faipules with respect to banishments and the loss of titles?—No.

Do you remember Suisala being appointed a Faipule?—I do not remember.

You receive pay in your position of Faipule, do you not?—Yes.

How much do you receive?—£10 a quarter.

Do you receive any further payments or emoluments?—No, that is all my salary.

You spoke about the question of no meetings being held except those under Government control?—Yes.

Is there any law from preventing people holding other meetings?—

The Chairman: I did not understand him to say that—I understood the witness to say that he prohibited meetings which were not presided over or held before some Government official, except the recognized official *fonos*. I do not know whether I am right or wrong, but the answer of the witness was very ambiguous, and I remember quite distinctly my learned colleague, Judge MacCormick, at the time ask him exactly what he prohibited. (To witness:) What did you do?—I urged the people not to hold secret meetings, which were bad for the people, but to hold only the recognized meetings.

Mr. Slipper: Was there anything particularly wrong about the meetings which you stopped?—Yes. When they hold secret meetings like that they are planning to injure somebody.

You really do not know that, do you?—I suspected that, because that is the usual thing with Samoans when they hold secret meetings—that is, to do some harm.

Was this a secret meeting?—Yes, there were secret meetings held at night.

How did you come to know whether or not they were secret meetings?—The matter was reported to me in Samoan fashion.

This meeting that you stopped, do you know what it was about?—It was mentioned at that meeting that they would depart from the proper lawful paths, and that is why I stopped it.

What lawful paths do you mean?—They were going to ignore the authority and orders of the Faipule and the *pulemu'u*.

Who was the chairman of the meeting?—I was not informed.

You ought to have been, should you not?—Yes. The *pulemu'u* or myself as Faipule should have been there.

In that case would you have objected?—I would have been quite agreeable to it.

Referring to the question of the builder's debt—was that not a just debt?—Yes.

What was the money collected for—that is, the money that was in hand at that time?—That was the money subscribed for the pastor's house.

Then was it not a right thing to pay that money to the builder instead of giving it to the Mann estate?—It was a very long standing debt so far as the Mann estate was concerned, and Mrs. Mann continually complained to me that it was because of that large debt by my village that she lost her husband.

So you took the money that was collected for the building and paid it to the Mann estate. Mrs. Mann is a friend of your people, is she not?—She is related to me.

In fact, one of her daughters is your *taupou*?—Yes.

With regard to "fine mat" *malagas*—have you ever known of anybody being punished for not obeying the resolutions concerning the "fine mat" *malagas*?—I do not know.

Perhaps I can help you to remember. Was not Moananu fined for a breach of that resolution?—He was not punished, but he was dismissed from his office as Fa'amasino. As he was a Government official he should have set a good example. If he does not set a good example, then it is useless to have him in a Government position.

Judge MacCormick : I do not think Moanamu himself said that. He ought to know. He said that he was dismissed.

Mr. Slipper.] Do you know whether or not Lauifata was punished for the same thing?—No, he was dismissed from office, that was all.

And Lauifata was in the same position, was he not?—Yes, the same circumstances.

These resolutions were to be tried for three years, were they not?—Yes.

Now that the three years are passed are they still in existence?—It has not been passed as law—it is still under consideration and being decided.

You are familiar with these two books, are you not [book of Fono regulations and duties of officials handed to witness]?—Yes.

Do you say that they are not law?—No. When it is required to pass a law the Faipules discuss and consider the matter, and then it is referred to the Parliament of New Zealand to pass an Order in Council to be made law.

Has any one been forced to obey these regulations, as you call them?—No, they would be just a circular.

Is there not a resolution about “fine mat” *malagas* in one of those books?—Yes, it is mentioned in one of them.

Is there any other resolution or rule about “fine mats” except what is in these books [produced]?—There is nothing else except what is contained in those books.

These three men were dismissed from their positions because they disobeyed a thing that was not law: is that what you say?—Because they were Government officials and did not recognize the instructions.

Judge MacCormick : I must remind you, Mr. Slipper, that the Commission has expressed its very decided opinion on this point.

Mr. Slipper : I am very glad to be told that, because that happened, no doubt, when I was not present in Court.

Judge MacCormick : Both the Chairman and myself said that if a Government official is not prepared to obey the instructions of his employer, the Government, then there are two courses open to him: one is to obey and the other is to go, no matter whether the Government is right or not.

Mr. Slipper : That is so.

Judge MacCormick : No matter what this witness has said, the Commission has made a ruling on that point. You understand, Mr. Slipper, that that applies strictly to the Government service only.

Mr. Slipper : I quite understand that. (To witness:) Referring to the old Samoan custom of banishments: I put it to you that in the old Samoan days banishments were very rare?—That is so.

Could you give the Commission any idea as to the average number of banishments there were in the one year?—I cannot say.

Can you give the Commission any idea at all?—No, I cannot.

Would you expect to find as many as ten a year?—No, I do not know.

Did the old *fa'a-Samoa* custom embrace the idea of taking away titles?—Yes.

Was that a common custom?—It was very rare: it was only when a person committed a bad offence.

In those times was there not a thorough investigation into the whole thing before steps were taken?—Yes, the matter was inquired into by the village.

And I take that everybody that knew anything about it or had anything to say about it said it?—Yes.

Now, you spoke of some banishments where the banished person's stock was killed and his houses were burnt down?—Yes.

How many instances can you give of where banishments were so harsh as that?—

The Chairman (to witness:) You need not answer that. That is historical, and therefore you can have no personal experience of them under any circumstances.

Mr. Slipper.] Speaking of the Legislative Council, were you one of those who recommended that Samoans should be on that Council?—No.

Where are the laws of Samoa made?—They are made in New Zealand.

Are not any made by the Legislative Council in Samoa?—Yes, the Legislative Council makes laws.

And do not a number of those laws directly affect the Samoans?—Yes.

You have told us that owing to the activities of the Mau the people belonging to the Mau have been neglecting their plantations in a very bad way?—That is so.

We have been told—not by you but by others—that nine out of ten people in Samoa are in the Mau?—

The Chairman : We did not hear that from any witness except Mr. Nelson—he was the only person who said that.

Mr. Slipper : But it was supported by a number of witnesses.

The Chairman : You are rather misstating the evidence to the witness. It does not matter whether it is 90 per cent. so long as there is a substantial number belonging to the Mau.

Mr. Slipper.] Do you think that the larger proportion of the plantations is owned by the people in the Mau?—Yes.

Can you tell us whether the copra-output has decreased to any appreciable extent since the Mau started?—Yes.

Have you any figures to support that statement?—No.

How do you know, then?—I judged from what I have seen in my own district, because I see the amount of copra that is produced.

Have you any check or record of it?—No.

Have you ever known of a case of a *matai* losing his title and being banished and then going home to find another man having been appointed a *matai* in his place?—No.

Did you sign the petition in 1921—that is, the petition to take Samoa away from New Zealand?—Yes, I signed that petition.

Do you remember after the epidemic the suggestion for an agricultural show?—Yes.

And you ordered every Samoan Government official to contribute to the building of the house at Mulinu'u either in cash or in kind?—No.

Do you remember that Sakaria was banished to Iva?—Yes.

Did you recommend that?—Yes.

Was that not after your own son had maltreated him?—Those boys are all under my control in the family, and Sakaria himself was under my control.

Did you banish him or did the Administrator banish him?—Two of the heads of one family—namely, Leilua and myself—decided to have this boy removed from the family.

Is it not the law that nobody but the Administrator can send a Samoan to another place?—I reported him to the Governor and stated that the heads of the family desired that to be done. I had the authority over the family, and the Governor agreed with the recommendation of the heads of the family.

Did you write an order to that effect?—No.

For how long did you banish Sakaria?—For about a month.

Did you state at Fogapoa that Pasia and Mafuloo would be deported from Samoa for not obeying the Faipules to leave the Mau?—No.

Mr. McCarthy.] You said that you received £10 a quarter in salary and that you received no other payment?—Yes.

Do you not get travelling-allowance when you attend a Fono?—Yes.

You referred to the secret meetings and you said that they would have been all right if you had attended them: if that were so, would they be constitutional or not?—Yes, then it would be a constitutional method.

You also referred to these laws and said that they are not laws [book shown to witness]: are not some of these Samoan Acts and Ordinances which are in these books?—I expect there are some laws in the books, but they are mostly regulations.

This book [produced] contains the duties of officials and official Councils?—Yes.

You have been asked about the 1921 petition: what was one of the main reasons for that petition being signed?—Because the Fono of Faipules was not embodied in the Samoa Act.

Where did you sign that petition?—I signed it at Mulinu'u.

Do you know who drafted that petition?—That was drafted outside—Europeans had something to do with that petition.

Do you know of any of the advisors with regard to that petition?—No, I have only heard.

In connection with the case of Sakaria, how old was he at the time?—I sent him away to another branch of the family. As head of the family I had power to send boys under my control to another branch of the family. The boy was then a little over twenty years old.

When was this?—Last year.

Was it an ordinary banishment, or was it just purely a family matter?—No, he would be sent away by the parents—it would not be called banishment.

The Chairman.] Can you tell me whether a chief has any *pule* over any lands apart from his *pule* as *matai*?—No, he only controls the family land as *matai*.

So that in the general case no lands are attached to his office of chief apart from the office of *matai*?—That is only his office as chief and *matai*.

I want to ask you a question or two about Village Councils or Village Committees *fa'a-Samoa*: what was the body called which controlled the villages *fa'a-Samoa*?—They would be called the Ali'i and Faipules.

Supposing a man proved violent or objectionable to the village families without committing any serious offence, would the village settlement have power to tell him to depart from the village?—Yes.

Would they call that *fa'a-Samoa* banishment?—Yes.

MALUPO SWORN and examined.

Mr. McCarthy.] You are the Faipule for the district of Palauli, are you not?—Yes. That is a subdistrict. The district is Itu-o-teine.

What is your rank *fa'a-Samoa*?—A chief.

Before you were a Faipule did you hold any other Government appointment?—I was a *pulenu'u*.

You were appointed a Faipule in Colonel Tate's time in 1916, were you not?—Yes.

Was there any objection raised at that time, or afterwards, regarding your appointment?—There was no objection at all.

The Chairman.] Is it the usual practice to promote the *pulenu'u* if he is a suitable man—that is, to the vacancy of Faipule?—It is customary to do so.

How did you come to be chosen as Faipule—was it by Colonel Tate?—I was selected by the Faipules as the representative of the Samoans.

Mr. McCarthy.] In giving evidence in Apia a number of allegations have been made against you—one was made by Fiu Tuipala?—Yes.

His complaint against you is in regard to the Faipule school, and that you gave notice to the whole of the Palauli district that each *matai* should pay 4s. in order that the builder of the schoolhouse could be paid?—That is so.

What happened?—They subscribed, and the money was paid to the builder.

He said that the builder only received a very small amount, and that you did not account for all the money?—I had no opportunity of holding a meeting to announce to the people of the district what had become of the money. I collected some of the money and waited for further contributions, but as I did not get any further contributions I paid what I had to the builders, and they were quite satisfied with what they received.

Did you hear of any complaints from the builders?—No, they were quite satisfied.

The second complaint is with regard to Samoan mats for floors. The Faipule gave notice to the people of Vaito'omuli to supply mats for the Fono house at Mulinu'u; those mats were supplied under great strain, and there has been no payment made, and nothing has been heard from the Faipule?—I asked the *pulenu'u* to get some mats for the Fono house at Mulinu'u. That was not a contract, and they were to be provided by the people of my district by way of presents.

The Chairman.] The charge was that you probably got paid, but that you kept the money yourself?—I did not receive anything.

Mr. McCarthy.] The third charge against you is that you have punished *pulenu'us* because they did not give donations to the museum, and that they were fined 10s.: will you explain that?—The Faipules contributed the sum of £1, the *pulenu'us*, Fa'amasino, and *pulenu'us* and other officials paid 10s. each in payment of the museum building.

How much did you pay yourself?—The sum of £1. As I said, the Faipules contributed £1 each.

The point is, did you fine anybody because they did not subscribe?—No, they contributed their share.

Then Fiu Tuipala complains that he was a Land Commissioner, and now he does not get paid because you have taken the matter of his work in hand?—I have never done Land Title Commissioner's work.

Then, Seumanu complains that you interfered with the *pulefa'atoaga's* work and that you inspected the plantations yourself?—I did not interfere with the *pulefa'atoaga's* duty.

Would it be outside your own province if you did inspect the plantations?—There was only one occasion when I inspected the plantations of the people of Vailoa. It was not a *pulefa'atoaga's* inspection; it was a Faipule inspection.

It was further said that you interfered with the duties of Fa'amasino, and that you inquired into the case of Faumuina and Silofau?—That was not a trial—it was an endeavour by myself to reconcile the parties.

Then he said that you interfered with the authority of the Ali'i and the Faipule?—I have not done that.

There are also a number of complaints made against you by Autagavaia, and he stated that you showed too much authority?—I have not done that.

And wanted to take his title away?—No; but I tried to get him the title.

And that you held an inquiry or something in regard to a headdress?—That was a trouble in which I tried to reconcile those concerned.

You tried to make a reconciliation of the parties concerned?—Yes, I endeavoured to reconcile those two parties.

He also said that you frightened the people in the District Councils?—I have not intimidated the Councils.

He also said that you have mentioned, in cases where any one says anything at all that does not suit you, "You must hold the peace, and when the Faipule is angry the law is angry too"?—I do not think so.

The question was raised regarding the "fine mat" *malagas*. Do you understand the position fully with regard to the resolutions made by the Fono of Faipule—what is it?—Yes; large *malagas* have been stopped on account of the wastage.

Is that a law or a recommendaton of the Fono?—Merely a resolution of the Fono.

Is the "fine mat" *malaga* in your opinion a good thing for Samoans?—It is a bad thing.

A lot has been said about the banishments of Samoans: is there such a custom among the Samoans?—It is an old Samoan custom.

Do you know the present law regarding banishments?—Yes.

Do you agree or disagree with it?—Yes, I agree.

Do you know the Legislative Council which sits in Apia?—Yes.

How do you compare that with the Fono of Faipule?—The Fono of Faipule is quite different from the Legislative Council.

Do you want representation on the Legislative Council?—I do not suggest that.

Do you think that the Fono of Faipule is the proper thing for the Samoans or not?—It is the best for the Samoans.

It has been suggested that the Faipules in the Fono of Faipule are dominated by the Administrator, in that they follow everything that he says: do you agree with that?—We deliberate together with the Administrator on any matter brought before the Fono.

Does he force you to do things you do not want to do?—If we do not agree we argue with him.

The present constitution, then, of the District Council and Fono of Faipule: does that differ very much from the old *fa'a-Samoa* system of Village Councils and District Councils?—It is not very different; it is very similar.

This control instituted by New Zealand—what do you say about it, as to how it acts in Samoa. How is the New Zealand administration of Samoa?—Good.

Prior to October, 1926, do you know of any unrest or dissatisfaction amongst the Samoans?—I did not hear of any dissatisfaction with the New Zealand Government.

Are there many Mau people in your district?—Yes.

Compared with Government supporters?—My whole district turned to the Mau.

When did it join the Mau?—Last November.

Can you tell me the effect the Mau had on your district in regard to plantations and Government activities?—Different matters are not being attended to, and they are neglecting the plantations.

You have heard the evidence of Leilua regarding the explanation about *matais* and *tulafales*?—Yes.

Do you agree or disagree?—I agree with him.

Do you remember the Native petition of 1921?—Yes.

Where did you sign it?—Mulinu'u.

Who drew that petition?—I do not know, but it was drawn up by a European.

Tell me what you understand about the position regarding the *kava* title as stated in the *Samoa Guardian* of the 14th July, 1927 [article read out to witness]?—The people would think that Nelson is the Administrator.

Mr. Slipper.] Referring to the question of the money which you are accused of not paying respecting a building—when was it you handled the money, and what money did you handle?—I cannot remember now.

Do you remember what year?—No.

Do you remember how much money you handled?—£3 10s. was sent the first time. I distributed £6 in satisfaction.

Have you kept any written account?—No; I just distributed it amongst the builders.

Have you any receipts?—No.

You say they were quite satisfied?—Yes.

Would you like them to come forward before the Court and say they are?—Yes; if they complain that they are dissatisfied, let them come and make a statement. I am not going to send for them.

You say that large *malaga* parties should be stopped?—Yes.

Did you stop any?—My district has not had *malagas* of that kind.

Is there any authority in law for stopping *malagas*?—There is an order.

Is that a law or not a law?—No, only an order to stop any big *malaga* parties.

Have you always thought that *malaga* parties were bad things?—Yes, I saw it was a bad thing.

Before you were a Faipule?—Yes.

Was it you who brought the question up at the Fono of Faipules?—Yes.

The records of the meeting will show that, will they?—Yes, it will be in the minutes of the meeting.

You say that *malagas* cause waste as regards food. What do you think of this complaint of one person who says that there are Women's Village Committees, Men's Village Committees, District Council Committees, *puleni'us* and Faipules, and various inspectors, and they periodically in turn visit the villages, and that when they do, *fa'a-Samoa* they expect considerable quantities will be supplied to them and their retinue: Do you or not consider that is as wasteful as an occasional "fine mat" *malaga*?—Only Government officials provide food for *malagas* of that kind.

You say that you did not know of any dissatisfaction before the end of 1926?—Yes.

Were not a number of people dissatisfied with the banishments made before that?—They were banished because they committed some offence.

Did you never hear of a lot of people being dissatisfied with that state of affairs?—No, I did not hear anything about dissatisfaction; nobody complained of any discontent.

You say your whole district turned to the Mau?—Yes.

When was that?—In December.

Can you tell us why?—They were misled by some.

You know that before December a number of people in Samoa had grievances to put before the Minister?—I did not know.

Can you tell me whether during the last year the copra-production has gone down?—It has decreased.

Have you got the figures to prove that?—I did not note it.

Are you certain or are you guessing?—From what I have seen.

And what have you seen?—I have been accustomed to seeing copra produced every day, but recently people have been going to the Mau and they are not cutting copra.

Is it possible under the present arrangements of inspectors, *puleni'us*, and Village Committees for a man to be punished more than once for the same offence?—No.

Mr. McCarthy.] You say that you did not know that there were grievances to be put before the Minister: were you not in Apia at the end of October?—Yes.

MALA'ITAI sworn and examined.

Mr. McCarthy.] What district are you Faipule of?—Gagaifomanga.

What is your rank amongst Samoans?—Chief.

After your appointment as Faipule was there any objection raised by your district?—No.

Was there anything special done by the district to celebrate your appointment?—Yes; there was a presentation of food to celebrate the occasion.

Who took part in that?—The district.

Judge MacCormick.] When was it?—The 1st September, 1919, under Colonel Logan.

Mr. McCarthy.] Had you any previous experience as a Government official prior to your appointment as Faipule?—I was a *pulenu'u* before that.

In Apia, when giving evidence, Tu'u Matavai made a number of complaints: the first was that there was no *fono* of your district prior to your appointment?—I was appointed by the Fono of Faipules.

The next complaint was that you failed to place matters before the Fono of Faipules in 1926—“fine mat” and medical tax matters?—There were no remits to go before the Administrator and the Fono from me.

You say that you have produced every remit from the District Council?—Yes.

He said that the district asked for a bridge across a river in your village?—I went to the Engineer in Charge of the Public Works about that matter.

Did you report it more than once?—I have written to the Resident Commissioner two or three times about it.

You have heard the evidence of Leilua and Malupo on general matters, such as “fine mats”; banishments; Legislative Council; intimidation by the Administrator; the present system of government as compared with *fa'a-Samoa*; what their idea is about the Administration of Samoa by New Zealand, and the position with regard to the Native unrest prior to October, 1926, and the effect of the Mau; and the question of the *kava* title: are there any points in which you differ from them?—I agree with them on all.

Are there many people of the Mau in your district?—All are in the Mau.

When did they join?—In October, 1926.

Mr. Slipper.] Did you request your people to contribute to a hospital in Safotu?—Yes.

Did your village contribute £5, and was not Tu'u Matavai the secretary for the fund?—He was secretary from the District Council.

Did he not once ask you what had become of that £5?—No.

Tu'u Matavai says that he asked you what had become of the £5 and you said that some had been loaned to yourself and a portion to others?—I did not discuss it with Tu'u Matavai at all.

Did you arrange with some of your people to build a schoolhouse in the district?—Yes, and it was built.

Were the builders ever paid for it?—No.

Should they not have been?—It was proper that they should have been paid, but there were no arrangements as to payment.

Is that a Government school?—Yes.

Do you remember one time, through heavy rains, time was asked for collection of poll-tax?—I cannot remember that time.

When you were appointed Faipule were you elected by your people?—No.

Just appointed by the Administrator?—By the Fono of Faipule.

After you were appointed has it ever been referred to the people to see whether they want you to stay on further?—No.

You say that you have heard the evidence of Leilua and Malupo on “fine mats,” &c., and other general questions?—Yes.

When did you hear their evidence?—To-day.

Were you in Court this morning?—Yes.

You say that all your people turned to the Mau?—Yes.

Do you know why?—Because they were dissatisfied.

TAPUSOA sworn and examined.

Mr. McCarthy.] You are Faipule for Safotu?—Yes.

When were you appointed Faipule?—1st September, 1919.

Before you were a Faipule did you hold any other Government position?—I was a *pulenu'u*.

How did you come to get appointed as Faipule—whom did you succeed?—I succeeded Utumapu. There was another man succeeded Utumapu, but he did not remain in office long.

Were you selected or elected?—I was elected by my district.

Have you ever had any objection raised against your appointment?—I have never heard of any objection. To prove that they were satisfied with me they made the usual presentation of food.

Where was that made?—At Mulinu'u.

How many people joined in that?—The whole district.

Seuamuli Iosefa made complaints against you at the Royal Commission in Apia. He complained that when a case was being heard before the Resident Commissioner you were heard to say, “Send him to gaol.” Do you remember anything about that?—I do not remember seeing him in Court, and I do not remember making any remark of that kind.

Another complaint was made by Tu'u that you issued instructions that land was to be divided up?—That is correct. That is in accordance with the resolution of the Faipule Fono, that a Faipule goes and talks with the district as to what would be the best for the district—but it was not a law, it was just a suggestion to be considered if it was for the benefit of the Samoans.

When you made the suggestion to your district, how did they take it?—They were quite agreeable to it, and the committees of various villages divided it up for themselves on their own account.

Tu'u also complained that you failed to put district matters before the Fono of Faipule, such as “fine mats,” taking away of titles, medical taxes: is that true?—I placed all these matters before the Fono.

Lavea complained against you that there was no *fono* prior to your election, the Ali'i and Faipule not being consulted?—I have mentioned already how I was elected. First of all I was selected by the village as *puleni'u*, and afterwards selected by the District Council to be Faipule in 1919.

Who was Faipule in your district in the German times?—Tapusoa, my predecessor.

You succeeded to the title?—He had the title when he was still alive. He was Faipule up to the time of the occupation.

Were you in Court to-day, and did you hear the evidence of Malupo and Leilua?—Yes.

Did you hear them speak on general matters?—Yes.

Do you agree or disagree with what they said?—I agree in all respects.

Tell me what dissatisfaction there was in your district prior to 1926, if any?—I did not hear of any discontent before October. It was started with circulars. When the people read the circulars they went to the Mau.

Do you remember the Native petition of 1921 to the King?—Yes.

Can you tell us anything about that?—The petition was on account of dissatisfaction with the New Zealand Government through the epidemic being allowed to come to Samoa in Colonel Logan's time.

Can you tell us anything more about it?—The reason for that petition was that the Faipule did not have a proper say in the Fono of Faipule.

They were not provided for?—They were not at liberty to discuss matters freely at the Fono.

Do you know who drafted that petition?—I cannot remember.

You have heard the evidence of Leilua and Malupo with regard to *matai* and their *pule* regarding land?—Yes, the *matai* controls the family land.

Did you hear the evidence of Leilua with regard to that?—I do not remember exactly what the evidence was.

Mr. Slipper.] Was there any *fono* of any sort electing you Faipule before you were appointed?—Yes.

What *fono* was it? The representatives of the Samoans, the Faipule, and the Administrator.

Is that the old Samoan custom—were Faipule appointed by Faipule in the old days, or were they appointed by the district?—Yes, that was the old custom.

Is that being done now? Was it done in your case?—Yes, I was selected by the Fono of Faipule to represent the district.

And how long after was it that you had this gift of food?—I cannot remember now.

Was it getting along towards the time this petition was being arranged to the King?—Some time apart from that time.

Has there been any election for a Faipule in your district since your appointment?—There is dissatisfaction now on account of the trouble.

You told us that your people turned to the Mau on account of circulars that came to Savai'i?—Yes.

Did the greater part of your people turn?—Yes.

There was no Mau to join before that, was there?—No.

Did you read the circular yourself?—No, they avoided showing those letters to the Faipule.

Did you try to get hold of a copy?—I tried hard.

Whom did you ask for a copy?—I asked those people in the Mau, and also the traders, to let me see it, but they did not show me.

Name one person that you asked?—Timu; and I also asked Duffy, but he said that he had no paper.

Referring to the trial of Tu'u Fa'atupua, Soalo Tini, and Pepe Iere: they were tried together before the Faipule?—The Resident Commissioner appointed Malaitai and myself to inquire into that.

Can you tell me whether any charges were made against these men at that hearing?—Yes.

Do you remember what the charges were?—They were charged with insulting Laupue—using insulting language.

Anything else?—Only insulting words.

You are quite clear that that was what they was charged with?—Yes, and that they had called a meeting of the village.

And that was all they were charged with?—Other matters regarding the relationship between them and Laupue.

Do you know whether any notice was given to these men about these things beforehand?—Yes, they received notices.

Were they not merely notices to attend?—It was not a trial. Malaitai, two *puleni'us*, and myself were ordered to hold an inquiry.

Have you seen those notices?—I did not see any summons. We were instructed to sit at Safune.

Do you know whether this matter came before the Resident Commissioner before it came before you?—I do not know.

Do you remember who was there to give evidence on behalf of the defendants?—There were no witnesses for the defendants.

Was not Soalo Taanuu there giving evidence for the defendants?—He did not give evidence.

Were there any witnesses called against these men?—Yes.

Who were they?—Tu'u Lemana: that is all I can remember.

Did you suggest any way to Tu'u to settle this trouble?—Yes, I told him how to settle this trouble.

Did you not ask him to settle the trouble by kneeling down to you?—No. I suggested that he should apologize to Laupue for what wrong he had done.

Mr. McCarthy.] Who is Mr. Duffy?—A trader for Nelson and Co.

SU'A MUI sworn and examined.

Mr. McCarthy.] You are the Faipule for the district of Amoa, in the Fa'asaleleaga district?—Yes. When were you appointed Faipule?—On the 1st July, 1925.

Before that time what Government positions did you hold?—I was a Fa'amasino.

After your appointment was there any objection lodged against you as being the Faipule?—There was no single objection; all were agreeable to my appointment.

In giving evidence in Apia, Tofa made a number of complaints regarding you: the first was that no *fono* was held prior to your being given the appointment of Faipule?—I was selected by the people of the district.

Who was the highest official in the district of Fa'asaleleaga at that time?—Su'a Mui.

Tofa also said that you told him that you said that you were going to dismiss the *pulenu'u*?—I do not know anything about any *pulenu'u* I wanted dismissed.

He further said that he presented points to you for the Fono of Faipule and that he has had no reply concerning these matters?—I do not know of any remits that I have not put before the Fono.

Also that you did not bring up a remit that the Governor must not have authority over the titles of chiefs?—That was not a matter brought up by the district.

He said that you intimidated the people?—No, I have not intimidated any one. I have only tried to make matters clear.

He further said that you had given out that if any one does wrong that you will take away his title and put him in gaol?—I do not know anything about that.

And that you warned Tofa that if he went to the Mau he would be transported to a distant land?—I only asked him not to join the Mau, and to continue to support the Government.

Have you been in Court to-day, and did you hear the evidence of Leilua and Malupo?—Yes.

Do you agree or disagree regarding general matters such as "fine mats," Legislative Council, medical tax?—Yes, I agree.

Do you know of any dissatisfaction existing in your district prior to October, 1926?—I do not know of any dissatisfaction in my district.

Is the effect of the Mau noticeable in your district?—It is being spoiled by the refusal to obey the Government orders.

Did you hear Leilua's evidence regarding *matai* and his *pule* over the land?—Yes.

Is that a correct statement of the position that you heard?—Yes.

Do you agree with that statement?—Yes, that is my opinion, that the *matai* controls the family land.

Mr. Slipper.] Would you like to see the control of the *matai* over family lands done away with?—No, I do not want to see that.

Is there any record of the meeting at which you were elected Faipule?—I do not know.

This Tofa, you will remember, was the one man appointed to speak for the thirty-three districts of Samoa?—I do not know.

Do you know Matafeo?—Yes.

He is a straight, trusty man, is he not?—Yes.

And is not Tofa Tamapuleni a straight man?—Not quite straight.

SUA LATU sworn and examined.

Mr. McCarthy.] You are Faipule for what district?—Part of Fa'asaleleaga district.

What is your rank among the Samoans?—A chief.

Before you were appointed a Faipule did you hold any other Government position?—I was a *pulenu'u* first, and then I was promoted to Fa'amasino, then to Faipule.

Do you remember the year that you were appointed Faipule?—1st August, 1924.

Before your appointment was there any objection lodged by the District Council against you?—No.

Has there been any objection since?—No, none at all.

The whole of the district agreed to your appointment?—Yes.

In giving evidence before the Royal Commission a Samoan named Lilomaiva Tupua made a number of complaints against you. The first was that there was no election and no discussion prior to your appointment?—That is not so; the district had decided.

The next was that you said that certain property in the district would be opened up to anybody who wished to use it?—That is not so; every person uses his own land.

He also said that you forcibly ordered families to appoint a *matai* where the *matai* had been banished: he mentioned the case of Matamua Tololi?—That also is a mistake.

He also said that you prevented the holding of *fonos* in your district?—No; what I want is that I would like the people to have District Council and Village Committee meetings.

He also said that you had set up a committee and had later broken this committee up?—No.

Matamua had his title taken away, did he?—Yes.

He further said that Matamua got his title back because you were given presents of land and horses?—That is not true. It was the wish of the people. The Faipule has nothing to do with titles; the family controls that.

He also said that you were very difficult of hearing?—I can hear the interpreter speaking to me; I can also hear the Administrator at the Fono.

Did you hear the evidence of Leilua and Malupo to-day?—Yes.

Did you hear what he said about "fine mat" *malagas*?—Yes.

Will you tell us the effect of what Leilua said with regard to "fine mats," about the *malaga*, and the position regarding the law?—The old Samoan custom is that when they go on a *malaga* they take a long time getting back. They all stop at every village on the Island of Upolu, and on their way back to Fa'asaleleaga they call at Apolima, and take three months getting back home.

I want you to tell me what was the effect of what you heard that Leilua said?—I have forgotten what Leilua said.

Is there any settled law dealing with "fine mats"?—No.

What is the position?—The Administrator and the Faipule resolved to stop "fine mat" *malagas* for a period of three years, to try it out and to see whether it was advantageous or not.

Has that resolution or trial been made into a law yet?—No.

Do you know of any Native unrest or dissatisfaction in your district prior to 1926?—No.

When did the dissatisfaction in your district first begin?—It commenced about the time of the meeting in the Market Hall.

Are there many people of the Mau in your district?—Yes.

When did they join up?—Soon after the meeting in the Market Hall a big section of the people of my district turned to the Mau.

Did others join later on or not?—They joined in batches. Some were awaiting the arrival of Mr. Nelson.

What has been the effect of the Mau movement in your district regarding plantations and Government activities?—They are not attending properly to their plantations, and not carrying out the beetle-searching properly, and other orders of the *pulemi'u* and Fa'amasino.

Mr. Slipper.] Was it you who brought up the matter of the inquiry into Matamua's conduct?—Yes.

And were you present when the board of inquiry looked into this matter?—I was present at Mulinu'u.

Did you take any part in the discussion?—No; I was present, but there was a committee of Faipule set up as a board of inquiry to look into it.

He was brought there under arrest, was he not?—No.

Was it agreed was it recommended by the board of inquiry that he should be imprisoned for six months?—No.

You said that you were promoted to Faipule in 1924: what do you mean by "promoted"?—I was promoted to a higher position.

Had you been elected by the people when you were made a *pulemi'u*?—Yes, the chiefs and orators met and selected me.

Were you similarly selected when you were made a Faipule?—Yes.

You said that there had not been any objection to your election ever since?—That is so.

But do not the people get into trouble if they make complaints against a Faipule?—I know of no one being punished for that kind of thing.

Have you not heard of the trouble of the Faleapuna people?—No, I did not hear anything about that.

You see these two books—regulations, and instructions to Faipules—have the Faipule tried to enforce these things?—No, they were only given out to the people to see if they agreed with them.

Have not the "fine mat" *malagas* been stopped since that giving-out to the people?—Some things have been prohibited, but not all in regard to the "fine mats."

Have not the "fine mat" *malagas* been stopped by the Faipule, or some of the Faipule?—Yes, it was stopped for three years only, not for good.

Do you think that there was any right to do that—any legal right?—The Faipule just asked the people not to go on *malagas*, but did not enforce it.

Have you not heard of *malagas* being turned back by Faipule?—No, I have not heard that.

Do you know what the original purpose of the Mau was?—I do not know.

Mr. McCarthy: I have been advised, sir, that Suisala, Faipule, is ill, and I am quite satisfied that he is too ill to ask him to come to the inquiry.

FA'AMOE sworn and examined.

Mr. McCarthy.] What is your position?—Fa'amasino.

Prior to that what appointment did you hold?—*Pulemi'u*, and also a *pulefa'atoaga*.

Do you remember the case of Iosefa?—Yes.

A complaint was made against Suisala that he banished Iosefa to the bush and took his title away?—Suisala did not do that; it was the District Council.

Tell us what happened?—Iosefa made some remarks about his own town of Fagamalo, and the people of Fagamalo asked for his removal to a distant land.

How did Iosefa come to be in Fagamalo?—He was in Alamagoto and the Administrator banished him to Fagamalo.

What did the District Council do in this matter?—The people thought that if they recommended to the Resident Commissioner that this man should be banished that the Administrator would do so, and they thought that it would be better for him to go and live in the bush and make a plantation for himself, and so he was banished.

What did Iosefa do?—He went to the bush to his own land.

Is that bush land or plantation land?—Some parts are cultivated.

Is there any house there?—There are houses there, and the Faipule is there now.

How far inland is it?—One and half to two miles.

Was Iosefa free to come into Fagamalo to get supplies?—Yes, he came to visit his family and fish, and then he went back to the plantation.

Later on did anything happen to him—did he come before the District Council at any other time?—He appeared before the Faipule and the Council and apologized.

There has been another charge against Suisala: Lofipo complains that Suisala inflicted too many fines and other punishments on the people?—That was the time when I was *pulefa'atoaga*: I inflicted fines.

Have you ever seen Suisala intimidating people?—No.

How would you describe him as a Faipule?—He is a very good man regarding the care of his district.

It has also been complained that there was no *fono* by the district before Suisala was appointed?—The whole district is satisfied. Lofipo also made a speech at the presentation of the food to celebrate the occasion of the appointment. One thousand dollars was spent to provide foodstuffs for that celebration in Apia.

Who attended that celebration from this district?—All Saleaula and Matautu.

How would you describe the number of the people?—I could not say how many hundreds, but there was quite a number.

How do you get on now with your work?—I am rejected by the Mau.

In what way—do they refuse summonses, or what?—They refuse to accept summonses, and they fail to report births and deaths.

Do they give any explanation for that conduct?—I summoned a young man to appear before me for failing to report a death of a child of his. The father of that young man came and told me that he would not accept the summons. He brought it back. He said that the Mau had been instructed by Mr. Nelson not to accept service of any more summonses.

Mr. Slipper: I object to that evidence.

Judge MacCormick.] What is the date of the appointment of the Faipule?—18th August, 1923.

Mr. Slipper.] Give me the name of that young man who refused to take the summons, and the name of his father?—Iuta; and the father's name is Levao-muna.

As an inspector was it your duty to inflict fines?—Yes.

Where do you get that power from?—From the Government.

What power or regulation do you get it from?—According to instructions to different officials.

Is it in one of the Fono law-books [Fono and Faipule regulations shown]?—A bigger book—an earlier book than that.

Does it say in that book that you have power to inflict fines?—There are the duties of the *pulefa'atoaga* and the fines that he may inflict.

Is it not in this small book?—It may be.

You know that Iosefa was sent away from his village without a written order from the Administrator?—Without a signed order by the Administrator.

Do you admit that?—Yes.

Was that before or after he was banished on the strength of an order signed by the Administrator?—Banishment by the Administrator was first.

Clause 14 says that a *pulefa'atoaga* may inflict fines for offences as follows: there are five matters under this clause. Did you have anything to do with the trial of Iosefa when he was banished by a definite order?—No.

Were you present at the time?—No.

Were you here when Suisala was made a Faipule?—Yes.

Was he elected by the people?—He was appointed by the Administrator and the Faipule.

Is that according to the old Samoan custom?—That is the practice.

Was that practice among the Samoans in the old days?—The Faipule were selected by the Government.

In the old Samoan days before there was a Governor, was the Faipule selected by other Faipule or was it the people who selected him?—The people of the village used to appoint a representative.

The Chairman.] Supposing a *taulealea* is dissatisfied with his treatment by a *matai* or his family or he cannot get on with his family, has he any other remedy except to go and live elsewhere with another section of his family?—He would have to go to another branch of the family.

He has no remedy except that?—No.

And that was *fa'a-Samoa*?—Yes.

And that is the custom to-day?—Yes.

SEMAU sworn and examined.

Mr. McCarthy.] What is your title *fa'a-Samoa*?—I am an orator.

Were you a Fa'amasino?—I was a Fa'amasino.

Were you a Fa'amasino at the time Suisala was a Faipule?—He was a Fa'amasino, and was promoted to the position of Faipule, and I succeeded him as Fa'amasino.

Complaint has been made against him that he inflicted fines and punishments on the people: did he ever interfere with your duties as Fa'amasino?—No, he did not interfere.

Are you a member of the District Council?—I am.

Do you remember the case of Iosefa?—I remember.

Do you remember what Fa'amoe had to say about that case?—I heard it.

Was it correct or not?—It is correct.

Mr. Slipper.] Do you know anything about Iosefa being banished to the bush?—I know.

That was done by the order of the Administrator, was it not?—He was first banished from Alamagoto.

By whom?—By the Administrator.

He was banished again, was he not?—He was brought to his family in Fagamalo.

Was he sent away from the family again?—When he caused trouble in Fagamalo the Village of Fagamalo complained to the Faipule and the District Council.

What was the result of that?—The District Council and the Chairman of the Council decided that he was to go to the bush and live there on his land, and make a plantation for his wife and children.

Was that in the time of the present Administrator or not?—Yes.

Mr. McCarthy.] In going to the bush, was that the real bush?—There are houses which belong to this village, and the Faipules are there.

Is it far away?—I think it is about a mile or less.

What freedom would he have?—He went with his title, and he was free to go anywhere he liked.

Did he go willingly or unwillingly?—When the District Council ordered him to go to the bush he obeyed.

PA'U sworn and examined.

Mr. McCarthy.] You are a *pulenu'u* at Fusi?—Yes.

Are you a member of the District Council?—Yes.

What experience have you had at the present time with regard to beetle-searching?—Since June the Government work has been rejected.

What about the beetle returns?—They do not search for beetles.

Are they all Mau people in your village?—Yes.

What about the District Council meetings?—There has been no District Council meeting since they joined the Mau.

Are the births and deaths reported as usual?—No, they do not report them to the *pulenu'u*.

Do you remember Dr. Mabel Christie, the child-welfare doctor?—I remember her.

Do you remember the reception she got on her last *malaga*?—Yes.

What was it?—I received a notice to notify the Women's Committee to assemble in my house and wait for the doctor to arrive; but the wives of the Mau people refused to go. Only the wives of the supporters of the Government and myself were there.

Who is the Faipule of your district?—Leilua.

Before the Mau started was he looked up to in your district?—Before the Mau the whole district was quite satisfied with him.

Mr. Slipper.] Have there been any registration of births and deaths since June?—Since the 20th June the people have not reported cases of births and deaths to me.

That is not quite answering my question: has there been no instance of a death or birth notice reported to you since June—that is, not a single case?—No.

Are you referring to the Mau people or to the Malo people, or to both?—I am referring to the Mau people.

I must take it that everybody is in the Mau at that rate?—No.

Have you any list of the people that you consider are in the Mau?—The majority of my village has joined the Mau—there are some on the Government.

Have you a list of them?—I have.

Will you be good enough to let me see the list to-morrow?—The list is a long way from here.

The Chairman.] It is not available, then?—No.

LEOTA sworn and examined.

Mr. McCarthy.] You are a *pulenu'u* from Avaro?—Yes.

Since the Mau started what experience have you had in regard to beetle-searching?—The Mau people do not search for beetles since the Mau started.

Do you know the reason why?—They said that Mr. Nelson and the Mau ordered them not to search for beetles.

Are there many members of the Mau in your district?—Not so many.

There are a mixed number of Mau and *malo* people in your district?—The majority of them support the Government.

When did the people to whom you refer join up with the Mau, so far as you are aware?—The first two joined the Mau on the King's birthday, and the second lot joined in August.

When did your troubles begin with regard to beetle-searching?—Since August.

Have you had any trouble with regard to the registration of births and deaths?—The Mau people do not report instances of births and deaths to me.

What is your experience with respect to gun licenses and the dog-tax?—I told the people of my village that the tax for dogs and the gun licenses were due. Loto-faisaovale particularly ordered his family not to pay the gun-tan.

Who is your Faipule?—Suisala.

Do you remember his appointment?—Yes.

Was there any disagreement about it?—No one in the whole village objected.

Mr. Slipper.] Do you know whether his election was considered by his people, or by the District Council, before the appointment was made?—Yes.

Do you know Fa'amoe the Fa'amasino?—Yes.

He said that he got his appointment by the other Faipules and the Government: Is he right?—The whole district agreed that he should be a Faipule.

I am asking you whether there was a meeting before the appointment was made?—Yes, there was a *fono* meeting.

And they all agreed that Suisala should be the Faipule?—Yes.

Were you at the meeting?—I was there.

Will you please tell me the names of some of those people who said that Mr. Nelson and the Mau told them not to search for beetles?—Loto-faisaovale.

Any others?—Loto-faisaovale himself.

Have you a list of the people who you consider are in the Mau in your district?—Yes.

Have you got it with you?—No.

Can you tell the Commission whether or not the beetles are being handed over to any one else but yourself?—Before they went to Upolu they delivered the beetles to me, and since they left the other people did not search for beetles.

Who are the other people to whom you refer?—The *taulelea*—the young men.

Can you tell me of any particular case where a birth or a death has not been registered?—There is the case of a birth of a girl whose father is a Chinaman. I asked him to report it to me and register the child, but the Chinaman refused. He told me that the child would be registered under her name.

Is the Chinaman in the Mau?—No.

Do you know of any other circumstances?—That is all.

MATAELIGA sworn and examined.

Mr. McCarthy.] You are the *pulenu'u* of Sataua?—Yes.

Are there any Mau people in Sataua?—The whole village joined the Mau.

Does the village obey Government orders now?—No.

When did they join the Mau?—The first lot joined in April of this year; the second lot joined in July; and the third lot—the remainder—of the village joined in August.

Before they joined did you have any trouble in having the Government orders carried out?—No.

Have you heard the evidence of Pa'u and Leota?—Yes.

Has your experience been their experience?—Yes, the same.

Mr. Slipper.] Do you know how many there were in the first lot that joined the Mau?—Three.

Have you got a list of those who joined the Mau?—Yes, I have got papers, but I left them in Sataua.

If a man was put down, how do you know that that person was in the Mau?—I know when he walked out and went to the Mau.

What do you mean when you say that he was going to the Mau?—They left our village and tried to get a boat to go over to Upolu.

Was not that at King's Birthday time?—Three of them, I imagine, went before the King's Birthday.

And you think that because they went to Upolu they went to join the Mau?—They held a meeting the night before they went, and those three went away before daybreak and left a message with the others that they went to join the Mau.

Were you at the meeting?—No.

Who gave you that message?—Suisala and Fesili. Those were the two who reported to me the result of the meeting.

Did they tell you whether they had been at the meeting themselves?—Yes.

LEALOFI sworn and examined.

Mr. McCarthy.] Where are you *pulenu'u*?—Sasina.

Have you heard the evidence of the previous witnesses regarding beetle-searching?—Yes.

And obedience in regard to Government orders?—Yes.

You mean with regard to obedience of the law?—Yes.

Do you agree, or do you disagree, with them?—I agree with them.

Mr. Slipper.] Have you had any trouble in regard to the registration of births and deaths?—Yes.

How many births are there which have not been registered?—Three.

Can you give me the names of the fathers?—Mafulu, Tuitoga, and Pelesa.

When has this happened?—One in June, the second in July, and the third one in August.

How many deaths have there been which have not been registered?—No deaths.

Are the three fathers who failed to register their children in the Mau?—They are.

How do you know that Mafulu is in the Mau?—He went to the Mau.

The Mau is not a place to go to?—My whole village joined the Mau.

That does not explain the position with respect to Mafulu?—I saw him going to the Mau.

Did you ask him to register the child?—I went to him, and I asked him to report the child's birth in accordance with the law.

What was his answer?—He said, "No, I cannot do it, because of the Mau."

That settles that: does the same apply to the other two?—Yes.

Did they tell you themselves that they were in the Mau?—Yes.

That also settles that question. To whom are the people giving the beetles now?—I do not know.

Are they gathering any beetles at all?—I do not know whether they are searching for beetles.

Are there any other laws that you are aware of which they have refused to obey?—All the Government laws.

Have they told you that?—Yes.

Who told you that?—My people.

Was that at a meeting?—The Ali'i and Faipule told me that.

Your people did not tell you, then?—The Ali'i and the Faipule.

Judge MacCormick: These are not the Government-appointed Faipules to which the witness is referring, but they are the Faipules of another kind.

Mr. Slipper: I will look into the question. (To witness): Were they all together at a *fono* when they told you that?—Yes.

Did they all tell you together, or was it one particular speaker who said that?—The *tulafale* (orators) only.

Were all the rest present when they told you so?—Yes.

Did you make a complaint about that matter?—I reported it to the Government.

Was there more than one Faipule at this meeting?—The chiefs and all the *tulafale* (orators).

MATA'APA sworn and examined.

Mr. McCarthy.] You are a *pulemu'u* at Palauli, are you not?—Yes.

Have you heard the evidence given to-night by the other *pulemu'us*?—Yes.

So far as your district is concerned, can you endorse that evidence?—The same.

Who is your Faipule?—Malupo.

Mr. Slipper.] Were you not banished on one occasion?—Yes.

What was that for?—By the wish of the Government and Palauli.

For what reason?—Because of the trouble with the *pulefa'utoaga*.

Were you making the trouble?—No.

Under what Administrator?—Colonel Tate's time.

How many births in your district have not been registered?—I do not know. I left my village in June.

So that you cannot endorse what the other *pulemu'us* said about that matter, then?—I can.

But you said that you do not know: you must not say things that you do not know about?—I do not know about the births, but in regard to the search for beetles, they have finished searching for beetles on the 15th June.

How do you know that?—There were two *matais* in my village who came to me and told me that there would be no more searching for beetles, other than doing it themselves.

You mean they would not bring their beetles to you any more?—That is so.

Did they speak for the whole village?—Perhaps so.

Was this before you left the village or afterwards?—Before I left.

Have you been away ever since June?—I have not returned since then.

So you do not know what is going on there?—No.

The Chairman.] Is that a temporary absence?—Yes. I notified the Resident Commissioner of my absence.

Where did you go to after the 15th June when you left your village?—I went to Faga.

For a short time?—Yes.

TIMU sworn and examined.

Mr. McCarthy.] You are a Fa'amasino, are you not?—Yes.

What is your rank?—I am an orator.

Where are you Fa'amasino?—Of the district of Safotu.

Are there any Mau people in Safotu?—Yes, there is a section of the Mau in Safotu.

Have you any trouble in your duties as Fa'amasino in your district?—Since the Mau started the people who have committed offences and have been fined by me have not paid their fines.

Before the Mau started did you have any trouble at all?—Before the Mau started all the people obeyed my orders and my punishments, and they always paid their fines.

Do you know how your people came to join the Mau?—Yes, I know when the people of my village first joined the Mau. The first time they joined the Mau they went into Mr. Nelson's store and signed their names, and then they went to Upolu and joined the Mau after they signed their names.

The Chairman.] That is, Mr. Nelson's store at Safotu?—Yes.

Mr. McCarthy.] Did anything happen before that?—Yes, when Mr. Allen, who was in charge of this branch came to Safotu from Safune the chiefs and orators of Safotu went to him. I want to correct my first answer, where I made a mistake. Before the Mau started I was a *pulemu'u*, and about two or three months after the Mau started the people were satisfied to carry out my instructions properly. Then I was promoted to the position of Fa'amasino, and about two or three months after my appointment the people were obeying my instructions properly; but after that they started to disobey my instructions.

You were telling us about how the people came to join the Mau at Safotu, and you said they went to Mr. Nelson's branch store and signed a paper?—Yes, I was present, when I was a *pulemu'u*.

Present at what?—When Mr. Allen came to Safotu.

What happened?—Mr. Allen made a speech and said, "Now that we have finished our discussion with respect to the other matter I will now talk to you about this, and I will now tell you that there is a Mau organized or established by Mr. Nelson and a committee. I have some papers in connection with this movement. If any one wishes to join the Mau they can do so, and I will send the newspapers from Safune to this store. There is nothing against the law—in other words, there will be no violation of the law—in this movement."

What was the day on which this discussion took place?—That was on Sunday.

Did the people join that day?—Utumapu said, “Very well, send those papers, and if there are any in this village who wish to join the Mau they can come and sign their names.”

Do you know if they signed their names?—On Monday when I heard that the paper arrived I went there to see the people who also went there. I saw with my own eyes. I saw Fitiala, a *matai*, go through the door in that store and sign his name.

Mr. Slipper.] Did you see what it was that he signed?—I saw him writing his name on the paper.

Do you know what was on that paper before the *matai* signed his name to it?—I do not know because I was not near enough.

It might have been a cheque, receipt, letter, or anything else for all you know?—I have no suspicion as to that, because I knew there were certain people who were going to join the Mau, and they signed their names.

Did Mr. Allen say what the objects of the Mau were?—Mr. Allen only said that the object of the Mau was the prosperity of Samoa, but he did not explain any details.

Did he say anything about the likelihood of the Minister paying a visit to Samoa?—No.

Did you tell any of the officials about Mr. Allen’s speech?—The other officials were present at the time.

Was anything done to Mr. Allen over that?—No.

Did you think there was anything bad in what he was telling the people?—I felt myself that it was of no use for me to join the Mau, because it was no good. If it was a sound movement it should go through the Samoan officials instead of through the storekeepers.

You were appointed Fa’amasino in May, were you not?—I think so.

And from then up to June all the fines were paid?—Yes.

Did you inflict any fines during that short period?—I cannot remember exactly about that.

My question was, Did you inflict any fines during that period; and your answer was that you could not remember: is that correct?—I cannot remember.

The Chairman.] Do you know what Mr. Allen was doing at Safotu when he made the speech in question?—He went there because of the request of our village over a contract to advance money.

And while he was there he made the speech, and as a result the document in question was signed?—Yes, he made a speech after he decided the question about the contract.

What month was this?—I think it was about the end of January, 1927.

Mr. McCarthy: I think, sir, we could fix the dates when the Resident Commissioner gives his evidence.

The Chairman: Very well, we need not bother any further.

EDMUND STEHLIN SWORN and examined.

Mr. McCarthy.] You are a District Inspector in Savai’i, from Aopo to Gataivai?—Yes.

Will you tell the Commissioners your experience with regard to plantation work prior to the commencement of the Mau and after the Mau started?—Prior to the commencement of the Mau, I, as District Inspector, had no difficulty whatever in the execution of my duties in my district. The Samoans readily obeyed instructions and also carried them out. When the Mau commenced I experienced difficulty; and in many ways the Samoans have shown a disobedience of the laws, and have also neglected their part of the work in connection with the keeping of their plantations clean, and also in the cleanliness of their villages.

Did they give you any excuse for their change of attitude or their change of conduct?—I was not given any reasonable excuse or any reasons why they were not carrying out instructions. So far as I can gather, most of the time they were away from their villages, and, in consequence, they were not doing any work.

I believe you collect and issue gun licenses?—Yes.

What experience did you have in regard to these matters?—At the time when we were collecting the gun-tax the people were not under any obligation or given a set date in which to pay this tax.

Have you had any refusals?—No.

What about the question of the land-cleaning and the copra competition for the year: Would you please explain what that competition is for?—Every year in Samoa a competition with respect to land-cleaning and copra-cutting is competed for by all the districts—that is, in both Upolu and Savai’i. In 1926 the competition was as usual, and the district of Fa’asaleleaga won the competition. This year we cannot possibly get the Samoans to agree to carry out this competition, and, in consequence, this year there is no competition.

The Chairman.] What is the purpose?—The object of the competition is to encourage better land-cleaning.

Mr. McCarthy.] It is an incentive, then, to keep the plantations of the Samoans in better condition?—Yes.

What does the winner get?—The winning district gets a shield. The land competition is divided up amongst the villages, and after inspecting the villages the village with the most points, of course, gets the prize. The first prize is £8 and the second prize is £4, cash.

Before passing from this subject will you please give the Commission some idea of the effect on the plantations that you refer to?—I can only give one illustration, and that is in connection with our recent banana-planting for export purposes. Prior to the commencement of the Mau the Samoans were informed of a scheme where the Administration would provide a boat to take the bananas direct to the New Zealand market to be sold there. We were sent out to discuss this matter with the Samoans, and in one district we concentrated upon this matter, and within three months we had

planted approximately 105 acres of bananas. After the bananas had been planted we were in great hopes, after three or four months, that this scheme would be effective and that we would be able to export bananas from this island. On my recent inspection I am of the opinion that we will probably be unable to ship bananas from Savai'i owing to the fact that the plantations are very badly neglected.

What about the coconut plantations?—These plantations are not in a very bad state, owing to the fact that in the year 1926 we had this land-cleaning competition, and in consequence it put our plantations in a better condition than would be the case otherwise.

Do you know Dr. Mabel Christie?—Yes.

And you know all about the work she did?—Yes.

What was the work?—Child-welfare.

Can you tell the Commission anything about her last *malaga*—that is, just before she left Savai'i?—Yes, I remember quite well her last *malaga* before she departed for New Zealand.

Was it, or was it not, a good *malaga*?—Prior to the commencement of the Mau Dr. Mabel Christie was very much sought after by the Samoans as a consequence of their receiving good advice from her in connection with the welfare of the children. She was asked in many cases to visit certain villages and districts. With reference to her last *malaga* and before her departure to New Zealand, I can recall one instance when I was in the village called Lago she was sent to a village called Asaga, and she informed me that the only people who came to see her there was the *pulenu'u's* wife, the children of the *pulenu'u*, the *pulenu'u* himself, and a very few children.

Do you know anything about the Resident Commissioner's *malaga* to Palauli—that is, the recent one?—I remember it—in fact, I went along with the Resident Commissioner.

Was he received by the people?—There were very few people there. On Thursday afternoon we went to a village called Saipipi, and there were no chiefs there but officials. The next day we proceeded to a village called Iva, and there again there were mostly officials there, and about three chiefs were present. We moved on the same day to a place called Salelologa, and the same thing happened. The day following we went to the village of Vaito'omuli, in the district of Palauli. We went into the house of Malupo, the Faipule, and I can safely say that we did not receive any reception in that village. The only person who received the Resident Commissioner was the Faipule himself. This was on Saturday. We remained there until Monday. During Sunday the *pulenu'u* came and saw the Resident Commissioner, and they were the only two persons who came to see the Resident Commissioner. We then left and went to a village called Satupaitea. In this village the same thing happened, and there was no reception whatever; in fact, the reception we had in Palauli was very much better than the way we were treated at Satupaitea. At the latter place we were at the house of a man named Lemalie. He was not an official, and there was no chair provided for the Resident Commissioner, and there was no table or a bed provided, and he had to sit on a mat. Our first meal in this place was taken off a banana-leaf, which was used as a plate. It was not until later in the afternoon that a bed and a chair were provided. There was still no table provided, and the evening meal was taken from a suit-case which was placed on our wooden cash-box. That is the reception the Resident Commissioner received in Satupaitea during his *malaga*.

The Chairman.] What inference do you draw from this with respect to the present disposition of a large part of the inhabitants of Savai'i as to the activities of the Government: what opinion did you form from your experience which you have just described as being the mental attitude of a large part of the inhabitants of Savai'i towards the administrative activities of the Government?—All I can gather from that is that the disrespect of the Samoans is on account of the influence of the Mau. They have been listening to all sorts of rumours, and they have changed in their attitude towards the Government.

Does that mean they intend to oppose the work of the Government?—At the time I cannot very well say they meant to oppose the Government. I would like to mention that this *malaga* was during the early stages of the Mau.

What is your opinion now?—My experience so far as the Samoans are concerned is that they have been ill advised.

What do they mean to do in consequence of this ill advice—that is the point: you have heard, have you not, of the doctrine of passive resistance?—Yes.

What do you say the Samoans mean to do in consequence of this bad influence that you referred to—do they mean to obey the laws and help the activities of the Government, or do they mean to sit by and do nothing?—I would think they mean to sit by and do nothing.

Mr. Slipper.] You said that prior to the Mau you had no difficulty in getting your instructions obeyed: when do you say the Mau started?—Somewhere about October, 1926.

Did you have any difficulty from October, 1926, to June, 1927?—Yes, I did.

Have you caused any prosecutions to be made with respect to the disobedience of the laws, the neglect of the plantations, or with respect to the cleanliness of the villages? Have you power to enforce fines?—No.

Have you brought any Court cases against any of them?—Yes, some of them I have.

How many?—I do not remember.

Would it be a dozen?—It might not have been.

Mainly the trouble in regard to your instructions not being carried out is on account of the people being away?—Not only that, sir.

That is the main trouble, as I understand it from you?—Yes.

They are not compelled to stop at home, are they?—No.

The plantation of 105 acres which you referred to—did that plantation belong to one person?—No.

What was the date of this *malaga* of the Resident Commissioner?—I do not remember the exact date.

Do you remember the month?—July.

Is that not the month when such a large number of Samoans were either banished from their homes or ordered away from Apia back to their homes?—I do not remember.

In showing this disrespect which you mentioned so far as the Resident Commissioner was concerned, is it not possible that these people had some grievance?—I should say that they might have.

Did you not hear that they had grievances by October, 1926?—Yes, I heard of that.

You knew that they presented grievances to the Hon. the Minister of External Affairs in June?—Yes.

And your *malaga* was, unfortunately, just after that?—Yes.

TUESDAY, 18TH OCTOBER, 1927.

GEORGE BERESFORD BRODIE sworn and examined.

Mr. McCarthy.] You are a District Inspector?—Yes, for the Districts of Asau and Taga, in Savai'i.

Before the commencement of the Mau, what experience did you have in carrying out your duties?—Prior to the Mau I had very little difficulty in getting the work done in the villages by the Samoans. I found that they were cleaning the villages, looking after the pig-fences, water-supplies, and improving their plantations and increasing the areas of the plantations.

What did you notice after the Mau commenced?—I went on a *malaga* last July and I found a deplorable state of affairs in the villages. They were very dirty, and the plantations were covered with grass and other rubbish. Coconuts and rotten bananas were lying about. A good part of the plantations opened up in the latter part of 1926 were neglected and covered with grass and fœ. No new areas had been opened up, and generally the plantations were littered with rubbish when previously they had been clean.

Did you issue any instructions?—I asked why they had not cleaned up the plantations. They said that they had joined the Mau and that they were not carrying out any Government instructions. In most villages I was not met by the Village Committee but by the Government officials only. I asked the officials where the committee was and was told that they had joined the Mau. I asked them to come and see me, but they refused to come. They said that they had received instructions from Apia not to come, and they would not carry out any Government instructions.

Have you had any experience with gun licenses?—In August I made another *malaga* through the district, taking a gun-license book with me. Some villages were not difficult, but the majority told me that they refused to pay gun-taxes. They had been instructed by the committee in Apia not to pay taxes, and when I pressed them they said that they would not pay them. They were waiting for Mr. Nelson to return.

Did they say anything more? Was any other reason advanced as to what they were waiting for?—One *matai* told me that they had been told by the committee that Mr. Nelson was going to Europe to get greater power, and would come back to win the Mau for the Samoans.

Do you remember visiting the *fale* of a man named Toomata in July, 1927?—I went to the village of Saŋata to the *fale* of Toomata and he met me outside. He said, through an interpreter, "You should not be in this *fale*, you should be in the *fale* of the trader. I wish to speak to you, but you must not come into the *fale* or the whole village will laugh at me." I went in. Whilst I was there two other *matai* came to the *fale* and stood outside and passed their hands under the mats and shook hands. They said that they were very sorry and felt ashamed that they could not come inside to see me. They were frightened that the village would laugh at them.

Can you tell us something about the Government plans with regard to copra-production in Samoa?—The only part that I know is where it affects Fagamalo. I know that the Government has a scheme for advancing 3¼ cents per pound for copra, and it has to be first class. We consign it free for the Samoans.

Has there been any infringement of the law in regard to copra in your district?—On a *malaga* in September, practically every village contained more copra than I have ever seen before. There had been no rain for six weeks. Outside of every *fale* there was plenty of copra. It is no exaggeration to say that 40 per cent. was *niu sami* [immature copra]. On examination of the sheds of the traders I found that those sheds contained 40 per cent. of *niu sami*, 20 per cent. of green copra, and 40 per cent. of satisfactory copra. I have a typical sample of the *niu sami* and a sample of good copra. [Samples shown to Commissioners.]

After transshipment to Europe, how would that land?—It would be rotten and useless, and the shrinkage would be 40 per cent. It would not be accepted.

Judge MacCormick.] It would not be passed here, would it?—It should not be passed. On this last *malaga* it was my duty to examine this copra, and I made it the subject of a special report. The Samoans were breaking the law right and left by cutting this copra and selling it to the traders contrary to all regulations, and they knew that they were breaking the law.

Mr. McCarthy.] Tell us something about the organization set up by Doctor Mabel Christie to deal with dysentery in your district: what happened during that outbreak?—The District Inspectors received instructions to proceed to Salailua to assist Dr. Christie. I arrived there with two *leoleos* and two nurses. We secured *fales* to act as hospitals for the patients, who numbered twenty, and cleaned up the village generally under the supervision of Dr. Christie.

What happened regarding the outbreak?—We got right down to work and had the epidemic under control in two weeks. The Samoans appreciated the work, and we certainly stopped the epidemic.

If there was an epidemic to-day, how do you think that we would get on?—I anticipate an outbreak at any time at Salailua and Sataua. The Samoans are not using the latrines. They are depositing excreta in every conceivable place in the village, and many places are more or less cesspits throwing off an awful stench. I anticipate an outbreak at any time, and should one occur I do not think that they would grant the use of their houses, as they do not want to have anything to do with Government officials.

Mr. Slipper.] Early in your evidence you said that you asked them why they were not cleaning up their villages: who were "they"?—Government officials, and in some cases the *matais*.

Had the *matais* joined the Mau?—Yes. In some cases they came to see me.

They said that they had received instructions about this: who were the ones who said this?—Asiata was the interpreter, and it was through him that I obtained the knowledge. I made inquiries and tried to find out what the trouble was.

So it was a report to you and not an interpretation?—It was a report in some cases.

Could you find any one man who had received instructions?—One *matai* in Sataua.

What did he tell you about it?—He came with Lefua and said that he was in the Mau and—

Were you able to find any one man who had received definite instructions from a definite person?—No; the invariable reply was that they had received instructions. No Samoan will give definite answers.

They did not give it?—No.

When you found out that instructions had been given did you take any steps against any person?—I made the usual reports to the Resident Commissioner and received my instructions from him.

Were any legal steps taken against any person?—With regard to gun-taxes, summonses were issued, and they refused to accept the summonses. They would not recognize any Government instructions.

Did you hear them say it?—Yes.

Have you heard them say it?—Yes.

Was the gun-tax due at the time?—Due and past.

You never saw any written instructions to the people in the Mau not to obey laws?—No.

Referring to what some *matai* said, that Mr. Nelson was going to Europe to get greater power to manage Samoan affairs: do you believe that the committee told them this?—I accepted the statement as given.

You do not suggest that the committee had done that?—I have no opinion to offer in that direction.

Did you ask him how he received those instructions—in writing or by word of mouth?—No.

Did you ask him what particular person told him that?—No.

Did you not feel it your duty to track that scandalous thing down and find the person?—I did not speak to any one on those lines.

You did not think that the proper thing to do was to try and find the person who issued these instructions?—I cannot excuse my actions now.

Referring to these *matai* who put their hands under the netting: do you know of any reason why their coming in should cause them to be laughed at?—The Mau had given them instructions that they must not come and see Government officials, but some felt a little ashamed and came in to see me.

Were those two *matai* members of the Mau?—No.

Did they tell you so?—No.

Give me their names?—I cannot. I do not know the names of many *matai*.

With reference to free consigning of copra: does the Administration consign it free—do they load it free on board the boats?—Yes, I understand. We advance 3½ cents here, and we do the rest.

Have you men here to do the loading?—I have nothing to do with it.

Who does the loading?—I cannot say.

Are the police used for that purpose?—I do not know.

The Chairman.] When you say the copra is taken free by the Administration, do you mean free of commission—you are not referring to the ordinary charges of transport, &c.?—The Samoans were advanced 3½ cents, and the Administration bear the other charges.

But they charge the proceeds with the costs?—Yes.

Is it possible for any authority to administer the affairs of Samoa if the present organization of the Mau is to continue?—I would say that it was absolutely impossible.

Mr. Slipper.] Do you know what the original objects of the Mau were?—Not all of them.

The original object was for the purpose of redressing grievances?—I cannot answer that question.

WILLIAM MOODY BELL sworn and examined.

Mr. McCarthy.] You are the Resident Commissioner of Savai'i?—Yes.

When were you appointed?—In December, 1924.

And you have carried on continuously up to the present time?—Yes.

Give us briefly your experience in Samoa?—I arrived in March, 1921, to act as A.D.C. to Colonel Tate the Administrator. I carried out those duties, attending him personally on *malagas* and at *fonos*, and I attended to all matters outside office routine. On the arrival of the present Administrator I continued these duties for about eighteen months, or until December, 1924. I attended him on *malagas* and on many of his outside duties. In December, 1924, I came to Savai'i as Resident Commissioner.

With regard to the *malaga* of the Governor—can you tell us briefly the position Samoa was in as far as you could judge?—I attended all the *malagas* except a few in the early days. I was three

times round Upolu and three times round Savai'i with Colonel Tate; then I was twice round Upolu with General Richardson, and once or twice round this island.

What about your last *malaga* round Savai'i with the Governor?—The last *malaga* the present Administrator made round Savai'i was in 1925. Everything went splendidly. There were very many improvements; the tone of the Samoans was excellent; there was no hostility towards His Excellency; the *malaga* was everything that one could desire. When the Governor-General came over he visited Safotulafai and Faga, and he commented on the wonderful reception given to him.

Since you have been Resident Commissioner, have the Samoans put forward complaints against the Administration?—No. I have had the usual complaints about water-tanks not being fixed up and minor complaints, but they have made no serious complaints against the Administration.

What opportunities did the Natives have for putting forward their complaints?—On my own *malagas* I visited different parts of this island about four times each year. During my first year I visited every village in the island. Now I visit different villages at different times according to whether they are difficult to reach or the locality is important. I send out circulars to say that I am making a *malaga* and that I will be there about so-and-so—I will be at a certain village at a certain time. I will stay there until all matters concerning that village have been completed. Sometimes I stay one day and sometimes seven or eight. I leave that village and go on to the next, and in that way do every village. During the time I am at the villages I ask them for any complaints, and they come to me with any matters they are troubled about. They call me their father, and sometimes, because I am a bachelor, their mother as well, and they have always treated me as such.

How many times would you go round in a year?—About four times. Including *malagas* around Savai'i and visits to Apia, I am away about half the year from these headquarters.

Since this movement of the Mau have you had any *malagas*?—In July of this year I had a *malaga* to the east, to Faasaleleaga and Satupaitea districts. Earlier in the year I made smaller *malagas*.

What reception did you receive?—In the Faasaleleaga district it was satisfactory because I went to the district which was composed of many Government people. I visited other places and practically no one met me except officials. At Palauli there was only the Faipule to meet me; at Satupaitea no officials met me—there was only an orator, who was selected by the Mau to meet me. They are all Mau at Palauli except two, and they are all Mau at Satupaitea.

How do they regard Government instructions?—They have told me that they have instructions from the Mau committee not to obey any Government instructions, nor to do any Government work, nor obey any laws from the Government.

Can you say if there have been any breaches of the law?—Yes. I have issued summonses, which they have refused. I have endeavoured to arrest one man and he refused to be arrested. I have issued many summonses and they have been refused. Others have taken them and have refused to appear before the Court. The gun-tax is the only tax that I have endeavoured to collect. There are about 550 people who are liable to pay this tax. In 1926 every one paid this tax; not one case was brought before the Court—there was no trouble. This year there are about 330 who have not paid their taxes. About thirty summonses have been sent out, but they have been refused. Others have not been delivered because the people are in Apia. There are other cases that should have been dealt with, but I felt that their mental attitude was such that it would not be fair to make them commit further breaches of the law. I therefore refrained from dealing with cases which should have been finished long ago.

Have you got many Court cases pending?—About three hundred to four hundred cases pending—cases that have been dealt with by order of the Court but which have not been obeyed.

The Chairman.] What is the amount of the gun-tax?—Five shillings.

Mr. McCarthy.] Is that a list of the dates of the appointments of the Faipules and particulars of their previous experience [Put in: Exhibit No. 60]?—Yes.

With regard to the Faipule—have you found them carrying out their duties in a proper way?—Before October of last year the Samoan officials were functioning in a wonderful way. Without their assistance it would have been impossible to have carried on satisfactorily. Since then their difficulties have been so many that it has been impossible for them to function properly.

It has been suggested that a number of Faipule do not place their remits before the Fono?—In all cases before a Fono the Secretary and I circularize the Faipule and ask them to discuss matters with the District Council and send their remits to me so that I will send them to Apia, and this in most cases is done. At the Fono these matters are discussed; and they are told that after the Fono they are to meet the District Council and tell them what has happened. When on a *malaga* I always refer to matters brought up, and I always say, "No doubt your Faipule has discussed what has happened at the Fono with you," and I am always told that he has done so. After the completion of my *malaga* in July the state of the Natives was such that I took a special trip to explain to His Excellency, and I told him that owing to the statements that had been received from the Mau committee, and the mental attitude of the Natives, it would be unfair to punish unnecessarily. His Excellency concurred, and there has been only one Samoan, a previous offender, who was banished to Faasaleleaga, and another man who was sent away. No others have been punished except officials, because I realized that it would be unfair to expect them to carry on as normally.

During the hearing of the Commission in Apia Mr. Baxter gave to me a note of sixteen complaints against white and other officials for either excess or non-feasance in the performance of their official duties. One of the complaints reads as follows: "Lesatele Toleafoa, of Sataua, is prepared to give evidence that the Resident Commissioner of Savai'i ordered his town when on fishing expeditions not to use the Government road"?—I deny that I made that statement.

Did you take any action with regard to the people of Sataua?—At Vaisala I received a complaint about the people of Sataua going through their village on fishing expeditions and carrying firewood or something of that kind, which was considered contrary to Samoan custom. It was rather complicated, and I did not feel justified in giving any decision, I promised to go into the matter. On my return to Fagamalo I wrote to the Ali'i and Faipule of Sataua explaining the difficulty and hoping that they would be reconciled.

Did you write this letter: "Fagamalo, Savai'i, 24th July, 1926.—All officials, Ali'i and Faipule, Sataua: The people of Vaisala spoke to me about your coming through their village when you are on fishing. They stated that your doing so does not do any good to them according to the usual Samoan custom. They do not like to stop your people from fishing when they used canoes instead of walking on their village. For your own sake, I wish you to endeavour your very best to see that this matter is settled in a friendly way, which will save any trouble. I wish you to keep the peace and good character in such a manner that the Government would believe the good reputation you and your people have, and I wish this matter settled so soon as you can. A copy of this letter sent to Va'ai F.P. for his information.—W. M. BELL, Resident Commissioner."?—Yes. My endeavour ever since I have been Resident Commissioner has been to get parties reconciled if possible without bringing them before the Court, and I followed the usual procedure in this case. I took no further action because I heard nothing further about this matter until to-day. The interpreter on that *malaga* is present and can give evidence. The Faipule of the village is also present.

The Chairman.] I do not understand the suggestion made. Apparently you ordered them not to use the highway, but to keep to the watercourse?—I did not give any decision; I wanted the parties reconciled.

Mr. McCarthy.] There has been another complaint, against a Faipule named Suisala, that he allowed his animals to be at large whilst other people had to keep them in: did you take any action?—I remember the complaint that cattle were trespassing on the road belonging to three different people, one of whom was Suisala. I dealt with the three cases as one, and fined them each £1 and 7s. Court costs. One of those fined was Suisala.

The question has been raised about copra: will you tell us what you do in Fagamalo regarding copra for the Natives?—We receive copra from the Samoans or Europeans and consign it for them. We give them an advance of 13s. per 100 lb. The copra has to be first-class quality. At the end of a period they will receive a bonus if there is any.

Do you ever turn copra away?—Very often: 20 or 30 per cent. is turned away, in that it does not comply with the standard required for consignment.

Have you any copra in your shed now?—There is copra there now available for inspection.

Is that copra consigned free?—No. There are the usual expenses in connection with the consignment of copra—weighing the copra, putting it in bags, and the putting aboard by the *leoleos*. The consignees will pay their share of the expenses incurred. These expenses amount to 13s. per 1,000 lb. The copra is dealt with by the New Zealand Reparation Estates in Apia, and they will put on their expenses and commission as well.

How long has this system been in vogue?—We received copra for the first time in March of this year.

Will you tell us of the activities of the Medical Department regarding child welfare in Samoa: were they made a special feature?—There were in many villages ladies' committees whose duty it was to look after the children and the sick, and the general welfare of the people. Dr. Christie came to Savai'i and with his wife, Dr. Mabel Christie, made a special *malaga* and did special work. Everything went swimmingly. The doctor's services were sought after. Here we have a nurse who went to New Zealand and whose special work is child welfare. She has a dispensary, and she is stationed here. The District Inspector made a special journey dealing with the ladies' committees, and his reports were that they were functioning very well. I made a special feature of the ladies' committees. Everything went splendidly until about this year. Now there are very few ladies' committees because they are not functioning on account of the Mau activities.

Mr. Slipper.] You spoke of good feelings existing up to the inception of the Mau?—Good feelings existed until after October of last year.

But did you not know that there was a lot of discontent amongst the people?—I know that there was alleged discontent. I never found any discontent. I have made special appeals on *malagas* and in no case anywhere have they told me what the trouble was. They referred to Apia every time.

Previous to there being any committee did you not hear of dissatisfaction?—Minor complaints only.

Did you ever hear complaints about banishments?—No. There was a complaint that brought about the banishments.

Would it not be possible for the Samoans to have a national grievance?—They have never stated any to me.

If they had any wishes regarding the appointment of Faipules and other national matters it would be necessary for them to view it nationally?—Their duty is to report any trouble to me in Savai'i and I will investigate it.

That would not go beyond the Village Committee?—They should come to me.

If the people of Samoa had a general grievance about the appointment of Faipule, and against the general principle of banishments, and other things—that could not be dealt with by coming to any one person on a *malaga*?—It is not quite clear. I understand that if Suisala is promoted to Faipule, then they must come to me if they disagree. It is their job to come to me, and if they are still dissatisfied it will be referred to the Administrator.

I am talking about things that can conceivably affect the whole mind of Samoa?—As to what affects Savai'i I am the man they should come to first.

I am suggesting a national question: you apparently agree that it is possible for the Samoans to have a national grievance?

The Chairman: What is to prevent the District Councils from expressing in the form of remits to the Fono of Faipule any sort of so-called national complaint?

Mr. Slipper.] Can you give the cause of the failure of your last *malaga*?—The only reason given was that they had received instructions from the Mau not to attend or obey Government orders, and although I pleaded with them to tell me what their difficulties were, the answer was the same.

Did His Excellency propose a *malaga* round Savai'i this year?—Yes.

When would it have taken place?—About August.

Do you know why it was not made?—A Fono of Faipule and other officials was held in this *fale* and the matter was discussed, and they recommended that the *malaga* be postponed because the mental attitude of the Samoans was such that they did not think that it was advisable that the *malaga* should be held at that date.

Was there any reason assigned for the attitude of the Samoans?—Mau activities.

Does that refer to the committee of the Mau?—Yes.

Any one else?—I have not heard of any one else.

The Government activities in copra trading bring it into competition with the traders?—Yes.

Has the Government any class of station to supply the Natives with goods?—No.

They deal simply in copra?—Yes.

This list of Faipule [Exhibit No. 60]—have you read it?—Yes.

It does not refer to when the Faipule were elected—it refers to the appointments but not to the date of election?—The list does not refer to how they were appointed, but merely the steps in their promotion.

Is that correct—in this case he was promoted to Faipule?—Yes.

Does that mean that he was a *pulemu'u* before?—Not necessarily.

Does that mean that he was elected?—It shows the official positions that he held.

Mr. McCarthy.] If there had been any national grievance do you think that you would have heard of it?—Yes, it is my job.

There is a complaint against Malaitai that he did not report the Safune bridge?—He wrote three times, and once he came before me.

Judge MacCormick.] There is a complaint made in the evidence by Faumuina about the alleged neglect of a Native woman by Dr. Ritchie: do you know anything about it?—No.

The incident is stated to have occurred whilst Dr. Ritchie was accompanying the Governor on *malaga* in Savai'i. The year was not given?—I have heard something, but I know nothing about it.

The Chairman.] Were these *malagas* of yours regarded by you as an important part of the machinery of the Administration?—Most important—absolutely necessary.

It brings you into personal contact?—Yes.

During these *malagas* you do your local work?—Yes. I stay until the work is finished.

And you invite complaints?—More than that.

What Fono of Faipule are held in Savai'i?—None regularly, but they are held on special occasions when the Faipule or His Excellency make a *malaga* here. A Fono of Faipule was recently held here to consider His Excellency's *malaga*.

And at these Fonos you preside?—In the last case the Secretary for Native Affairs presided.

You or your delegate presides?—Yes.

At the chief Fono of Faipule, the Faipule from Savai'i go to Mulinu'u?—Yes; and I am also there.

You have the responsibility for the local administration of Savai'i, subject to general supervision by the Administrator?—Yes.

What will the result be so far as the Government of Samoa is concerned if the present activities of the Mau are permitted to continue?—The position is impossible.

Do you think that in any sense they are timid of approaching the Administrator or his officers with complaints that they have to make?—Emphatically, No.

They have a pretty wholesome regard for their rights, have they not?—Yes; more than that—many petty minor matters from their point of view are important.

They are jealous of their rights, big or small?—They are most jealous of their rights—jealous and sensitive.

Are the Samoans prone to follow any new venture or new experiment?—Yes; if I started a Salvation Army move here, there would not be a mission Native in the place.

That is because of the novelty of the thing and because of the big drum?—Yes.

Have you any fanatical creeds in Samoa?—No.

You say that their nature is such that they are prone to follow the new thing?—No doubt.

LEALAITAFEA SWORN and examined.

Mr. Slipper.] What is your rank?—I am a big chief of Salailua.

I will read out the charges made against you: upsetting the peace of the Village of Salailua and creating a disturbance, threatening to kill, and disclosing family genealogies. When you got a notice to attend were you told in that notice what was said against you?—I never received any notice.

Did you see any letter with any complaints made against you?—No.

Was any such letter written to you?—No.

On the 11th December, 1923, the parties were notified that an inquiry would be held on the 20th December into the charges: did you get that letter?—No.

It was said that an inquiry was held with the whole village in attendance: who made that inquiry?—The Resident Commissioner, Mr. Bigg-Wither, who committed suicide.

Where was this inquiry held?—In Salailua.

Did you know beforehand that he was coming?—No.

And when he did come, just exactly what did he do?—The day of his arrival our village assembled and received him, with the *pulenu'u* who is here now. We welcomed him that morning about 9 or 10 o'clock. After our *kava* ceremony the Resident Commissioner announced that I and Ami-Tuana'i and Tolova'a were to leave Salailua at once for twelve months.

Was there any inquiry at all prior to that statement?—No single inquiry at all.

Were there any witnesses against you?—I do not know. I stood up and asked the Resident Commissioner the reason why I was being banished, and he said, "The matter is finished; you had better leave at once."

Did you get any written order from anybody?—No.

Did you have any trouble before the Court over this matter?—As I stated, that was not a trial at all, and I have said that I received no trial before I was banished.

Mr. McCarthy.—Is it not a fact that Mr. Griffin, when he was Resident Commissioner, inquired into this trouble in Salailua?—No.

The trouble was a religious one, was it not?—I do not understand the question.

It was a quarrel between the London Missionary Society and the Wesleyans, was it not?—Yes, there was a village dispute between the religions, but I am a Catholic.

And it was settled, was it not?—Yes.

Mr. McCarthy.: I will put in order of local banishment served on witness [Exhibit No. 61.].

TUATO sworn and examined.

Mr. Slipper.] Where do you live?—In Salailua.

Do you remember when Lealaitafea was banished?—I remember. It was in my house that the inquiry was held.

What position did you occupy?—*Pulenu'u*.

Who held the trial?—Mr. Bigg-Wither.

Did you know beforehand that he was coming?—He came over for quarter-day.

Was that the day of the trial?—After quarter-day duties he held that case.

Tell us what happened from the start to the finish of that case?—Lealaitafea was immediately ordered away for twelve months without any chance. There was only a charge made by the Europeans—that is all we heard of this matter.

Were there any witnesses brought against him there and then?—No single witness.

Did Lealaitafea say anything?—No.

Did he ask any questions or ask to give evidence?—No.

Did Lealaitafea ask a question as to why he was ordered away? What was the answer?—Yes; because of the report of the storekeeper.

Was any further explanation given to him?—That is all.

Mr. McCarthy.] Have you got the letter complained of referred to in this record?—They are all here.

Judge MacCormick.] I would be glad if you would read the letter to the witness, Mr. Interpreter. [Letter written in the Samoan language read out to the witness.]

The Chairman.] Is this your signature to the letter?—That is my signature.

[Letter dated 17th September, 1923, from the chiefs and orators, with nineteen signatures, to the Resident Commissioner, Mr. Bigg-Wither, was put in marked Exhibit No. 62.]

Judge MacCormick.: Is there any mention of Lealaitafea in it.

The Chairman.: It must refer to him.

Judge MacCormick.] You allege an error?—He is one of the signatories.

The Chairman.] Have you heard the letter read?—Yes.

That is your letter?—Yes.

That letter was to ask that these three men should be expelled from your village?—No, only two of them.

Would you not know that that letter would cause some inquiry to be made into the matter?—Yes.

And the inquiry would be held by the Resident Commissioner?—Yes.

You knew that there was to be a meeting before the Resident Commissioner on the morning he was leaving Salailua?—I knew.

And all the village knew?—Yes, I announced it to the village that morning.

You announced what?—To the people to assemble in my house.

For what purpose?—The matter of the inquiry into the complaint of Amituana'i and Tolova'a.

The village would know that that inquiry was going to be held?—Yes.

As the complainant were you asked to make a statement?—Yes.

Did you make a statement?—I made a statement.

How long did you take to make that statement?—I cannot remember.

Were any of the three persons present when you made that statement [to interpreter: Please emphasize the word "three"]?—They were all mixed up together.

Did Amituana'i and Tolova'a ask any questions?—No. We all made our statements to the Resident Commissioner.

What do you mean when you say "we"?—Myself and those two.

These two men made their statements?—Yes.

And the Resident Commissioner ordered each of these two men to be banished from the village?—Yes, for twelve months each.

And the same order was made against Lealaitafea?—Yes, afterwards.

At the same sitting?—At the same sitting.

Did Lealaitafea make a statement to the Resident Commissioner at that meeting?—No.

Do you say that you made no charge against Lealaitafea?—That is all what we made in that letter.

Did you tell the Resident Commissioner that you were making no charge against him?—No, I did not.

Why did you not?—Because I did not know.

You were an officer of the Administration, were you not—you were a *pulenu'u*?—Yes.

And you were there in your official capacity?—Yes.

Your story is that the Resident Commissioner made a mistake and banished a man against whom he had no complaint?—That is my story.

Why did you not say so as a man, apart from being a *pulenu'u*—was it not your duty to say so?—I made an explanation when the Resident Commissioner made his decision when the case was finished.

What happened?—There was no more evidence.

You have not answered my question. You were a *pulenu'u* and you made a complaint: in those circumstances why did you not tell the Commissioner that he was making a mistake in sending away an innocent man against whom there was no charge?—I was afraid when the decision was given to say any more.

The whole village was there?—Yes.

And they heard what was said?—Yes.

How many people of the village were there at the Fono?—About four hundred.

Do you mean to tell me that what you say is true—that there was not one of all that number who would inform the Resident Commissioner that he was sending to banishment an innocent man against whom there was no charge?—No one in the village except Lealaitafea.

What did he say—the answer, you say, was that the Resident Commissioner said he was banished?—Yes.

Why did not Lealaitafea say that there was no complaint against him?—He was also afraid when the case was finished and the decision was given.

He was brought before the High Court on the 13th December, 1924—twelve months after the inquiry: can you explain why Lealaitafea did not tell the High Court that there was no complaint against him and that the whole thing was a mistake?—I do not know.

Do you know that in April, 1926, a further complaint was made against Lealaitafea?—I do not know.

Were you *pulenu'u* in April, 1926?—I do not remember whether I was *pulenu'u* at that time or not.

Were you not a *pulenu'u* until the time the public meetings were held at Apia?—No, I was not a *pulenu'u* at that time.

Judge MacCormick.] I just wish to ask one question which has arisen out of the Chairman's examination: did you say that Talova'a Tupu was present before Mr. Bigg-Wither at the inquiry and made statements?—Yes.

They were both there: are you quite sure of that?—Yes, they were both there.

Mr. Slipper: The next matter that I propose going into is with respect to calling several witnesses as to whether there was any election of Faipules either by the Village Councils or by the District Councils. After that it appears to me at the moment that I have concluded the calling of further evidence in Savai'i.

TUILAGI SWORN and examined.

Mr. Slipper.] What is your rank?—An orator.

Where do you live?—In Safotulafai, in the Fa'asaleleaga district.

What is the name of your Faipule?—Leilua.

Do you remember when he was appointed?—It was in Colonel Tate's time.

Was he selected by the District Council?—We had no meeting or discussion in our district to say whether or not Leilua was to be appointed as Faipule.

Were you then on the District Council yourself?—I was included in the district *fonos* at that time.

Mr. McCarthy.] Were you one of the thirty-three in Court that Tofa spoke for?—Yes.

When was objection raised in regard to Leilua's appointment as Faipule?—At the time when the movement was commenced in which the Samoans ventilated their grievances.

That is the time of the commencement of the Mau?—We had been dissatisfied with him for some considerable time, but it was only brought up at the commencement of the Mau.

You brought this matter up because you were dissatisfied?—Yes.

The Chairman: I should draw the opposite inference—that is, he brought it up because he was a member of the Mau and not because he was dissatisfied.

Mr. McCarthy.] Did they submit any written complaints against Leilua?—No.

Mr. Slipper.] When did your people first complain about the matter?—Immediately Colonel Tate appointed him Faipule we were dissatisfied.

TUULO'A sworn and examined.

Mr. Slipper.] What are you?—I am an orator of Safotu, in Savai'i.

What is the name of your Faipule?—Tapusoa.

Can you tell the Commission whether there was any meeting held to elect him prior to his appointment?—No.

Was there any village meeting or district meeting in connection with his appointment?—No.

The Chairman.] To recommend or approve of his appointment?—There was no meeting at which either the approval of otherwise of the people was obtained.

Mr. Slipper.] Did you occupy any position on the District Council or any other position at that time?—Yes.

What was the position?—I was not in any official position. There was no District Council at the time the Faipule was appointed.

Mr. McCarthy.] Were you one of the thirty-three in Court that Tofa spoke for in Apia?—No.

Were you at Mulinu'u at the time Tapusoa was sworn in as Faipule?—No.

Do you not know that your district gave a big feast to celebrate his appointment?—I knew that.

Were you at that feast?—Yes.

Where was it held?—At Mulinu'u.

Was there any objection at all to his appointment at that time?—No, they were quite satisfied to join in the feast.

AUVU'A sworn and examined.

Mr. Slipper.] You are a chief of Falealupo, in Savai'i?—Yes.

What is your Faipule's name?—Seumanutafa.

You remember his appointment as Faipule, do you not?—No.

You do not remember when he was appointed?—Yes, the Administrator appointed him.

Were you holding any official position then, or holding any position on any of the Councils?—My brother was a *pulemu'u* at the time. I was a chief, and took part in Ali'i and Faipule matters.

Was there any meeting of any sort for the purpose of suggesting or approving the Faipule that was selected?—There was no meeting and there was no selection.

Mr. McCarthy.] Prior to his appointment did not the Resident Commissioner attend at Falealupo?—Yes.

Did he not discuss the matter with the Ali'i and the Faipule?—No.

That was Captain Bell, was it not?—Yes.

SOLIA sworn and examined.

Mr. Slipper.] Where do you live?—Falealupo.

What are you?—A chief.

What is the name of your Faipule?—Seumanutafa.

Do you remember when he was appointed as Faipule?—He was appointed in 1925.

Was there any meeting of the Village or District Councils, or anything else to select or approve of his appointment?—There was no meeting.

Mr. McCarthy.] How old are you?—Twenty-six years of age.

How long have you been a *matai*?—I have been holding the title since 1919.

LOTO sworn and examined.

Mr. Slipper.] Where do you live?—I am an orator of Matautu, in Savai'i.

What is the name of your Faipule?—Suisala.

Do you remember his appointment?—I was present when he was appointed.

What position did you occupy then?—I was a member of the body called the Ali'i and Faipule—that is, chiefs and orators.

Was there a meeting of any sort when Suisala was chosen or approved of?—No.

Mr. McCarthy.] If Suisala had not been appointed Faipule who would have received the appointment?—I cannot say.

Do you know that Fa'amoe stated before the Commission that the whole district agreed to his appointment?—No.

Do you not remember the feast that was given to celebrate it?—Yes.

Did you attend that feast?—Yes.

Mr. Slipper.] Was that feast before or after his appointment?—After he was appointed by the Administrator.

TA sworn and examined.

Mr. Slipper.] You are an orator of the district of Matautu, in Savai'i, are you not?—Yes.

What is your Faipule's name?—Suisala.

Do you remember his appointment?—Yes.

What position did you hold at that time?—I was sergeant and chief of police at Fagamalo.

Were you on any Council at all?—No.

Was there any meeting or *fono* held at which Suisala was suggested or approved of as Faipule?—There was no meeting of the chiefs and orators of the district.

Mr. McCarthy.] When did the district raise objection to Suisala?—In 1926.

Did they have a *fono*?—No, it was the individuals themselves, the chiefs and orators had their grievances in their minds, and they only showed out when the Mau commenced.

TUFUGA sworn and examined.

Mr. Slipper.] What is the name of your Faipule?—Va'ai.

Do you remember his appointment?—Yes, it was just after the epidemic.

Was there any meeting of the people in your district or village who suggested or approved of his appointment?—No.

Mr. McCarthy.] When was objection first raised?—They have been dissatisfied with him for some considerable time.

Do you know that to-day is the first day we have heard of it?—We were dissatisfied with him for some considerable time, but the grievance was only brought out when the present movement of the Mau commenced.

Why did you not report the matter to the Resident Commissioner?—He was appointed by the Administrator and the Governor. We have brought up the matter and we are dissatisfied now.

And you first attacked the Faipules about the time the Mau started?—It was only brought out at that time, although we had been dissatisfied with him for some time before that.

How long?—About three months before the commencement of the Mau movement.

SATELE sworn and examined.

Mr. Slipper.] What is the name of your Faipule?—Va'ai.

What are you?—I am a chief of Sataua, Savai'i.

Do you remember your Faipule's appointment?—Yes, it was after the epidemic of 1918.

Were you on any Council or were you holding any other position at the time?—I was a member of the Ali'i and Faipule.

Was any meeting held which suggested or approved of his appointment?—No.

Mr. McCarthy.] When did your district join the Mau?—April of this year.

Is that the time you decided to oppose the Faipule?—No.

When was it?—Long ago.

Tell the Commission when it was?—About six years ago.

Has there been any *fono* of the district expressing dissatisfaction with the Faipule?—No.

Are you aware that the previous witness said that objection was taken to the Faipule three months before the Mau started?—His opinion is different to mine.

Was it known that the Faipules in Upolu were going to be attacked?—No.

Do you know that they had been attacked at the first political meeting?—No.

Mr. Slipper. : There are quite a number of matters that have been brought under my notice, but they are matters which should not be brought before the Commission, and therefore I do not propose to deal with them. They are matters which could be settled between the parties concerned with the assistance of lawyers. So far as I am aware, that is all the evidence I wish to call in Savai'i.

WILLIAM MOODY BELL further examined.

The Chairman.] I want to read to you a passage from the evidence of Mr. Lewis which was given before the Commission at Apia. Mr. Lewis sets out the names of five individuals, and then goes on to say, "These five Faipules from Savai'i were appointed to fill vacancies caused by death or dismissal, and were chosen for their high titles and previous service. After consultations of the Resident Commissioner of Savai'i with the Ali'i and Faipule of the districts concerned, he recommended the appointments, and the Administrator approved." Is that statement correct?—Yes. I have no knowledge of Suisala's and no personal knowledge of Seumanutafa's appointment. I did not have any special *fono* of the Ali'i and Faipule, but on the ordinary *fono* during my *malaga* I brought the matter before it and it was discussed. The predecessor of Seumanutafa was a very sick man for about eighteen months or perhaps two years, and he was not able to do any work. Out of sympathy for him I did not call a meeting of the whole of the Ali'i and Faipule, but I discussed the position with him, and also with many of the Ali'i and Faipule, and Seumanutafa and they all agreed that he should still act as Faipule, because he was a very sound official, capable, and of very high rank. He acted for a while, but as he was so very ill he resigned.

What about the others?—So far as Seumanutafa was concerned I did not do much in that matter except to call the adjoining Faipules, four of them, to discuss the position with the village. The matter was again brought forward by the Administrator in the district, and there was no opposition, and he was appointed on probation for twelve months. The appointment of Suisala was before my time.

What is your opinion of him?—He is an excellent man, and a strong man. There has been no trouble with him.

Do the Samoans go to a complimentary feast in connection with the election of a man and then turn round and object to him?—Yes, they do.

What about Pei?—I have not heard anybody making complaints about him.

What do you think of him?—He seems to be very popular in his district.

I now wish to ask you a question in connection with Mr. Allen's report [Exhibit No. 58] which you have not seen. The two names you have before you are Sua Faa'ala'e'o and Sua Taulua. Do you remember the final hearing in connection with these two men which took place before you on the 24th June, 1925—do you remember presiding at that inquiry?—I cannot recall them to my mind, sir.

Have you read the passage which I asked you to do?—Yes.

Have you any reason to believe that that is not a fair record of what has taken place?—I am satisfied that that is correct. I know the character of the men pretty well.

Do you remember the case of Pauli, which is also shown in Mr. Allen's report?—I remember the case quite well. He was the only really very bad case I have had in Savai'i. He had some trouble with his family, and he took a gun to shoot the family, and if he had had any time he would have killed some one. He was sentenced by the High Court to twelve months, and his family asked that his title be taken away from him. His wife asked that he should be brought over here. Out of consideration for the family I arranged for him to go to Tuasivi hospital, and there he lived the life of a gentleman, and there was no one in charge of him except the Medical Officer. His family visited him, and he had a nice time. Later on an application was received to allow him to have his title back, but after his family conferred together they refused to allow him to have his title back. As I say, he had every consideration shown to him.

I desire to ask you one general question. Many of these banishment orders seem trifling from the European point of view: have you any observation to make that would be of assistance to the Commission about the necessity of dealing with them in the Samoan communities?—The Samoan meaning is entirely different to ours. It only means a man going from one part of his family to another. This would be similar in effect to a man being told to go and live with his uncle for a little while. That is the position. In some cases, in the interest of the man himself, it is very often inadvisable to allow him to remain in the same village as he has always lived in, because serious trouble might be caused, not by him, but on account of something being said which will lead other people to commit a crime; and by him going to another village it smooths matters over, and later his people are pleased to see him back again. In my opinion there would be tragedies if they were not sent to other places.

Mr. McCarthy.] I wish to clear up one matter. When Timu, of Safotu, gave evidence about Mr. Allen having addressed the Natives, and then afterwards the Native attending Mr. Nelson's store to sign the document, the date was not made clear, and I promised to clear the matter up through Captain Bell: do you know the date?—That was in February of this year. Mr. Allen came before me and denied that statement. He admitted distributing letters.

Mr. Slipper.] In regard to banishments, you were referring to matters of a local nature that might cause family troubles and village troubles?—Yes.

You were not applying them to anything of a political nature?—I do not know anything about politics.

Would you recommend that any of these banishments that you have spoken about should result in banishments to the Tokelau Islands for two years?—For five years.

Would you have that power?—Yes.

The Administration has had the power to banish persons for five years before this new Act was passed: was that power ever used?—No.

Could not a number of these banishments that have been dealt with have been disposed of in the ordinary way—namely, in the Courts?—Yes, but that method would not have been so successful.

POUTASI, UPOLU, WEDNESDAY, 19TH OCTOBER, 1927.

AMA sworn and examined.

Mr. McCarthy.] You are a Faipule for the district of Tuamasaga South?—Yes.

What is your rank amongst the Samoans?—A chief.

When were you appointed a Faipule?—In 1919.

Who was the Administrator at that time?—Colonel Tate.

Prior to that appointment had you any experience as a Government official?—I was a Fa'amasino for a period of six months prior to my appointment as Faipule.

At the time of your appointment was there any objection raised against your being appointed a Faipule?—There was no question raised.

Has there been any question raised up to the present time?—No objections have been raised with respect to my appointment.

In giving evidence before the Royal Commission at Apia a Samoan by the name of Lauifata made certain charges against you. The first complaint is that there was no *fono* in the district to discuss the appointment?—It is correct that there was no meeting held at which I was selected by the district.

How did your appointment come about?—I was appointed by the Administrator.

On anybody's recommendation?—Not to my knowledge.

Did the District Council or the Fono of Faipules have any say in the matter?—No.

In 1925 was there any *fono* regarding the appointment of Faipule by the District Council?—Yes, there was a District Council meeting.

What was the Council?—At that time there was a meeting of my district at which I informed them that it had been decided by the Fono of Faipules that there was to be one Faipule for a population of two thousand persons, and that there could not be two Faipules for a population of one thousand only.

The next complaint is that you reported Lauifata for breaking the fine-mat law, for which he was dismissed, according to what he said: what have you to say respecting that?—I did not report the matter; it was Seinafa.

Do you know whom Seinafa reported: did he report anybody else?—My district was reported to have gone with fine mats to Tuatagaloa's district and Seinafa's district.

The third complaint against you is that you withheld a district letter written to the Administrator?—That is not correct.

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What happened to the letter? Was there a letter?—It is my custom to put any petition brought before me by two or three persons before the District Council. These matters are then discussed, and those which the district Councils wish to be sent to the Administrator are submitted to him.

The next complaint is that the district-meeting requests have not been sent to the Fono of Faipules by you?—That is incorrect.

Is this the minute-book of your District Council [minute-book produced and shown to witness]?—Yes, that is the minute-book of my District Council.

There is another particular matter that is mentioned, and it is that you did not bring forward a request regarding the fine-mat law: did you bring it forward?—That request was sent forward to the Administrator and the Fono of Faipules, but as those Faipules who agreed with the request were in the minority there was nothing done in connection with the matter.

Will your minute-book show that the request in connection with fine mats has been sent forward to the Fono of Faipules?—These are a sort of by-laws which are in this book. The remits are sent by separate letter.

Are there many people of the Mau in your district?—Yes.

What is the proportion as compared with the supporters of the Government?—They are divided equally.

Can you tell the Commission what has been the effect of the operations of the Mau in your district?—It has spoilt my district.

In what way do you refer?—Plantations are being neglected and other Government regulations have not been obeyed.

Do they give any reasons for not obeying the Government regulations?—They have given reasons to me. About the 4th July last there was a District Council meeting in the house where the District Council usually meet. I called the meeting; but the people who had joined the Mau came, but remained in another house and did not put in an appearance at the Council house; and when I found that they were not in the Council house I sent for them. I received a reply asking me to wait, as they all had not congregated. About an hour afterwards I sent for them again to join us at the Council house, and then they joined us at the Council house. I then made a speech, and said, "I have sent for you; let us all meet here in the usual meeting-place, and if there is anything that you are dissatisfied about let us know." I spoke at length, but I am only bringing out what is necessary for this inquiry. Anapu replied to my speech, saying, "There are some matters that we are dissatisfied with the Government about, and all matters regarding the Government we will not take part in, including the Council meeting, because we do not know whether we have the good of our country on our side or whether you have the good of the country on yours. You cannot explain anything to us because you cannot explain our grievances. We are therefore satisfied to accept any punishments inflicted upon us, but we will not abide by the regulations."

Did they state any further grievances to you that night?—One of their grievances was finance.

Were there many Mau people there at the time?—There were about twenty of them there.

Can you tell the Commission the month when your district joined the Mau?—They joined at various times. Some of them joined at the commencement of the Mau, and others kept on joining in batches until July.

What do you look on as the commencement of the Mau—that is, what date?—October, 1926.

Prior to October, 1926, will you tell the Commission what dissatisfaction existed in your district with regard to Government matters?—I cannot say, because they did not advise me.

There has been a lot said in regard to banishments in Samoa. If a man is banished from, say, your district to Apia, where there is another branch of his family, would he experience difficulty in obtaining food-supplies?—He could get his food the same as where he was.

Would he have any trouble in getting it?—He would have no difficulty, because they would be relatives of his.

We will say that he is banished from, say, this district to Savai'i, where he would not have any relatives at all. Would—

Mr. Slipper: May I respectfully ask, sir, whether my friend can really ask that question. It is not a question of fact, but merely an assumption.

The Chairman: I understand that the question relates to the general practice *fa'a-Samoa*, and therefore I think Mr. McCarthy is entitled to ask the question.

Mr. McCarthy.] If a man was banished from, say, Poutasi to, say, Savai'i, where he has no relatives, *fa'a-Samoa* would he be entitled to receive food; and if he made a request for a piece of land for a plantation for himself would that request be acceded to?—He would get land and a home.

How would his family get on if he left them behind?—I would like to explain that the old *fa'a-Samoa* custom is that if a *matai* was banished his family would have to go with him.

Will you please read this portion of the *Samoa Guardian* of the 14th July with respect to a *kava* title [paper handed to witness]: have you read that before?—It is the first time I have heard of it.

Will you inform the Commission what you understand by that?—I regret to see that part in the newspaper, as it is a matter between the Administrator and the Mau. It appears to me that somebody else has taken the *kava* title from the Administrator.

It has been suggested that the Faipules and the Fono of Faipules are the puppets of the Administrator: what do you say as to that?—The Administrator is His Majesty's representative, and the Faipules are the chiefs of the country of Samoa. The responsibility on the Administrator and the Faipules is great, and the Administrator does not always do as the Faipules want him to do, and the Faipules do not always agree with him. Somebody has degraded the Faipules by saying that.

Mr. Slipper.] Referring to the meeting of the District Council in 1925, when you informed certain people that there must be one Faipule for every two thousand persons: who said that that must be so?—It was the decision of the Fono of Faipules with the Administrator.

Was the matter referred to the people concerned?

The Chairman.] What do you mean when you say "referred to the people concerned"? It was the recommendation of the Fono of Faipules presided over by the Administrator. What else does it mean?

Mr. Slipper. It was the Faipule telling the district that there should be one Faipule for every two thousand persons.

The Chairman. I did not understand that. You might ascertain from the witness whether it was his recommendation or suggestion, or whether it was a resolution of the Fono of Faipules.

Mr. Slipper (to witness).] Will you please answer that question?—It was a resolution by the Fono of Faipules.

The Chairman. Exactly as I thought; and they were the only people concerned.

Mr. Slipper.] Was it a *fa'a-Samoa* custom to banish a man to strangers?—Yes.

Can you name one case?—In the village of Vaie'e there was a man—

The Chairman. You are asking the witness a question about something that happened many years ago.

Mr. Slipper. He said that it was a custom.

The Chairman. The *fa'a-Samoa* custom was abolished twenty-six years ago, when the German sovereignty was inaugurated in Samoa, and the system adopted by the Germans was continued when the British Administration took over from the Germans: that is so, is it not?

Mr. Slipper. Yes. (To witness:) Referring to the *kava* title, was it ever *fa'a-Samoa* custom to ask for a *kava* title?—No, it is not the custom.

The custom is that it is always conferred by those who have the right to give it: it is conferred as an honour, is it not?—Yes.

There is a question here relating to Lauifata. Did he not get permission from you and Mr. Griffin to carry out a fine-mat *malaga*, stating that he owed some mats and wished to carry the affair out?—He asked for permission, and it was given to him to take only four mats to pay the debt.

He was brought up before the Faipules about it, was he not?—We were charged together before the committee of Faipules—that is, Lauifata, Lutu, and myself.

And did not Lauifata say then that he had permission from you and Mr. Griffin?—He stated that he had been given permission to take four mats, but he took sixteen.

Did you not at that meeting deny that he had received any permission at all?—No.

May I take it that the records of the committee of Faipules will support what you say?—I expect so. I made a statement before the committee of Faipules.

When the meeting was over did you not inform Lauifata that you were determined to punish him, and if he did not lose that case you would have him punished later: is that correct?—I did not say anything of the kind. That is incorrect to say that.

Did you have any difficulties over the sum of £191 paid to you for distribution in respect of work done for the Government on the Safata Road?—I will require the book in which I kept my accounts. I think the amounts are in the book, and it shows that the money has been properly distributed. I am prepared to produce the books, if necessary.

Mr. Slipper. We cannot inquire any further into that. We have not time to investigate this man's books, sir.

The Chairman. He says that they are correct.

Mr. Slipper. We must assume it.

Mr. McCarthy.] Was Lauifata a Government official?—Yes, he was a Komisi.

Was he a relation of yours?—Yes, he is another chief in my family, with a minor title—that is, a title not so high in rank as my title.

The Chairman.] Will you please call your mind back to the meeting in July that you spoke of. You informed the Commission that the first speaker at that meeting told you that the Mau people did not intend to obey the Government laws: is that correct?—Yes.

Did the other speakers on the same side express the same opinion?—The same opinion.

Was the determination an organized determination or not?—It appeared to be an organized determination.

I want to ask you one or two questions about banishments. If in these days a Samoan is banished to a place where he has relatives, has he a right—I want to emphasize the word "right"—to be treated as one of the family of his relatives?—Yes.

He becomes one of the family?—Yes, he becomes one of the family.

I would just like for a moment to direct your mind to the months of June and July, 1927. Do you know that if a member of the Mau organization was banished the members of the Mau would see that he was well fed wherever he was banished to?—The Mau supporters would keep him well fed, and also his relatives.

SEINAFO sworn and examined.

Mr. McCarthy.] You are a Faipule for the district of—where?—The subdistrict of Lotofaga, in Atua South.

When were you appointed a Faipule?—Soon after the epidemic of 1918.

Who made the appointment?—Colonel Tate.

What were you before that?—I was a Fa'amasino before that for about six years.

Was any objection raised about you acting as Faipule at any time?—No.

Lemauga, of Lotofaga, has made certain complaints regarding you. The first complaint is that you stopped certain Samoan customs?—That is incorrect.

The second complaint is that you announced that gambling was forbidden, but that you carried on gambling yourself?—I announced that gambling was prohibited, but that refers to gambling with money. I spend evenings with other chiefs playing poker for matches.

The third complaint is that when you want to remove a *pulenu'u* you do it on your own account and appoint another without discussion amongst the people?—That is incorrect.

There is one question where it was said that Sitaga-tasina was dismissed by you?—He was dismissed by the Government when there was a reduction in the number of *pulenu'us*.

He also said that you dismissed Tauanu'u?—In his case he left his married wife and large family and took another wife to himself, and I felt it my duty to report the matter to the Secretary for Native Affairs, which I did.

Who dismissed him then?—The Government dismissed him.

Then, he said that you announced that if anybody worked on any land he could claim it as his own?—That referred to my own land. I announced that if anybody in the district wanted to make a plantation he could do so on my land and have the use of the produce, but the *pule* of the land had to remain with me.

Did any of the people accept that offer?—Quite a number availed themselves of that opportunity.

Did you divide up any of Lamauga's land?—No.

Have you divided any of Tanoai's land up?—No.

And also Tago?—I did not divide any land belonging to him.

Faumui, in giving evidence, said that there was no previous *fono* prior to your appointment as Faipule?—That is so. At that time the Administrator made the appointment.

Were you in Court when Ama gave his evidence?—I was present and heard the evidence of Ama.

Did you hear his evidence regarding the banishment of Samoans?—Yes.

Do you agree with his explanation regarding the customs adopted by the Samoans in regard to banishees?—Yes.

Are there people of the Mau living in your district?—Yes.

When did they join?—In April and May of this year.

Prior to this time, can you tell the Commission what grievance there was in the district against the Government?—When I left my district in May to attend the Faipule Fono some of the people in my district ran away from my district and joined the Mau.

Do you remember the first political meeting in the Market Hall?—Yes.

Prior to that time had you heard of any grievance amongst your people against the Government?—I did not hear of any.

Since April and May, and since your people joined the Mau, what has been the effect of the movement in your district, particularly with regard to plantations and Government activity?—They have interfered with the duties of the *pulenu'us*.

Mr. Slipper.] Have any of your people come to you with regard to troubles which they wanted you to forward on to the Government?—There were, and I forwarded them on.

I suppose that from 1918, when you were appointed, up to October, 1926, you had quite a number of things to forward on, did you not?—Yes, quite a number.

Was not a single one of those complaints against the Government, or any branch of the Government?—No.

They were all against private people, or village affairs, or something of that sort?—That was all.

With respect to the question of banishments, do you agree with the principle that Samoans might be banished to the Tokelau Islands for as long a period as two years?—It would be a good thing.

Do you think that it is necessary in any of the cases that you know of?—Yes.

If you were to offend against the Faipule, or anybody else, would you like to be banished to the Tokelaus for a period of two years: do you think it is fair?—It would be a good thing.

Then, if you behaved yourself, as the *pulenu'u* was supposed to have behaved himself—the *pulenu'u* who was dismissed—would you consider that fair?—Yes, I would consider it fair.

Would you consider it fair for the *pulenu'u* in question to be banished to the Tokelaus for two years?—Yes.

Do you know Tuileto'a of Lotofaga?—Tuileto'a is only short for his proper name.

Do you remember whether he was a member of the Village Committee?—He is still a member of that committee.

You appointed him to the position, did you not?—Yes.

Do you not think that this was beyond your power to do anything of the sort?—I spoke too quickly. I mean, when I said that he was a member of the committee, that he was a member of the committee of the District Council. I have power to appoint members to the committee of the District Council, and I have power to select a meeting-place for that Council.

Do you say that you did not appoint him to the Village Committee?—I did not appoint him.

Do you know who did?—It was the *pulenu'u* of his village. There is a *pulenu'u* for that village—namely, Vavau—but it is not the same village as mine.

Did you ever ask or order any of the people in the village of Lotofaga to pay 1s. more in taxes than the law provided?—It was the *pulenu'u* of Lotofaga who did that; that was an additional tax of 1s. per head.

What was that additional tax of 1s. per head for?—Towards the District Fund.

Is that a lawful tax?—Yes.

What became of the extra 1s. per head?—The *pulenu'u* had it.

Has he got it still?

Judge MacCormick: This is a matter that should have been reported to the Administration for action.

Mr. Slipper: I was going to ask the witness if he had had this matter dealt with.

Judge MacCormick: You may be quite sure that the Commission will not deal with it.

Mr. Slipper.] As Faipule, have you reported these matters: I do not want to know anything about the *pulenu'u*?—I have not reported it for investigation.

SUA SOLOI sworn and examined.

Mr. McCarthy.] What is your name, and what district are you Faipule of?—Sua Soloi, and I am the Faipule of the district of A'ana South.

When were you appointed?—May of this year.

Prior to that, what positions had you held in the Government?—I was a Komisi.

Were you not also an Acting-Faipule for some time?—I was an Acting-Faipule for three years.

In giving evidence before the Royal Commission in Apia a man named Tuao-Tauiilo, of Lefaga, made certain complaints against you. The first was that you were appointed without the previous knowledge of the district, and that there was no *fono* held?—There was no *fono* of the district to select the Faipule.

At the time you were appointed Faipule, were you acting as a Faipule?—Yes.

A further complaint was made against you by a man named Sua Lamasi, in which he said that you appointed Tuilaepa to wear the head-dress at the Administrator's reception?—I was entitled to wear the head-dress myself, but I let my son Tuilaepa wear it.

Have you the right to do that?—Yes.

Are there many people of the Mau in your district?—Twenty of the *matai* are supporting the Government and twenty are in the Mau.

When did those twenty chiefs of the Mau join in the movement?—At the commencement of the movement.

When do you understand that the Mau movement commenced?—It commenced last year; I cannot remember the month.

What has been the result of the Mau movement in your district, particularly with regard to to plantations and Government activities?—They have neglected their plantations and said that they did not wish to cultivate, and they have refused to obey Government regulations.

Prior to the commencement of the movement did you know of any grievances that existed against the Government amongst the Samoans?—I did not know of any grievances.

Have you heard the evidence given to-night by Ama and Seinafo regarding banishments?—Yes.

Was Ama's statement a correct one as regards Samoan customs?—It was correct.

Mr. Slipper.] The *Fono* is a sort of House of Parliament—a House of Representatives, is it not?—Yes.

What are they supposed to be representatives of—representatives of the people or representatives of the Crown?—Representatives of the district—that is, the people of the district.

Was there any *fono* of the people to either suggest or approve of your appointment as Acting Faipule?—No.

Was there any such meeting when you were appointed as a permanent Faipule?—No.

And it was the Governor who appointed you as a Faipule?—Yes.

And it is the Governor only who can dismiss you as a Faipule?—Yes.

Do you know of a Government plantation close to this place, to the right of this *fale*, towards Aleipata?—There is a European plantation along this way, but I do not know whether it is a Government plantation or not.

Mr. McCarthy.] Did your district at any time lodge a complaint against you as Faipule?—No.

Have they expressed any approval of the way you have carried out your duties?—Only by those who are still supporting the Government.

MANO sworn and examined.

Mr. McCarthy.] What is your name?—Mano.

What is your official position?—I am a *pulenu'u* of Siumu.

Have you Mau people in your district?—Yes.

What is the proportion compared with Government supporters?—The majority of my people turned to the Mau. There are thirty-odd *matai*, and only four are supporting the Government.

How does your village act as regards beetle-searching?—I was informed by them that my orders would not be further obeyed, as at the meeting of the committee at Lepea they advised that all Government orders would be rejected.

Do they search for beetles?—I know that they are still searching for beetles and carrying out searching properly, but they do not bring them to me; they take them to two *pulenu'u* appointed by the Mau.

Do you get the records of the beetle-searching?—No.

Do you know whether there are any fines inflicted by the Mau *pulenu'u*?—Yes.

What are the fines?—They have dropped it to 4s. per searching.

That is for failing to search?—Yes, failing to search on any occasion.

What becomes of that money?—I do not know.

What is the fine that you would impose as a Government *pulenu'u*?—Before the Mau started, for every occasion that a man failed to search for beetles he was fined 8s.; that is the regulation.

Are you a member of the District Council?—Yes.

Are the *fonos* attended to-day by the Mau people?—They do not attend.

Who is your Faipule?—Ama.

Have you heard any complaints against him as a Faipule?—I have not heard of any complaints. *Judge MacCormick.*] How long have you been a *pulenu'u*?—Since June, 1925.
What is the effect of the movement upon the attendance of the children at the school?—They are still attending the schools in my village.

Mr. Slipper.] Can you tell us who it was that stated that the committee at Lepea had given orders that Government orders were to be disobeyed?—Tu'u'u Tagi'i-Lima.

Is he a member of the Mau?—Yes.

And to whom did he say that?—To myself.

Do you know whether he had been to any meetings at Lepea himself?—I do not know.

Do you know to what committee he referred?—I do not know. He said the committee at Lepea.

What are the names of these Mau *pulenu'u* that you spoke of?—Li'o and Tu'u'u Tagi'i-Lima.

Why do you call them *pulenu'u*?—They said that, on account of the dissatisfaction, they had been appointed *pulenu'u* for the Mau.

They said so themselves, did they?—Yes, when they told me what the dissatisfaction was about and why they turned away.

Mr. McCarthy.] When you referred to the children attending school, do you mean the Government school or the pastor's school?—I mean the Government school, the second-grade school.

Who is the teacher in that school?—I do not know the name of the teacher; it is in another village, named Fausaga.

Judge MacCormick.] My question was directed to his village?—The children of my village attend that school.

FAUMUI sworn and examined.

Mr. McCarthy.] What village are you *pulenu'u* of?—Matautu, in Lefaga.

Are there many people of the Mau in your district?—Eight *matai*, and young men as well who have joined the Mau.

What is the proportion compared with Government supporters?—There are thirteen *matai* and young men in the Government.

How is the beetle-searching law observed in your district?—Those in the Mau are not searching for beetles.

Do they pay their taxes—dog-taxes and gun licenses?—They have not paid their dog-taxes or gun licenses.

Do they report births and deaths?—They do not do that any longer. Only one birth among the Mau people has been reported.

Have they told you why they behave in this manner?—Yes.

What is it?—One chief told me that they were not going to search for beetles any more—they were obeying the instructions of the Mau committee.

When did they join the Mau?—In October of last year.

Did they all join then?—Yes.

Mr. Slipper.] You said that chiefs told you that they would not look for beetles?—That is so.

Have you any other reason for saying that they will not look for beetles?—No, I have no other reason.

You heard what the last witness said about beetles in his district, did you?—Yes.

What was it?—That the searching was separate from the Government.

Might that not be so in your case?—That is being done also. There are two *pulenu'u* appointed for that purpose.

What you mean is that they are not handing the beetles over to you?—That is so.

Regarding births: how many births that should have been registered have not been registered?—Only one birth and one death have not been reported.

How did you come to know about them?—I saw the child that was born, and I saw the corpse.

Whose child was that, that you saw?—The son of Lemalu Liaina.

And did you speak to him about it?—No.

And what was the name of the person who died?—Mamea Tusina.

And are you positive that they are strictly within the boundaries of your village?—I am certain.

And did you speak to anybody about the failure to register this death?—No; I have done as required by the law. Although I knew of the death, it was not my business to register it unless it was reported in the proper way.

Who should have reported it?—Any member of the family of the deceased.

Might it not have been possible that one was depending upon the other to do the registering?—That is not so; it is that they do not wish to report it.

How do you know that they do not wish to report it?—They do not wish to obey the regulations such as I have to attend to.

You are suggesting that because they are in the Mau?—Yes.

The whole family?—Yes.

How many are there in the family?—About five.

And you can give the names if asked to?—Yes.

Judge MacCormick.] What about the schools: were the children attending the schools in your village?—The parents in the Mau have stopped their children from attending school, but the children of parents still Government supporters are still attending school.

LAUVI sworn and examined.

Mr. McCarthy.] You are the *pulemi'u* of Sa'anapu?—Yes.

Are there people of the Mau and people of the Government in your village?—The whole of the people of my village are in the Mau; only myself and my family are supporting the Government.

Have you heard the evidence given to-night by Mano?—Yes.

Regarding the manner in which the Mau people respect the Government instructions and the law regarding beetle-searching?—Yes.

What has been your experience in your village?—Exactly the same as told by Mano. They have two *pulemi'u* to receive the beetles, and the Mau people are searching for the beetles.

When did they go over to the Mau?—Last year. I do not know the month.

How are the children in your village attending the schools?—All the children of the supporters of the Mau have been stopped from attending the schools. Only my four children are going to school.

Mr. Slipper.] Did the Governor choose you as a *pulemi'u*, or did the people of your place choose you?—I was selected by the chiefs and orators of my village.

And you were appointed by the Governor after that?—Yes.

Is that the proper way for a *pulemi'u* to obtain his position?—That is the usual way.

You say that your people went over to the Mau last year: was that early in the year, late in the year, or in the middle of the year?—In October, the month in which the Mau movement commenced.

Did you suddenly remember the month: you could not remember it before?—I just remembered it was October.

Who stopped the children from going to the schools in your village?—The *matai* who are in the Mau.

Have you heard it suggested that the committee of the Mau wishes the children not to go to school?—I have heard that the Mau committee wanted the children stopped from going to school.

Do you believe that?—Yes, because it was a member of the Mau committee who told me that they would not send their children to school.

You heard what Faumui said about the children in his village?—Yes.

Can you account for that?—I do not know anything about Faumui's village. It is another district.

Mr. McCarthy: There are a number of other *pulemi'u*, but I do not think that it is necessary to call them, unless it is desired. They all have the same evidence to offer, and they are present here now.

The Chairman: Can you not adopt the plan of calling one and asking the others to be present, and if they agree with the evidence given. *Mr. Slipper* adopted that plan.

[Eight *pulemi'u* were called in, their names being: Lau, of Lotofaga; Sifuiva, of Salani; Lemauga, of Lotofaga; Leatuavao, of Faleaseela; Mataafa, of Saleaula; Masina, of Savaia; Tupa'i, of Vaiee; and Manu'a of Sataoa.]

The Chairman: *Mr. Interpreter,* will you tell those *pulemi'u* who have been called that we request them to listen to the witness's evidence. I am then going to ask them whether the evidence that has been given is true or not.

LAU sworn and examined.

Mr. McCarthy.] You are the *pulemi'u* of the village of Lotofaga, in the Safata district?—Yes.

Are there two parties in your village?—Up to the end of September last all the people in my village were with the Government. It was only at the end of last month that two *matai* went to Apia to join the Mau.

How many are in the Mau now?—Only two.

Do these two people of the Mau obey the beetle-searching law?—They are not obeying, and I do not know whether they are complying with the regulations now.

MATAAFA sworn and examined.

Mr. McCarthy.] What village are you *pulemi'u* of?—I am the *pulemi'u* of Saleaula, in Upolu.

Have you many Mau people in your village?—Eleven, all young men and no *matai*.

MANU'A sworn and examined.

Mr. McCarthy.] What village are you *pulemi'u* of?—I am the *pulemi'u* of Sataoa.

Are there many Mau people in your district?—Four *matai* and thirty young men.

How do these people obey the law as regards beetle-searching?—They do not search for beetles.

How do they observe the law as regards gun-taxes and dog-taxes?—They have refused to pay dog-taxes, but have paid gun-taxes.

You are a member of the District Council?—Yes.

Do the Mau people attend the meetings of the District Council?—No, they do not attend.

Do the children of the Mau people go to school?—They stopped them, but I used my influence and got them back to school. I have even led two children to school against their parents' wishes.

Do the Mau people report births and deaths to you?—Yes.

Mr. Slipper.] When was the last District Council meeting called for; about what month?—After the last visit of the Administrator, in July of this year.

The Chairman (to the other seven *pulemi'u*): Have you heard the evidence of Manu'a?—Yes.

Do you agree that the Mau members in your district have determined not to obey the laws of the Government?—Five of us agree as regards our own villages; the sixth man goes further, and states that those are the instructions from the committee of the Mau. Lau says that there are only two Mau people in his village, and they are away.

Are you all satisfied that the organization of the Mau is in opposition to the Government generally?—That is so.

FAAFILI sworn and examined.

Mr. McCarthy.] What is your position?—I am a school-teacher at Fausaga.

Will you tell us about the attendance at your school up to September of this year?—In June there were forty-two children attending school, in July it had dropped to thirty-two, and in September it was ten only.

Can you tell us the reason for the drop in the attendance?—Yes, on account of the Mau.

Have you seen any of the Mau parents?—I have met some of the parents, and I have asked them why they were not sending their children to school. They told me that the committee had decided to keep the children away.

Which committee?—The Mau committee of Fausaga.

What is the attendance at the school to-day?—None at all.

Mr. Slipper.] How long have you been a teacher?—I commenced teaching in May last.

And have you sole control of the school?—Yes.

Is it not just possible that there is something wrong with the school to cause a falling-off in the attendance?—No.

Do you know when the Mau commenced as a formed body?—I am not sure.

It was in September or October of last year. Did the attendance start to drop after that?—Yes.

How do you know if you were not there?—I thought you meant September of this year.

Can you go to the school roll and find out?—I did not look at the roll.

You keep a roll, do you, and does that roll show the figures that you have given us?—Yes.

Have there been any complaints about your management of the school?—No.

What is the nearest Government school to yours in the district?—One mile.

Are there any Mau people in that place?—All are in the Mau.

Is that school closed up, too?—I do not know.

Mr. McCarthy.] Where did you get your training as a teacher?—Malifa Government School.

The Chairman.] Do the children of your village go to the other school situated a mile away?—No.

THURSDAY, 20TH OCTOBER, 1927.

HENRY CHARLES CONNOR sworn and examined.

Mr. McCarthy.] You are a Government officer?—Yes, I am a District Inspector.

And you are stationed where?—In the Aleipata district.

Before the commencement of the Mau did you have any trouble in carrying out your duties as District Inspector?—Practically no trouble.

What was the position after the commencement of the Mau?—For a while after the commencement of the Mau there was practically no trouble—that is to say, after the King's Birthday was the time that they refused to obey the instructions that were issued to them.

What has been the result?—The result has been general neglect of plantations, beetles, cook-houses, villages, and work in general has been neglected.

Can you say anything in particular about the beetles?—When they returned from Apia I was in the Aleipata district at the time, and I was going through the villages telling them to clean up their villages for the Governor's inspection. The few that were in Aleipata were doing their work satisfactorily, but as soon as the main body returned from Apia they did nothing more. Up to that time the villages and everything else were kept in good order.

Did you speak to any of the Mau people about it?—I asked them to give me their reasons for this, and they informed me that they had received instructions from Apia not to obey any orders issued from the Government.

Did they mention from whom were those instructions issued?—From the committee in Apia. They also said that their instructions were to hunt for beetles, and clean plantations, and do all their own work, as well as performing their own inspections; but they were not to obey orders given by any Government official.

Can you give the Commission any information about the scheme with respect to the exportation of bananas?—That is practically a "wash-out." As a consequence of the neglect of the plantations, there are many acres of bananas that are of no use. They have to contend with a weed known as the mile-a-minute weed, and they have to be continually dealing with it to keep it in check. One month would be quite sufficient to choke the young plants unless the weed was kept in hand.

What would you say the prospects were, in your opinion, with regard to the exportation of bananas from your district?—Very poor.

Mr. Slipper.] Do you say that all over your district, in every case, they are neglecting beetles?—Yes, they are not searching the same as they used to search; but in the Aleipata district for about two months they were not handing over the beetles to the *pulemu'u*. At the present time there are five villages handing over their beetles to the *pulemu'u*, but three villages are not doing so.

And are those five villages that are handing their beetles over to the *pulenu'u*—are they searching for beetles properly?—They are getting their quota. Of course, the quota has been put up 50 per cent. this year to what it was last year.

Was that necessary?—Yes.

The beetles are there to be collected?—Yes.

It would be a bit hard on them if that were not so?—They are there all right.

Did they tell you what committee it was that instructed them in this way?—A committee of the Mau.

Was that a European committee or a Samoan committee: can you speak definitely as to this?—I cannot say definitely, but they said a committee of the Mau.

Would you tell me who said this to you?—I did not take much notice; there were so many. There was no secret about it.

Quite a number told you about it?—Yes. I was giving them instructions with respect to cleaning up their villages for the Governor's *malaga*.

Mr. McCarthy.] Where does your district extend to?—From Aleipata to Seanapu.

The Chairman.] Could you give me a rough idea of what is the area of your district?—It is about 4,000 acres in coconut-plantations.

What is the position with respect to the payment of their taxes since the Mau started?—They were told not to pay their taxes.

What is the position relative to the attendance at the schools by the children?—The attendance at the school has decreased in Aleipata. There are very few attending the second-grade Government school now. It was only the other day when I looked in that I saw about three boys.

Have you any experience of the method in which they attended the Governor's *malaga* after the King's Birthday?—I was in Aleipata when the Governor arrived there.

Did the Mau people put in an appearance?—The orator that made the speech of welcome to the Governor was a Mau man. There were a few Mau people who turned up and made a speech of welcome, but they disappeared afterwards. It was not like the usual turnout. When they were asked to turn up by the Governor in the afternoon for a *fono* they did not put in an appearance; there were only the *pulenu'us* and the Faipule present.

Have you any doubt that there is a fairly widespread agreement to reject the authority of the Administrator?—There is no doubt about that.

What is your experience as to the necessity of constant inspection, and the manner in which they keep their plantations and catch beetles: can they be trusted to do it without the necessity of supervision and inspection?—No. I can give you an illustration of that. The orders of the Mau committee were to hunt for beetles and keep their plantations clean. When Faumuina was sent over to Lotofaga he found, when he got there, that they were not hunting for beetles and keeping their plantations clean. He took the matter in hand and made them keep their plantations clean. This shows that they are not obeying the orders given to them by the Mau.

Supervision for the purpose of keeping their plantations in order and for the purpose of cleanliness is, in your opinion, a necessity?—Yes.

Is that a common experience?—Yes.

Would you find that there is any dissent from that expression of opinion?—I get it sometimes: they do not like this continual inspection, and they just want to run about just like a lot of them are doing to-day; they do not like this continual inspection.

I was referring more to outside, well-informed opinion as to the necessity of inspection: there is no doubt about that?—There is no doubt about that. Even the Samoan chiefs in the Mau have admitted that to me.

Supposing inspection is relaxed, what do you think the consequence would be—not instantly, but in the course of time?—It is going back all the time.

It would retard the progress of the whole island?—Yes.

Mr. Slipper.] Seeing that the Samoan chiefs take the same view of inspection as you do, do you think it is more likely that the Mau people did receive any instructions from the committee with respect to these matters, or that it is purely Samoan gossip among themselves, and that they are trying to look big by saying that they received instructions: which do you think is the more likely?—One is just as likely as the other.

You admit that the Samoan chiefs agree with your point of view?—Yes, I think so.

You say they had been told not to pay taxes?—Yes.

I suppose they said the committee told them not to do that?—Not to obey any orders of the Administration.

They put everything on to the committee?—Yes.

The Chairman.: What experience have you had in district inspection in the islands?—I have been eight years in the Administration and seven years as District Inspector.

APIA, 22ND OCTOBER, 1927.

PHILIP BREWSTER SWORN and examined.

Mr. Meredith.] What is your occupation?—A planter.

And where do you live?—In Sogi.

How long have you been living in Samoa?—I arrived here in the beginning of 1915.

And I think that you know Mr. Williams?—I do.

And I think you have been on his committee at elections?—No, I was not on his committee, but I offered to be on his committee.

You remember the first public meeting which was held in the Market Hall?—Yes, I do.

Did you have a conversation with Mr. Williams prior to that meeting in connection with that meeting?—Yes. I should say it was two or three days prior to that.

What did Mr. Williams say to you then?—I was at Mr. Walter's butcher's shop; we were talking about the election in the first place.

What was the election for, the Legislative Council?—Yes. Then Mr. Williams asked me if I was going to the meeting at the Market Hall. I said that I might be there; I did not say that I would be there.

Did he make any reference as to who would be there, or as to the objects of the meeting?—He told me that they were having the Samoans at that meeting.

Was anything said as to the objects of having the Samoans there?—He said that without the Samoans at their backs they could do nothing.

Was there any reference made to the Administrator in this conversation?—No.

Did he tell you what the object of the meeting was?—He told me that it was to get what they wanted, and that the Samoans should be on the Legislative Council.

Was any mention made as to the necessity of having the Samoans behind them?—He said that they could do nothing.

What, without the Samoans?—Yes, without the Samoans.

Did you have another conversation at another time?—I had a conversation with him; I think it was somewhere about two mornings after that.

Was that before the first meeting?—Yes, before the first meeting.

What happened on that occasion?—We still talked about the elections, and I told him that I would do whatever I could for him; and then he mentioned about this meeting again, and he said, "You should be there; we are having about five hundred Natives." He said, "We will be strong enough, but without them we could do nothing," and "We must get rid of that man."

Who was the man referred to?—The Administrator.

Had he asked you anything about the Administrator in his conversation?—No. He never spoke about him; he just said "We must get rid" of him.

Did you have any other conversation with him on the subject?—Yes, along Tivoli Road, just this side of his own residence. I, my wife and family, were in a motor-car.

And when would this be?—This was after the meeting.

Well, what was the purport of that conversation?—He asked me what I thought of the meeting, and he said that it was a bit of impertinence to read that letter at the meeting.

That was in reference to the Administrator's letter?—Yes. He said that it "was only a game of bluff."

Was any reference made to the part the Samoans took in that meeting?—No.

Mr. Slipper.] Where is your plantation?—Papase'a. It is not my plantation; I am the administrator of it.

Who owns the plantation?—It is a bankrupt estate.

In whose hands is this bankrupt estate?—Well, it was in the Crown Estates and they gave it to me; the Crown Estates handed it over to me.

Who owns the plantation to-day?—Nobody owns the plantation to-day, unless—I believe it is now the Public Trustee.

Is it not under Government control?—Well, I could not say whether it is the Crown Estates or the Public Trustee, but I believe it is the Public Trustee.

Who appointed you manager?—Mr. Collins. Mr. Cowley was away, and Mr. Collins was then Acting-Manager of the Crown Estates.

Are you or are you not a paid agent of the Administration?—I have never received one penny from the Administration, for never have they asked me to do anything in conjunction with what I have stated.

Mr. Meredith: By "paid agent," do you mean that he is employed in the Administration? I do not quite understand the question.

The Chairman: They are generally allowed some little latitude in cross-examination. I think that Mr. Brewster will be able to look after himself.

Mr. Slipper.] A paid intelligence agent?—I am not a paid intelligence agent, for, as I say, they have not paid me to do anything in regard to this affair; I gave the information voluntarily because I thought it was to the interests of the people here.

Have you never reported to the police?—I will not swear now that I reported in the first instance to Colonel Hutchen or the police. I will not swear to that, but I reported these things to Mr. Braisby.

Have you reported anything else to Mr. Braisby?—Only in conjunction with this matter; nothing outside of this affair.

I do not know what you mean by "this affair"?—I mean what I have spoken about now.

Did you report to Mr. Braisby that Tibbo had stated that the committee of the Mau had been exhorting people to disregard the law?—The only thing I may have said to Mr. Braisby in regard to Mr. Tibbo is a conversation between me and Mr. Tibbo that if the Administration would give him employment he would keep his mouth shut, and I told Mr. Braisby that myself. He told me that out of his own lips.

The Chairman.] Who is Mr. Tibbo?—He is an engineer here.

Mr. Slipper.] Did you report to Mr. Braisby that "Slipper said he was going to get Tagaloa and Fuataga off, and after that he would hold the fort on the rim" (or it may have been "run" probably):

did you report that?—No. What I reported to Mr. Braisby was—and Mr. Braisby got it from the man who told me—that Mr. Slipper and the Legislative Councillors, or somebody, were sitting in Mr. Meredith's office. This man's wife was in there when Mr. Braisby came to me. I sent him to the man, but informed him that I did not tell Mr. Braisby that.

What did you tell?—I only told him what this man had told me.

What was that?—He told me that you were to get two men off the next day, and after that you were to get two high chiefs from Apolima, and after that you would have the Government running. Those were the words he told to me.

Tell me the name of that man, please?—Well, I—

The Chairman: You can decline to answer it. After all, it does not really affect the matter. What Mr. Slipper said or what Mr. Slipper thinks may be of importance in other matters, but scarcely in connection with this.

Mr. Slipper: I think your Honour would appreciate the fact that I would like to know who said that.

The Chairman: Let us waste no more time. (To witness:) You need not answer the question.

Mr. Slipper.] How long have you known Mr. Williams?—I have known Mr. Williams ever since about 1921.

Have you been a particular friend of Mr. Williams?—Well, no. I have been on friendly terms with Mr. Williams and always spoken to Mr. Williams whenever we have met.

Would that be before you were sent away from Samoa or after?—Mr. Williams was not here then. Excuse me, but I was not sent away; I applied to go.

Have you your discharge from the Army, Mr. Brewster?—I have a good discharge.

Have you got it with you?—No, I have not.

You could produce it?—Yes.

You will?—Yes.

The Chairman: I do not think that he will. I will tell him that he need not produce it. You are bound, Mr. Slipper, in cross-examinations, to accept all answers to all questions which go to his credit.

Mr. Slipper.] Can you give me any reason why Mr. Williams should make these confidences to you?—We were talking about elections, and I offered my services to help and do whatever I could.

ALLAN RIDGE COBCROFT sworn and examined.

Mr. Meredith.] You are a planter?—That is so.

Where is your plantation?—Vaipoto Plantation.

I think that you were present at the first public meeting in the Market Hall?—Yes, that is so.

Had you seen the advertisement calling it?—I might have, possibly; I do not remember. My neighbour rang me up and asked me to go.

Mr. Meyer?—Yes. I went with Mr. Meyer.

Now, before you went, did you know that Natives were to be there?—Certainly not.

Natives were there?—Yes, Natives were there.

We do not wish to go through the meeting, but various matters were brought up at that meeting?—Yes.

Did you speak at the meeting?—I did.

On what matters?—I spoke on the state of the road which connects the central agricultural districts with Apia; I pointed out the districts. I also spoke on the inadvisability of the Government interfering in private enterprise—opening up Solaua plantations—and I spoke on the revenue derived from the Crown Estates.

I think it was proposed that you should be a member of the committee and draw up the various reports?—Yes. I later said that I would withdraw, but stated that I would assist Mr. Meyer in the preparing of the reports to the best of my ability, but I was asked not to withdraw.

You did not withdraw?—No, not at that particular meeting.

I understand that there was a meeting of this committee shortly after the public meeting?—The public meeting was held on the 15th October, and the committee meeting was held in the chairman's office (Mr. Nelson) on the 26th October.

Was there any discussion there between you and Mr. Nelson and the others about Natives being at that meeting?—Yes; I protested most vigorously about the European committee interfering in Native affairs. I said that I did not think it right for the committee to interfere in Native affairs—they should confine themselves to matters affecting Europeans only. Both Mr. Nelson and Mr. Williams said, "Why not? They [the Government] were the first people to bring the Natives into the political arena, when they used them as a lever to bring in prohibition. We have as much right to use them as they have." I protested, and I said that in my opinion—I am not a commercial man—a fair criticism would be to draw up a comparative report of the condition of the Territory, financial and otherwise, when the present Administrator took over and the condition at the present time, and criticize on that—that, in my opinion, would be a fair criticism.

Did they agree to withdraw the Natives?—No.

I think that the Planters' Association had a meeting later?—On the 28th of the same month a meeting of the Planters' Association was held in the Central Hotel, when the question of the planters' attitude in regard to the Citizens Committee was freely and fully discussed.

Just briefly, Mr. Cobcroft, I think that a resolution was passed?—A resolution was passed, and I think that you have a copy of it. At that meeting all were unanimous as to the plans adopted. The resolution was as follows: "The meeting approve of the election of Messrs. Meyer and Cobcroft by

the citizens to represent the planters' interests on the committee set up to place certain phases of the Government administration before the Hon. the Minister of External Affairs, and that they receive the whole-hearted support and co-operation of the members of this association; and moved, further, that, 'Whilst the planters generally are not unmindful of the assistance rendered them in the past by the Administration, there are certain measures they consider might be adopted which would operate to the mutual benefit of the Government and the planters generally.' Again, that it be distinctly understood by these two gentlemen that, as representatives of this association, they are to confine themselves to matters appertaining to labour and agriculture, and in no way to interfere in the Government's Native policy."

And in pursuance of that?—Immediately following that meeting we forwarded the original of this letter to the Chairman of the Citizens Committee, dated the 1st November, 1926, *re* the visit of the Hon. the Minister of External Affairs:—

Memo. for the Chairman, Citizens Committee, Apia.

Apia, Samoa, 1st November, 1926.

Re Visit of the Hon. the Minister of External Affairs.

FOR the information of your committee, we attach hereto a copy of a resolution unanimously passed at a meeting of the Planters' Association, held in the Central Hotel, on Thursday last, the 28th ult., having reference to the visit of the Minister of External Affairs, and outlining their policy in regard to same. The expressed wishes of the planters is, as you will note, to confine themselves to matters referring to agriculture, and in no way to interfere with the Government Native policy. We have to advise you that both as representatives of the planters and as private individuals we concur with the above views, and would ask you to kindly excuse us from attending any committee meeting that has to deal with matters affecting the Government Native policy. As soon as we have ascertained the definite views of the planters we will draft out a report and submit it to the committee as requested.

A. R. COBROFT.
KURT MEYER.

You attended the second meeting, Mr. Cobcroft?—No.

I mean the second public meeting?—Oh, yes.

You attended no further committee meetings after sending that letter, but attended the next public meeting?—Yes.

And at that public meeting, I think, you made an announcement?—In his *résumé* of the happenings the chairman omitted to give or make any reference to the letter that had been forwarded by the planters. I addressed the meeting, and said that the planters disassociated themselves from the Citizens Committee, and that Mr. Nelson had been written to to that effect, "but, as he has omitted to read our letter to the meeting, on behalf of the planters and so as to avoid any possible misunderstanding or misconception, I now state publicly that the planters will not in any way interfere in Native affairs, as, for one thing, they do not consider that they are sufficiently conversant with Native affairs to meddle in them, and, more particularly, for the reason that they think that the Samoans have a properly constituted Fono of Faipule through whom they are able to make any representations or petitions to the Administration which they may deem advisable."

Mr. Baxter.] Your first action with the Legislative members over this matter—was that after the first public meeting or before?—Before.

A gentleman you mentioned as your neighbour, I think, had been there?—Yes.

And he had doubtless told you about those meetings?—No, we had not discussed them very fully.

But from what he had told you about them you did not see any reason why you should not go to the public meeting?—I had no intention of going. I was not interested.

But you went?—He asked me to go, and I went.

And he had not previously to that definitely told you anything that made you think that you should stay from that meeting?—I do not remember what he told me about this particular meeting.

But you would not have gone if you had thought that you should not go?—If I had thought that I should not have gone, I am quite certain I would not have gone.

At this particular meeting there were quite a large number of Natives present?—There were, yes.

And these Natives took part in the discussion?—Towards the end, yes.

When it was decided to elect a committee, they decided to have a committee consisting of six Natives, six Europeans, and the three elected members of the Legislative Council?—Yes.

And you were nominated, among others, and accepted nomination?—To represent the Committee on Labour and Agriculture.

You were asked to be a member of that committee, Mr. Cobcroft, and you accepted nomination?—Yes.

And at the time you accepted nomination you knew that Natives were going to be on that committee?—You say that, sir; I do not.

Were not six Samoans elected on to that committee that night?—On to a general committee.

What committee?—A committee I expected to work independently of the—

There was only one committee elected that night—six Natives, six Europeans, and the three elected members?—Yes.

Quite so. And you were one of those six European members: you know that. You were at the meeting that night, and you knew that those six had gone on to the committee?—Yes.

And as Native affairs had been discussed at that meeting, and as six Natives had gone on to the committee, you must have known that Native affairs would be discussed by the committee, did you not?—Yes.

Mr. Cobcroft, do not tell me that, as Native affairs had been discussed, it is not reasonable?—It is not reasonable for me to think that white people should go and mix themselves up in Native affairs.

Well, white people—one of them being you—had gone on to the committee with Natives: does that not look like it?—Not exactly.

Although Native affairs had been discussed at that meeting?—You will remember that at that particular meeting I wished to retire from the committee.

But you did not retire. As a matter of fact, at that time there were more nominated than was necessary, and several were prepared to retire?—I was prepared to retire.

The fact that you had been elected on the committee would show that the public as a whole, anyhow, had confidence in you; otherwise they would not have put you on that committee?—Yes.

If Natives were going to be on that committee, do not you think that your act in staying on the committee was likely to complicate some of these people, both Natives and Europeans. They had elected you there, and they evidently had confidence in you, and you stayed there: that was your responsibility. Do you not think that you should have considered then what you should do?—I did not know then that Natives were going to co-operate with the whites.

Now, that meeting was on the 15th, was it not?—Yes.

And the letter forwarded by you to the chairman of the Citizens Committee is dated the 1st November?—Yes.

And there had been one or two committee meetings?—One meeting.

When was that meeting?—On the 26th October.

And you then knew that Native affairs would be discussed?—I had gained that impression. I had heard it on the street.

From what you had heard on the street?—Yes.

You had not gathered it at the public meeting?—No, I had not.

Then, there was no further meeting, apart from the one mentioned, before you sent that letter?—I think that the committee met the day the letter was sent.

I mean a meeting at which you were present?—I attended one meeting when you were there.

And did the question of Natives come up then?—Yes, most decidedly.

And was it not decidedly and unquestionably Native policy to be discussed?—I understand that it was. That is why I withdrew.

You told us just now that you had gathered it from the people on the beach?—Prior to that meeting. That meeting changed my mind.

You delayed somewhat?—It was the first opportunity I had had.

From the 26th October? You delayed somewhat?—We had to have a meeting of the Planters' Association to place our views before them.

So I see. You would not retire until the planters told you. You could have indicated you were going to retire right away?—I allowed them to understand that I was distinctly and emphatically against mixing up with Native affairs.

Then, at that committee meeting, did not you make a remark to the effect that "you feared that the Native could not be relied on"?—I did not say so.

Very well, it is my memory against yours. Then you say that Mr. Nelson and Mr. Williams said that the Natives were to be used as a lever, or words to that effect?—I did not say that they "were" to be used as a lever; I said that they "had been" used. And I did not say that; Mr. Nelson said that.

Mr. Nelson said that they had been used as a lever in regard to prohibition?—Yes.

You are quite sure of your memory, because both these gentlemen absolutely deny it?—Absolutely certain.

You did not think it a proper time to retire then, without waiting?—That is a matter of opinion.

As a matter of fact, Mr. Cobcroft, it appears to me from reading this letter that you were prepared to use them as a lever—you and your planters—without taking any responsibility of mixing with them, because I will show you what your letter says [showing letter to witness]?—That is your opinion.

That is not a letter of resignation, is it? You have not yet resigned from the committee. You were quite prepared to stay in with the committee, and use the committee to get your agricultural stuff forwarded, so long as you did not have to take any responsibility for Native affairs. That is not a letter of resignation?—We asked them to excuse us from attending any committee meetings that had to deal with any matters affecting Native policy. We had promised to make a start, and we never came near the committee again.

Why did you not resign: you only asked to be excused from meetings?—The mere fact is that we intended it as a resignation, and we have never attended any meetings since then.

You did not say so. You brought along your report and asked that it be put forward?—At the request of the committee.

You wanted it put forward, you say here?—Yes, because there were certain phases of the agricultural situation we wished discussed.

You were quite prepared, then, to associate with the committee, which was associating and dabbling in Native affairs, for the purpose of getting certain reports put forward?—That is your opinion, Mr. Baxter. The letter was just put in, and we never had anything more to do with the committee. We forwarded the report.

And you just told me that you did that because there were certain phases of the agricultural situation you wished to bring forward?—We were under the impression that the representations made by the committee were sufficiently serious to warrant the sending of the Minister of External Affairs to Samoa to personally investigate the situation. We understood it was in good faith.

What did you owe the Government at that time?—Is that a fair question?

The Chairman: I do not think that it is.

Mr. Baxter.] Well, we will put it this way, Mr. Cobcroft: at that time you were in debt to the Government, were you not?—Yes. I might say, in qualification of that question, that when I took over the plantation I had no drier. I made reasonable representations to the Government, and they advanced me sufficient capital to purchase the Gordon drier, and I put up the building myself. It was got from the Public Trustee, and I am paying 7 per cent. on the money.

I want to put this to you: did you not tell Mr. Nelson just a few days after the public meeting, just outside his office, that you had received a statement of account from the Administration, requesting you to pay, and which you knew was simply owing to your being on the committee?—I had just cleared my box and I had got an account of my indebtedness, and I just made a casual remark, "This looks as if they were annoyed at my being on the committee." Just a casual remark as I saw the account, and, I think, quite a natural remark.

Did you tell Mrs. Roberts—Mrs. Charles Roberts—that you were a fool for going on the committee, because the Government had been pressing you ever since?—Most distinctly, no; and I emphatically deny it.

Mr. Meredith.] As a matter of fact, when the Minister came, Mr. Cobcroft, did you join with the committee in interviewing him?—The Citizens Committee? Certainly not.

Did you interview the Minister yourselves?—Yes.

You saw the Minister quite independently of the Citizens Committee?—Yes. We discussed each point which was incorporated in the report. It was discussed fully and freely by the planters, and they decided on the points to be brought before the Minister, with whom we discussed the report in a very pleasant atmosphere. Each point was discussed very, very fully, and we explained our problems to him and he gave us a sympathetic hearing. Some things they would not grant, and other things they were prepared to meet us on.

So from the time of your sending in that letter you personally, and the Planters' Association, had no further dealings of any kind with the Citizens Committee?—No, in no way at all.

And acted quite independently?—Yes.

The reports that went into the committee—how did they get in to the committee?—Mr. Nelson said that, as we refused to sit on the committee that had to deal with Native affairs, we would be a sort of sub-committee—that was his idea—to the general committee, in order to forward this report through them. He wrote to us and said that as he had to give the documents, in connection with the Citizens Committee, to the Administration by a certain date, he would like to get our report in by a certain date, and it was compiled and forwarded to him on, I think, the 2nd November.

They were posted to him?—Yes.

KURT MAX AUGUST HERMANN MEYER ZU SCHWABEDISSEN sworn and examined.

Mr. Meredith.] You are a planter?—Yes.

And where is your plantation?—Siusega.

And you attended the first meeting in the Market Hall with Mr. Cobcroft?—Yes.

And at that meeting you were appointed to the committee?—Yes.

Were you with Mr. Cobcroft at the committee meeting in Mr. Nelson's office?—Yes.

Shortly after that?—Yes.

Did you hear a conversation between Mr. Cobcroft and Mr. Nelson in reference to taking part in Native affairs?—Yes.

Will you tell the Commission what Mr. Nelson said to Mr. Cobcroft?—It was either said by Mr. Nelson or Mr. Williams—I cannot quite remember which—that the Government was bringing the Natives into the political arena as far as prohibition was concerned, and that the Citizens Committee had quite as much right to bring the Natives into the political arena.

That was on the first occasion?—Yes; that the Citizens Committee had the right to bring the Natives into the political arena because the Government had brought in Natives into the political arena in Samoa—as, for instance, in order to bring in prohibition.

You heard what Mr. Cobcroft said about the attitude taken by the Planters' Association?—Yes.

And the resolutions that were passed?—Yes.

And also that from then on you and he had disassociated yourselves from the committee?—Yes.

And you agree with all that?—Yes.

Mr. Baxter.] Before the first public meetings, I think, there were a number of preliminary meetings?—Quite so.

With the three elected members, myself, &c., there?—Yes.

You were present at those?—Yes.

And you were present when it was decided at one of those meetings that a public meeting should be called?—Yes.

And you went to the public meeting, so I presume that you heard nothing at any of those preliminary meetings which made you think it was a meeting which you should not attend?—No.

And when you got there you noticed a number of Natives present, and they took part in the meeting: Lago Lago, Alipia, Faumuina, and a number of them spoke?—Quite so.

Then they decided to elect a committee, and they elected six Samoans on the committee?—Yes.

And it was after that you resigned, at the same time as Mr. Cobcroft?—Yes, I did.

I think that Mr. Cobcroft wrote a letter and you and he signed it?—Yes.

The letter was signed by the two of you, was it not?—Yes.

There is one more question, and it is this: at that meeting you read a paper, did you not, on agriculture?—Yes.

Other gentlemen read papers, too, I think that the reason for those papers being read was to give you something to discuss on the various points, was it not?—Yes.

JAMES SOUTHON sworn and examined.

Mr. Meredith.] You are an Agricultural Inspector?—Yes.

What is your district?—Until the month of July of this year my districts were from Apolima down to Uafato, in Fagaloa.

The Chairman.] That is Upolu?—Yes, sir.

Mr. Meredith.] Approximately what area would that cover?—Of plantations of coconuts, the old trees would cover over 7,000 acres.

And young coconut-trees?—For the last few years they would amount to about 1,000 acres.

We could, then, sum it up that there would be 8,000 acres of coconut-plantations—7,000 of old trees and 1,000 of young trees?—Yes.

How long have you been an Inspector?—I have been inspecting for over eight years.

The Chairman.] Were you in Samoa prior to that?—Yes, sir. I have been here twenty-three years.

Mr. Meredith.] In the last few months have you inspected and gone over these various plantations?—Yes, I have been all over the plantations this year.

And I assume, of course, that you have been all over the plantations the year before?—Yes, certainly—four times a year. Sometimes I do not really inspect the plantations, and at other times I have to inspect the villages.

Generally speaking, you have a survey of the plantations about four times a year?—Yes.

Now, can you tell us what you have observed in regard to those plantations on your latest inspections this year?—Of late I have been inspecting the eastern side of Upolu, and on my general inspections from here right down to Ufato it has not been so bad.

How do you mean, “not so bad”?—Not so bad in regard to the conditions—beetles, &c., we have to contend with.

When you say it is not so bad, you mean comparing it with what it was last year. That is what we want to get at—a comparison between this year and last year?—Yes.

This area you have just spoken about; it is not so good as it was last year?—Not at the present time, except at Fagaloa.

What is the position of Fagaloa?—The plantations are fairly good.

There is a falling-off in the condition of the others?—In Apia, yes.

What about the condition in the other parts of your districts?—Recently I have visited the west of Tuamasaga, west of Apia—it was Tuamasaga North—and I have been surprised both last month, and this month too, at the condition of the plantations: they had gone back considerably.

In what respects?—In the destruction of the young coconuts by the beetles, and in the dirty condition of many of the plantations.

You mean with reference to weeds and undergrowth?—Yes. The ground is practically covered with *fui*.

They have gone back considerably from what they were last year?—Yes.

What have you noticed in regard to the old coconut-trees?—I have seen recent signs of damage by the rhinoceros-beetles.

Do you expect to get the signs as readily in the young coconuts as in the old trees?—One would see it more quickly in the young ones; they are more tender, and they show signs more quickly.

In what length of time would you expect to see the full result of deterioration in the old trees?—In about six months; the real result would be apparent then.

But you can see the results now?—I can see the results a week or so after the beetle has attacked the coconut.

And these results are now evident?—Yes.

They will get worse?—Yes.

What is the respective effect on the young and the old tree?—What happens to the young tree when it is attacked by the beetle?—At night-time the beetle flies round, and if it is hungry it goes for the first coconut-tree handy, either young or old, and it slips down the fronds of the coconut right down to the centre. The centre is the life of the coconut-tree, and when the beetle goes down into the centre of coconut-tree—either young or old tree—it destroys it, and it takes the tree a long time to recover. Sometimes the beetle goes far enough down to actually kill the tree altogether.

Is it bound to absolutely kill the young trees?—No, not always.

Presuming that a tree is damaged by the beetle, how long does it take to recover?—Five or six years very often. It depends on how many times the tree had been attacked by beetles.

We can take it that once the old tree is attacked by beetles it is put back for several years before it finally recovers?—Yes.

What have you to say about the other areas in your district?—In Aiga-i-le-tai I found things very good—in fact, better than previously on my inspection in July.

Can you tell us how the Natives are leaning in that area: are they supporting the Government, or are they belonging to the Mau?—Most of them were in the Government—in fact, I do not know if any of them were against the Government at all. They were simply waiting.

As far as you understood, that area was not affected by the Mau at that time?—No; they were doing all the work we instructed them to do.

You have met in your official duties the operations of the Mau?—Yes, I have run up against them.

Can you say whether the areas where you have met Mau opposition are affected worse than the other areas?—Away down in Fagaloa, on my last inspection there—in August or September, I should say—I understood that there were three villages there that had gone over to the Mau. The condition of their plantations was as good as the others, because they had only recently gone over and they were

still carrying on the work which the Government instructed them to do ; but in going over Tuamasaga, from Tuanai right down to Salimoa, I found things very bad there.

Did you understand that that area was affected by the Mau ?—I understood that they were in the Mau.

Can you speak of any other districts that have been in the Mau for some time ?—I have in my mind the capital of A'ana—Leulumoega—the capital of A'ana North and South. On my inspection in April last I found the beetle was very bad, and on the increase there. Previous to that they had good plantations there. They were doing famously, and many of them were keeping the beetles down and doing very good work—in fact, they got the first land competition prize ; they came first.

And the condition now you say is bad ?—In April last it was very bad. There is a man here who can testify to my words.

That is known to be a Mau district ?—I understood so at that time.

The Chairman.] What is the general opinion as to the necessity for keeping supervision over the Samoans as to the destruction of beetles and the cultivation of their coconut-plantations ? What is the general experience on that subject ?—The general idea is that if one does not keep Natives up to the mark they get very slack in every way.

It is an imperative necessity, in your opinion and the opinion of others who are responsible for the good working of Samoa ?—Yes.

Does that apply even to the cleaning of the villages ?—Yes.

JAMES WILLIAM HUTCHEN sworn and examined.

Mr. Meredith.] You are Secretary to the Administration ?—Yes.

And, of course, resident in Apia ?—Yes.

You wish to read out the report which you have prepared for the Commission ?—Yes. I have been Secretary to the Administration of Western Samoa since June, 1921, and a member of the Board of Control of New Zealand Reparation Estates since its inception in January, 1924. I submit reports on the following : Copra ; finance ; labour and agriculture ; Legislative Council.

COPRA.

In addition to the statement of policy by the Hon. the Minister of External Affairs as set out at page 45 of Parliamentary Paper A.—4B, I wish to submit the following :—

Since May, 1923, remits have been submitted for the consideration of the Faipule Fono by different districts, requesting the Government to handle Native copra—copies of these remits follow.

REMITTS RECEIVED FROM DISTRICTS *re* COPRA.

Submitted in May, 1923.

Palauli, Savai'i.—The Government to take control of the copra of Samoans, so that a good price will be paid. If the merchants cannot pay a good price, then the Government should buy the copra of Samoa.

Va'a-o-Fonoti.—Is it not possible for the price of copra to be the same in outside districts as is the price in Apia ? Also, if it is not possible for merchants to give over to Samoans the net profits from copra purchased from them, then the Government should take control of Samoan copra, weighing it at a certain rate from Samoans, and after it has been sold on the European markets, to pass over to each individual his share of the net profits.

Vana Alofi.—Increase the price of copra (also cocoa) to all Samoans. Copra and cocoa are the only means by which Samoans can acquire money.

Faga, Savai'i.—If the Government is unable to correct the low price given by merchants for copra, then the Government should come and weigh the copra, as Samoa will receive contentment if 6 or 8 cents is paid.

Satupaitoa.—Cannot the Government raise the price paid by merchants for copra, as it is from copra that the country receives its prosperity ?

Lepa and Lotofaga.—Cannot Your Excellency do something to better the price paid for copra.

Aiga-i-le-tai.—The most important matter for the prosperity of Samoa is the copra of Samoans. Cannot Your Excellency and the Government put the price of copra on to a proper basis ? This is the way in which the Government can serve Samoa.

Luifilufi.—The Government should control these two matters : (1) Copra ; (2) the weighing and price. The Samoans make good copra, but the merchants pay a low price and charge a high price for goods.

Anoama'a.—All people in this country will be satisfied if the price of copra is good.

Faleata.—If traders cannot raise the price of copra, the Government must take control of the copra of Samoans, so that a good price will be realized.

Safotu.—Your Excellency and the Government should control the copra of Samoans and sell it to some company so that a good price will be realized and Samoans be satisfied.

Submitted in January, 1924.

Falelatai.—The Government to control the Samoan copra.

Submitted in May, 1926.

Lefaga.—The price of copra to be regulated, as we are paid so little.

Safata.—We bring this matter before the Fono : The Government should control the merchants buying our copra. When the price is 3 cents in Apia we are paid 2½ cents in Safata, but when the price is raised to 3½ cents in Apia the price in Safata is only 2½ cents. We consider that the price in Safata should be 3 cents when it is 3½ in Apia.

Fasito'otai.—Copra from Samoans should be placed upon a proper basis : Samoans should receive the same price as Europeans do. What would the Government receive per ton if they sold it to a company in either Europe or America ?

Submitted in December, 1926.

Faleata.—The Government to arrange that a good price be paid for Samoan copra, please.

Safata.—*In re* copra : May the Government have love for us and give us particulars of the sale of copra in Europe, as to-day the price for copra of Samoans is extremely low whilst the price of goods is extremely high. Please send us particulars of what is done with copra in Fiji and Tonga, as we have heard that they receive a very high price for copra. We ask you, the Government, to agree to buy all the copra of Samoans.

Falealili.—*In re* copra : We are of opinion that European traders should not handle the copra of Samoans, but that the Government should do so.

APPEAL BY FAIPULES AT THE FONO IN MAY, 1927.

Copra.—Appeal to Government to assist in disposing of Native copra.

Decision.—We are not satisfied with the price for our copra, and we realise that the price that we receive is lower than that paid to people of neighbouring South Sea islands. Therefore we ask the Government to assist us and ship our copra away to be sold in any market of the world where the price is good

A similar position arose in regard to European cocoa-planters in 1922. A petition was forwarded to the Administration on 11th July, 1922, and signed by eleven local cocoa-planters—a copy of which follows.

SIR,—

Apia, Samoa, 11th July, 1922.

Following on my memorandum of the 26th May last, *re* assistance to planters of cacao, I have conferred with Mr. Tennent, who informs me that, with regard to paragraphs 1 and 2, he is prepared to defer payments upon reasonable representation, and that the matter of a bonus on cocoa produced will be brought before the members of the Legislative Council at an early date.

In order to expedite matters I am taking this opportunity of placing the whole position before you.

There are about twelve private planters in Samoa, employing a total of about one hundred Chinese coolies, and the estimated production of cocoa-beans for 1922 is about 220 tons. It costs £1 10s. per month to ration each coolie, who spends at least 10s. of his wages. Thus duty at 15 per cent. from each coolie on this basis would be 6s. per month, and a conservative estimate of the annual revenue would be £360. The export tax on 220 tons at £2 per ton would be £440, making a total revenue of £800. In addition the present coolie charges cover all the overhead charges of both the Medical and Chinese Departments.

Up to the present very little has been done to assist planters, principally because the matter has not been represented. In most instances planters are forced to sell their cocoa to the local merchants in order to obtain the cash to meet their immediate monthly liabilities.

At present there are two classes of cocoa-beans exported from Samoa—*viz.*, Samoa Crown Estates, and Samoa cocoa exported by the merchants. It is hoped that in future there will be three classes—Samoa Crown Estates, Samoa planters, and Samoa Native cocoa.

The Crown Estates consign their cocoa-beans to London, where, with the assistance of the Office of the High Commissioner for New Zealand, much better prices are realized. The planters here would like to be placed on similar terms, the Government advancing against their produce and charging commission on the sales. By assisting us to co-operate in this manner we would be placed on similar terms to the fruitgrowers in California and the farmers in New Zealand. The local merchants could then purchase their requirements from the Crown Estates.

There is no inducement at present to take extra care to produce a good bean; the best cocoa is shipped with the inferior, and invariably brings the same price. The market is graded by the inferior article. Owing to careless curing in the past, some of the largest manufacturers in Australia will not entertain Samoa cocoa-beans. When the beans are classified, then the question of grading, on which there is a variance of opinion at present, might be brought into operation. When in New Zealand some eighteen months ago I visited four factories which manufacture chocolate, and two of them were most emphatic about the grading of the beans. New Zealand imports about 500 tons of cocoa-beans per annum, and the State of Victoria about the same quantity. Prior to the war the Samoa cocoa-beans, according to Van Hall, was classed with Old Ceylon Red and Java, and there is no reason why it should not again attain that position in the world's market. With its reputation restored and representation in New Zealand and Australia, most of our produce could be disposed of in these markets, and the cultivation of cacao could be again placed on a profitable basis.

I think our aims have been fully explained, and we are prepared to appoint a delegation, which could include a member of the Chamber of Commerce, to wait on you and discuss the subject more fully.

Invariably when any new departure is launched, many unforeseen circumstances arise which defeat the original object. Our first step in this instance would be co-operation with Government assistance. Trusting that you will fully consider our request and grant us the assistance and support required to further the cultivation of the cacao in Samoa,

We have, &c.,

K. MEYER.

G. WETZEL.

A. MATTHES.

J. KERSLAKE.

M. GRAPENGIESSER.

E. RETZLAFF (per K. MEYER).

C. MUGELE.

FR. JAEGER.

A. WALTER.

FASITO'OUTA PLANT:

YAHNKE AND MEIRITZ.

The Secretary to the Administration, Apia.

As a result of this petition, the Administration decided to guarantee planters £50 per ton for unwashed and £55 per ton for washed cocoa of approved quality for all cocoa shipped by them through the New Zealand Reparation Estates Department. The price paid to the planters by local merchants at that time was generally between £40 and £45 per ton. Merchants then raised their prices, so that there was no necessity for planters to take advantage of the offer to have their cocoa handled by the New Zealand Reparation Estates Department.

His Excellency the Administrator returned from New Zealand in February, 1926, armed with the Hon. Minister's authority to assist the Natives to market their copra if this were considered necessary. In December last, as remits continued to come forward from districts asking for assistance in marketing their copra, and as one price only was being given for Native copra irrespective of quality, it was finally decided to market for the Natives, through the machinery of the New Zealand Reparation Estates Department, any high-grade copra which they might produce. I append translations of two articles which appeared in the *Savali* (official Native newspaper) in February last, giving (1) the purport and effect of the Fono resolution; (2) brief instructions to the Natives as to the preparation of high-quality copra.

[Extract from *Savali*, dated 23rd February, 1927.]

At the Fono held in December last the Faipules again asked the Kovana if the Government would help their people to get a better price for their copra. The Faipules have asked the same question many times before, and are always endeavouring to help their people, but the Government cannot do everything they ask. There are many things I wish to do for Samoa, and one of the most important is to get you to make good copra and get a better price than you now get for it.

The Government is not a merchant. It does not buy and sell things, therefore, I have asked myself how can I help you to get a better price for your copra, and I have given the answer to the Faipules, *viz.*: The Government will, where possible, ship to England your copra in the same way that it sends the cocoa for

private European planters, but I will not accept any copra that is not white, properly dry, and clean. It should also be cut in larger pieces than you now cut it.

If villages wish the Government to help them in this way, and will take their copra to Fagamalo, Vaitele, Vailele, Mulifanua, or the office of the New Zealand Estates in Apia on Tuesdays and Thursdays, they will receive advance payments, which will be made to the individual taking the copra, and after the copra has been sold in London any profits over and above what has been received will be paid to the Village Committee. If seven persons in a village each make 100 lb. of copra and take it to one of the places mentioned, an officer of the Government will examine it, and if one of the seven has brought inferior copra it will not be accepted, but the other six individuals will each receive about 14s. as an advance payment. They will get a receipt for their copra, which they will keep. When the 600 lb. of copra is sold in London, if there is a profit after paying expenses of shipping, &c., of, say, 10s., this money will be paid to the Village Committee, who will decide whether all of this money (10s.) should be given to the persons who made the copra, or perhaps it may be agreed that some of it should be paid to the owners of the good copra and the remainder put into the village funds to help the village. This is a matter for the people of the village to decide.

The Government is going to some expense and trouble to help the Natives in this matter. The Faipules have done their best to help their people. I now wait to see if the Samoans will help themselves.

[Extract from *Savali*, dated 23rd February, 1927.]

DRYING POPO IN WET WEATHER.

In order to prove that good *popo* can be made even though the weather be bad, His Excellency the Administrator instructed the Agricultural Department to cut 100 lb. of *popo* on Thursday, 20th January last. After this *popo* was cut it was washed in salt water, then spread on six frames of wire netting. There was a two hours sun the first day, but every day afterwards it rained heavily and there was no sun. The frames of *popo* were placed under cover from the rain, and the *popo* dried in six days. It was white and good, except that owing to the damp weather a little mildew appeared on some of it. It was again washed in salt water to remove the mildew, and dried again. The copra was very good, and much better than a large portion of the copra dried in villages during fine weather.

If this copra had been treated the same as is done by Natives in their villages and kept in baskets in the *fale* until the weather improved and it could be placed outside to dry, it would have rotted and had to be thrown away. Much copra is wasted in Samoa during wet weather because it is placed in baskets in the *fale* and allowed to rot. Why do you waste money in this way? Why not always make good copra, which you can do if you—(1) Wash copra in the sea directly it is cut; (2) cut it out of the shell in large pieces, not small pieces as at present cut; (3) cut copra only when the sun is shining; a few hours' sun on the copra on the day it is cut is very important, and will prevent it rotting even if there is little or no sun afterwards; (4) keep the copra on frames of bamboo or wire, and do not put it into baskets until dry; (5) do not cover the copra while it is in the *fale*, but allow the air to circulate around it. Copra dries at night as well as by day so long as it is not covered over or put into baskets.

I also append the minutes of a conference held at the Administrator's office in January last, which was attended by those officials of the Administration and the New Zealand Reparation Estates Department who would be concerned in the handling of Native copra under the scheme outlined, and at which working details were set out and various decisions arrived at.

CONFERENCE ON NATIVE COPRA.

Held in the Administrator's Office, 27th January, 1927.

Present.—His Excellency the Administrator (Chairman); Mr. H. P. Ritchie, Director of Agriculture; Mr. W. Sasse, Accountant, New Zealand Reparation Estates; Mr. H. I. Jones, Manager, Vaitele Plantation; Mr. E. N. Heycock, Manager, Vailele Plantation; Mr. F. Lewis, Assistant Secretary for Native Affairs; Captain W. Bell, Resident Commissioner, Savai'i; Mr. M. Meham, Manager, Mulifanua Plantation.

Matters dealt with.

Quality of Copra.—Only good white copra like the sample shown, or as near it as possible, would be accepted from the Natives; the object of the scheme to handle Native copra, as requested by the Faipules, being to teach the Natives to make a high-quality copra and so raise the price and increase the demand for Samoan copra as a superior quality to that known as "South Seas."

Special Official to take Delivery of Copra from Villages.—The Director of Agriculture expressed the opinion that only by the appointment of an official to take delivery of copra in the villages would it be possible to ensure that none but the best quality would be dealt with. It was, however, decided that the quantity of high-grade copra made by the Natives was at present too small to justify sending transport to villages. For the present an Inspector was to be detailed to go from village to village and ascertain to what extent the Natives were responding to the efforts of the Administration to help them. Where a village has a sufficient quantity of superior copra to justify transport being sent to take delivery of it the Inspector could make the necessary arrangements.

Delivery in Plantations, &c.—For the present the only depots where delivery of Native copra would be made, were Mulifanua, Vailele, Apia, Vaitele, New Zealand Estates, Fagamalo: two days per week—viz., Tuesdays and Thursdays, commencing on Tuesday, 7th February.

Price to be paid as an Advance Payment to the Natives.—Prices to be paid to be based on English currency at — shillings per 100 lb. of copra. Tables would be drawn up, and placed where the Natives would see them, showing what these prices represented per ton as compared with price in cents, reckoning 1 cent per pound as 4s. per 100 lb.

Accounts.—Advances to be made in cash. Natives to be informed that the Government was not purchasing their copra, but was consigning it for them, and that if profits were made, additional amounts would be credited to their villages and paid to Village Committees.

Variation in Price.—Mr. Sasse would from time to time issue instructions to officers concerned as to the price to be paid in advance to the Natives.

Trays.—Trays were to be kept on each plantation as samples for the Natives to copy; also, samples of the standard copra which they could make on these trays were to be available for them to see. A special point to be made to get the Natives to cut the copra in larger pieces than at present.

Books.—Record and receipt books to be kept. Each Native to be given a receipt. Record books to show the date, name, quantity, and village, also amount paid in advance, &c., in order that villages may ultimately be credited with any profits.

Private Planters.—Plantation-managers would not concern themselves with private planters. If the latter wanted to ship their copra through the New Zealand Estates they could make their own arrangements with Mr. Sasse on the same basis as for cocoa-planters, but in their case none but high-grade quality would be so dealt with.

rebate of 33½ per cent. on schedule rate for copra brought in from that plantation by motor-launch, and charging no freight on goods transported from Apia to the plantations, but only on the copra transported to Apia, the two motor-launches returned a total net profit of £1,200 after providing for overhead charges, depreciation, and reserve.

Regarding the price paid by local merchants and traders for ordinary Native copra, official advice has been received that the following are the prices at present being paid to Natives in Pago Pago, Fiji, and Tonga: Pago Pago, \$95.78 (converted at \$4.87) = £19 13s. 4d. per ton; less cost of handling (½ cent per pound) £2 4s. 10d. = £17 8s. 6d. (in addition purchaser supplies sacks and twine). Fiji: Outlying Islands, £12; Vanua Levu, £15; wholesale price, Suva and Levuka, £18 10s. Tonga: Out-districts, £11 4s. to £14; export centre (Nukualofa, Haapai, and Vavau), £14.

Ordinary Samoan Native copra is of better quality than the ordinary South Seas copra. Last month one of the local merchants purchased from the Administration at £17 15s. per ton a parcel of sundried copra (without sacks) prepared by the Native prisoners at Tuvao Prison Farm. In August a small parcel of similar copra, contained in old second-hand sacks, was sold locally by the Administration for £18 5s. per ton. These prices are considerably above what is usually paid to Natives by local merchants and traders, and no doubt the purchasing firm did not contemplate losing money over the purchases. This copra was sold locally, as it was not considered up to the standard of the Native copra that the Administration has decided to handle. The Administration is not at present concerned in handling ordinary Native copra, except to such extent as the Natives may, in accordance with the Ordinance recently passed, avail themselves of the opportunity of paying their personal taxes in copra instead of in cash. Up to the end of September the quantity of Native copra handled under the Administration's scheme was approximately 100 tons. The New Zealand Reparation Estates Department pays all taxes and licenses that are applicable under the various taxing Ordinances.

A radio has now been received from the High Commissioner that the first shipment of Native copra was not sold until after arrival and analysis as to quality. The quality proved excellent, and the shipment was sold for £27 per ton, the day's quotation for "Straits" copra (a high-grade copra) being £27 12s. 6d. It is to be borne in mind that, once copra has arrived on the overseas market, it is not possible to hold out for high prices to the same extent as in the case of copra to arrive. This is proved by the further advice contained in the High Commissioner's radio that the second shipment of Native copra was sold "to arrive" for £28 per ton, the equivalent quotation for "Straits" copra being £27 17s. 6d. In view of the way in which the copra has been received, the High Commissioner recommends regular shipments.

FINANCE.

The reply of the Hon. Minister of External Affairs to the finance section of the Citizens Committee's report is contained on pages 33 to 38 of Parliamentary Paper A.—4B. The figures quoted in the Citizens Committee's report in comparing the expenditures in Samoa, Fiji, and Tonga are quite wrong and misleading, and in support of this assertion I am attaching a schedule [Exhibit No. 62A], setting out the figures quoted in such report and in parallel columns the correct figures for Fiji and Tonga as certified to by the Treasurers of those respective territories. I might state that in compiling their figures the Treasurers had a copy of parliamentary paper A.—4B before them so as to ensure that the figures they quoted would reflect the relative position so far as the Citizens Committee's figures are concerned.

In considering the figures for Fiji it is well to remember that both Suva and Levuka are municipalities with taxing and rating powers. In addition to the general revenue and expenditure figures for Fiji quoted in the report, the revenue and expenditure of these municipalities for the year 1925, after deducting Government subsidies, amounted to—Revenue, £40,561; expenditure, £41,977. These figures, on a *per capita* basis of total population, represent an additional 4s. 9d. and 4s 11d. respectively. Moreover, Fiji has a large Indian population (68,136 out of a total of 169,667) whose needs, particularly with regard to medical attention and education, are small compared with those of the Samoans as imposed on New Zealand under the mandate. Apart altogether from comparisons with these other island territories, a reduction in expenditure is not possible without curtailing the Administration's activities or impairing efficiency.

As far as possible local people are employed in the Administration, and the increasing extent to which this is so is indicated in the following table:—

SUMMARY OF STAFF, SHOWING THE EXTENT TO WHICH NATIVE SAMOANS PARTICIPATE IN PUBLIC SERVICE.

	Europeans.		Half-castes.		Native Samoans.	
	31st March, 1924.	31st March, 1927.	31st March, 1924.	31st March, 1927.	31st March, 1924.	31st March, 1927.
Departmental officials	83	84	14	27	149	140
Temporary Departmental officials	7	1	1	11	4	6
Samoa Public Trust Office	2	2	..	1	..	..
Part-time Native officials .. .. .	..	..	..	..	318	317
Native nurses and medical cadets .. .. .	..	..	..	..	28	52
Native teachers .. .. .	..	..	..	..	10	61
Total, 31st March, 1924	92	..	15	..	509	..
Total, 31st March, 1927 .. .. .	..	87	..	39	..	576

Particulars of European and half-caste departmental officials permanently employed as at 31st March, 1927 :—

European	..	..	..	..	..	..	..	84
Half-caste	..	..	..	..	..	..	..	27
								— 111
Officers from overseas	..	..	..	..	..	..	..	62
Officers engaged locally—								
European	..	..	..	..	..	..	..	22
Half-caste	..	..	..	..	..	..	..	27
								— 49
								— 111

Expenditure.—The Territory has substantially benefited as a result of expenditure of public funds since civil administration commenced in May, 1920, particularly with regard to roads and bridges, water-supplies, hospitals and medical out-stations, schools, beach-protection works, lights, beacons, and buoys, and public utilities. These matters will be found referred to in detail in the various annual reports submitted to the New Zealand Parliament, and in the inset map attached hereto. [Exhibit No. 62B.]

Trading Concerns.—(a) Central Hotel: This was purchased under circumstances set out in the Hon. Minister's reply given in A.—4B, page 37. The property was purchased for £10,000, after valuation by two independent local business men in no way connected with the Administration. Now that the building has ceased to be occupied as an hotel it is leased to various individuals, and brings in an annual rental of £366. (b) Laundry: This was considered necessary in the interests of health at the time of its construction. Although it is rented at a more or less nominal rental, it is a convenience appreciated by those local people who take advantage of it, and by visiting ships.

New Wharf.—This has now been completed and is in use. The final cost of the wharf was £8,544, after allowing for the value of material taken over to form part of new export shed. This is some £150 less than was originally estimated. The other facts in connection with this matter are correctly set out on page 37, A.—4B.

Electric Light, Proposed Hydro-electric Scheme, and "Alcazar."—These undertakings are the property of the Reparation Estates Department, and in no way affect Samoan Government funds (*vide* Minister's reply, page 37, A.—4B).

Expenditure generally.—It is true that the expenditure has arisen from £66,765 in 1915–16 to the sum of £133,500 in 1926–27, but of this latter amount £113,500 only is raised locally. Large increases will also be found in the expenditures of Fiji and Tonga, as set out in Exhibit No. 62A, but all these increases are mainly due to the reduced purchasing-power of money. At the same time the Administration can point to a very great extension, particularly in the medical service and in educational facilities, during the past few years. The cost of construction and maintenance of roads is very much greater than it was eleven years ago not only by reason of the depreciated value of money, but owing to the more substantial and better class of formation demanded by the extensive use of mechanical transport where light horse-drawn vehicles were previously mainly used.

Loans.—Loans are not contracted for works that should rightly be a charge against current revenue. Loan-moneys have been used on works that benefit not only the present but the future, and for which works it is considered that not only the present but the future should pay. Classified details of the expenditure of loan-money are correctly shown on pages 34 to 35 of A.—4B. Loans are raised under authority of section 33 of the Samoa Act, 1921, which section provides for the establishment and maintenance by the Samoan Treasury of a sinking fund sufficient to pay off the loan within a period not longer than thirty years. The section also lays down the security for payment of interest and sinking fund, charged as follows: "All moneys payable by the Samoan Treasury in pursuance of this section shall be a first charge on the Samoan revenues after payment of the salaries and allowances of the Samoan Public Service."

With reference to the loan of £100,000, and the suggestion contained in the committee's report that Samoan Crown Estates did not always belong to New Zealand, I might refer to clauses 2, 3, 6, and 9, of the Samoan Crown Estates Order, 1920; also to the following extract from address delivered by His Excellency the Administrator to the Legislative Council on the 22nd March, 1926 :—

The former Crown Estates, which have been redesignated the "New Zealand Estates" because they belong to and have been paid for by New Zealand, do not come within the purview of this Council, but owing to the generosity of the New Zealand Government this Territory derives financial benefit therefrom; therefore I feel justified in giving this Council some information regarding the policy governing their administration. During the past year the New Zealand Government decided to lease only the smaller plantations and to retain and run the large copra plantations under the system which has been in vogue for the past two years—*viz.*, administration by a Board of control. Profits from the successful working of these estates now total approximately £50,000. The New Zealand Government has agreed not to accept any of this money, but to allocate it and all profits in future for three purposes for the benefit of Samoa—*viz.*, a definite sum will be devoted annually to (1) further development involving improvement of existing areas and the clearing of bush for planting new areas; (2) to establish a Reserve Fund; (3) in reduction of the annual subsidy now received from New Zealand public funds for the purpose of medical and educational activities on behalf of the Natives. By this means it is expected that as the new areas come into bearing the copra output will increase, while the profits, trade and revenue of the Territory should correspondingly increase, and so confer a benefit on the whole community.

Moreover, tenders were called in 1924 for the lease of these estates. I produce the published conditions of lease on which tenders were invited, where the position regarding the ownership of these estates is definitely shown.

With reference to the criticism of Public Works Department on page 10 of A.—4B, the works controlled by the staff for which £4,962 was paid by way of salary totalled £51,498, and not £9,398, as follows: Page 20, estimates 1926–27, £9,398; page 21, £6,100 and £36,000: total, £51,498. As to cost of audit (see page 8 of A.—4B), this is clearly set out on page 12, item V (b) 6, and the notes thereto of 1926–27 estimates.

LABOUR AND AGRICULTURE.

The assistance rendered to cocoa-planters in 1922, as referred to in the reply to the report on copra, is an indication of the attitude of the Administration towards private planters. The committee in the last paragraph of their report (page 20, A-4B) acknowledge that the Administration has helped the planters in many ways. As the New Zealand Government, through the New Zealand Reparation Estates, is the largest employer of labour in Samoa, it is to the Government's interest to see that labour is obtained under the most favourable terms.

1. *Labour*.—Prior to the passing of the Chinese Free Labour Ordinance, 1925, the Chinese labour was indentured. The rate of pay was 1s. per diem, wet or fine, and, in addition, the employer had to find the labourer in food and clothing. Moreover, the employer had to pay the labourer's wages up to a period of six weeks whilst he might be in hospital, and also pay the overhead charges during the full period the labourer was in hospital or in gaol. The labourer was also entitled to have moneys remitted to China at the employer's expense on the basis of 2s. to the Hong Kong dollar; and as the rate of exchange of the dollar was over 4s. in 1920-21 the labourers took full advantage of this. The result on the effective cost of the labourer to the employer by reason of wages having to be paid whilst the labourer was undergoing medical attention is illustrated by the following figures:—

	Number of Chinese Out-patient Attendances.	Number of Chinese Labourers in Samoa.
Year 1921-22	1,969	1,591
„ 1922-23	4,504	1,328
After passing of Free Labour Ordinance, 1923:—		
Year 1923-24	1,320	967
„ 1926-27	178	946

It is estimated that the actual cost of an effective unit of labour under the conditions outlined above, including overhead charges (referred to below), was not less than 4s. 6d. per working-day. In 1923, as a result of a series of conferences between the Administrator and employers of Chinese labour—planters and merchants—the Chinese Free Labour Ordinance was placed on the statute-book. Under this Ordinance the rate of pay was fixed at 3s. per diem or per task, the labourer to feed and clothe himself and pay his own hospital expenses, as well as losing the benefit of having his money remitted to China on the basis of 2s. to the dollar. The principle of “no work no pay” was also applied. As, following on the passing of the Ordinance, “overhead charges” were reduced to 13s. 6d. per month per unit, or approximately 6d. per diem, the total daily cost of an effective labour unit is now 3s. 6d. Chinese labour on plantations in Malay costs \$1.25 to \$1.50, or 3s. to 3s. 6d. per diem. At present suitable Chinese labour cannot be obtained for less than is now being paid, and no other class of labour is possible. Tamil (Indian) labour, as largely used in the East, will not be admitted to Samoa, and the Commonwealth authorities are unable to permit of labour being obtained from the Solomons or New Guinea. The Dutch Government will not allow of our recruiting Javanese labour, although statements to a contrary effect have been circulated locally. In 1910 and 1913 Dr. Solf approached the Dutch Government on the subject of obtaining Javanese labour for Samoa, but his requests were refused absolutely. I had the opportunity of seeing the correspondence in this regard at the Government offices, Batavia, last year.

2. *Overhead Charges*.—The Administration recruits and repatriates all labour from China, and bears various charges whilst the labour is in Samoa, as is more particularly set out in the following letter to the Planters Association:—

28th January, 1926.

Mr. H. M. Yallop, Secretary Planters Association of Western Samoa, Apia.

DEAR SIR,—

In reply to your letter of the 8th instant, the following are the figures relative to the last batch of coolies who arrived per s.s. “New Mathilde” in April last, and will indicate the various items that have to be considered in fixing the overhead charges:—

COST OF IMPORTATION (281 MEN).		£	s.	d.
<i>(a) Payments at Hong Kong:—</i>				
1. Passage-money (less credit for freights) .. .. .	..	3,802	17	5
2. Recruiting fees .. .. .	..	1,433	13	9
3. Medical examination in Hong Kong .. .. .	..	66	3	0
4. Radios and cables .. .. .	..	111	18	4
5. Insurance on coolies (passage-money) .. .. .	..	18	0	0
6. Agents' commission—				
(a) On disbursements .. .. .	..	141	0	0
(b) On recruits .. .. .	..	164	15	10
7. Sundry expenses .. .. .	..	6	6	6
		5,744 14 10		
<i>(b) Payments in Samoa:—</i>				
8. Half-pay on voyage .. .. .	..	395	17	0
9. Camp costs, Vaitele .. .. .	..	310	7	0
10. Radiograms .. .. .	..	30	0	0
11. Exchange on remittances .. .. .	..	52	0	0
12. Sundry expenses .. .. .	..	23	15	6
		£6,556 14 4		
			£	s. d.
281 coolies at £6,556 14s. 4d. .. .. .	..	..	23	6 8
			(each)	

General Charges during Period remaining in Samoa (estimated on the basis of £2 10s. per head each three years):—

13. Death and burial expenses	} £ s. d. 2 10 0
14. Compensation .. .. .	..	..	..	..	..	..	..	..	..	..	..
15. Deportations .. .. .	..	..	..	..	..	..	..	..	..	..	..
16. Medical rejects .. .. .	..	..	..	..	..	..	..	..	..	..	..
17. Prisoners' costs .. .. .	..	..	..	..	..	..	..	..	..	..	..
18. Loss of overhead expenses on unemployed labour .. .. .	..	..	..	..	..	..	..	..	..	..	..
19. Sundries

Repatriation Costs:—

20. For the 133 coolies repatriated by the return trip of the s.s. "New Mathilde" this charge worked out at £14 8s. per head .. .. .	..	..	..	..	..	..	..	..	..	..	..	14 8 0
Charges per coolie for three years .. .. .	..	..	..	..	..	..	..	..	..	..	..	£40 4 8
Charges per coolie for one year .. .. .	..	..	..	..	..	..	..	..	..	..	..	13 8 2
Charges per coolie for one month .. .. .	..	..	..	..	..	..	..	..	..	..	..	1 2 4
Actual charge per month being made .. .. .	..	..	..	..	..	..	..	..	..	..	..	0 13 6

We are therefore really losing 8s. 10d. per month per coolie on overhead costs for the last importation of 281 coolies. This we are able to do by continuing the overhead charges on all coolies at the one rate. The rate is reviewed from time to time, and whenever the state of the Coolie Cost Recovery Accounts permit of a reduction this will be made. For instance, the overhead costs of the "Haldis" and "Ascot" coolies worked out as follows: "Haldis," £2 14s. per head; "Ascot," £1 10s. per head. Yet on the 1st January, 1923, these were reduced to—"Haldis," £1 7s. per head; "Ascot," £1 7s. per head. This meant that on the balance of the first term of three years of these coolies' contract we would, on the basis of the difference between the overhead cost and the reduced charge, lose the following amounts: "Haldis," £5,750; "Ascot," £2,700; £8,450. The rates for "Haldis" and "Ascot" coolies were again further reduced when the Chinese Free Labour Ordinance came into effect and before expiry of the original contracts, thus further increasing the loss. These losses, as well as that on the last importation, are recovered by continuing the overhead expenses over all coolies.

Yours, &c.,
J. W. HUTCHEN, Secretary.

The costs thus involved are recovered from the employers of Chinese labour by means of a monthly *per-capita* charge on the labour so employed. The present rate is 13s. 6d. per month. Normally the labour is obtained for a term of three years, but an extension for a further three-year term is permitted in the case of those wishing to remain, provided their service has been satisfactory. As against this, many of the labourers do not remain for the full three years, as the following schedule will show.

Year.	Transport.	Number of Coolies arrived in each Transport.	Repatriated.					Died.				Balance in Samoa.
			Same Trip.	First Year.	Second Year.	Third Year.	Since Third Year.	First Year.	Second Year.	Third Year.	Since Third Year.	
1920 ..	"Haldis" ..	503	2	69	65	207	58	7	6	1	3	85
1921 ..	"Ascot" ..	946	23	118	180	184	148	7	1	3	8	274
1925 ..	"New Mathilde" ..	293	13	23	..	1	..	5	1	..	..	250
1926 ..	"Haiching" ..	180	5	1	..	..	..	4	..	..	..	171

Overhead Charges per Head per Month for Three Years—Summary.

Year.	Transport.	Actual Cost.	Overhead Charge being collected.
1920	"Haldis"	2 14 0	0 13 6
1921	"Ascot"	1 10 0	0 13 6
1925	"New Mathilde"	1 2 4	0 13 6
1926	"Haiching"	1 0 2	0 13 6

Number of coolies as per attached schedule .. .. .	..	..	..	780
Old and Taiuan men (130 and 4) .. .. .	..	..	..	134
Free labourers .. .. .	..	..	..	26

Total in Samoa, 13th October, 1927 940

There are still some 130 labourers employed who were recruited in pre-war days. These are still allowed to remain here, as it would be unjust to send them back to China now after serving the country during the best years of their life. In consideration of the above factors, the cost of recruiting, repatriation, &c., is recovered by making a flat-rate overhead charge in respect of all labourers, so that all employers are treated alike. A similar system is followed in Malaya with regard to Tamil labour—*i.e.*, the charge is levied in respect of all such labourers.

3. *Optional-purchase Clauses.*—The request of the committee is opposed to Government policy as set out by the Hon. Minister on pages 42 and 43 of A.—4B.

4. *Improvement Clause.*—The "improvement" clause contained in New Zealand Reparation Estates leases is similar to that incorporated in the leases of Crown lands in New Zealand. In practice the clause should occasion no hardship.

5. *Export Duty*.—The proposal of the committee that the export duty on all cocoa that passes as standard should be returned to the producers proportionately to the amount of cocoa exported is not sound. In 1922–25, when the market price of cocoa fell below a profitable producing basis, the export duty was refunded to planters. If a similar position arises in future the matter will be reviewed in this light.

6. *Marketing of Produce*.—The Administration, through the machinery of the New Zealand Reparation Estates Department, or the Office of the High Commissioner, London, is prepared to assist planters to the fullest possible extent in marketing their produce.

7. *Transport*.—Work has already been done on the Wireless Road this year, and further work will be continued next year until the road is in first-class order. When completed the road is to be tar-sealed.

8. *Disease*.—Arrangements will be made for an entomologist to visit Samoa when necessary. At present there is no evidence of serious general disease.

LEGISLATIVE COUNCIL.

The policy of the New Zealand Government with regard to the Legislative Council is set out on pages 32 and 33 of Parliamentary Paper A.—4B. The principle underlying the mandate is set out in the following paragraphs of Article 22 of the Covenant of the League of Nations:—

To those colonies and territories which, as a consequence of the late war, have ceased to be under the sovereignty of the States which formerly governed them, and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization, and that securities for the performance of this trust should be embodied in this Covenant. The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who, by reason of their resources, their experience, or their geographical position, can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The legislative machinery provided by New Zealand for the Mandated Territory is designed to give effect to this principle. Three methods of legislating for Western Samoa are available: (1) By Act of the New Zealand Parliament; (2) by Ordinances passed by the Legislative Council of Western Samoa (see Part II, Samoa Act, 1921); (3) by regulations made by the Governor-General in Council (see section 45, Samoa Act, 1921).

European Representation: Legislative Council.—From the outbreak of war in August, 1914, up to the 1st May, 1920, Samoa had been under a Military Administration. From the 1st May, 1920, Civil Administration was instituted under the provisions of the Samoa Constitution Order, 1920. Under this Order a Legislative Council was established, consisting of (a) Official members (not less than four in number) being the holders for the time being of such offices in the Samoan Public Service as the Governor-General from time to time appoints as entitling the holders thereof to sit in the Legislative Council; (b) unofficial members (not more in number than the official members), being such other persons (if any) as the Governor-General appoints to hold office during his pleasure as members of the Legislative Council. Under the provisions of (b), three local citizens, Messrs. Keeling, Tattersall, and F. E. Syddall, were appointed unofficial members. In 1923 the Samoa Act was amended to provide for election of non-official members. In view of the various amendments to the Samoa Act, 1921, as affecting the constitution of the Legislative Council, it might be stated that the present statutory provision is—(a) Official members (not less than four nor more than six in number), being the holders for the time being of such offices in the Samoan Public Service as the Governor-General from time to time appoints as entitling the holders thereof to sit in the Legislative Council; (b) unofficial members (not more in number than the official members), who may be either elected members or nominated members or partly elected and partly nominated members, as the Governor-General in Council from time to time determines. By the Samoan Legislative Council (Elective Membership) Order, 1923, it was provided that the number of elected members shall be three. The first election for unofficial members of the Legislative Council was held on the 23rd January, 1924, when Messrs. Nelson, Westbrook, and Williams were the successful candidates. These three gentlemen were re-elected at the second election held in November, 1926. Every assistance is rendered to the elected members in the putting forward of matters which they wish discussed in Council. No attempt is made to suppress discussion in Council, and motions moved by elected members have been carried with the support of official members. Instances of these can be given. I produce a copy of the Standing Orders of the Legislative Council. Lord Milner, speaking in the House of Lords on the 12th May, 1920, justified the official majority in the following terms:—

The only justification for keeping an official majority in any colony is that we are convinced that we are better judges for the time being of the interests of the Native population than they are themselves. Unless we thought that we should not be justified in keeping our official majority. If that is the case, then I think that the argument that the unofficial vote was against you is not an argument which possesses any force. The responsibility rests with us. It is not as if we departed from the principle of trusteeship. On the contrary, on the principle of trusteeship we keep the authority in the hands which we think for the time being most competent to use it, and we must not be fearful about making use of that reserve power.

Native Representation.—The extent to which the Samoans themselves participate in the government is set out in the evidence on District Councils submitted by the Secretary for Native Affairs. Legislation affecting the Natives originates either with the Village Committees, from whence it is forwarded to the respective District Councils for consideration, and, after approval, thence on to the Fono of Faipule, or it may arise from matters submitted by the Administrator to the Fono of Faipule. In the latter case, such matters are forwarded to the District Councils through the Faipule for dis-

discussion before finally coming before the Fono of Faipule for decision. Decisions of the Fono of Faipule may be given legislative effect to either by submission to and adoption by the Legislative Council in the form of an Ordinance, or, if they affect only Native interests, by being submitted to the Hon. Minister of External Affairs for embodying, if approved, in an Order in Council. The Fono of Faipule has received statutory recognition in the Samoa Amendment Act, 1923. It is submitted that the existing Native organization—Village Committees, District Councils, and Fono of Faipule—based as it is on Native custom, provides the best possible means for guiding the Natives in their own development. Sir Frederick Lugard, in addressing the Cambridge Branch of the Royal Colonial Institute, spoke as follows (see page 162 of *United Empire* for March, 1927): "It is by the training of village and district Native Councils, and not by placing a few denationalized Natives on the Legislative Council of the colony, that a primitive people can be taught to think for themselves, and that England's great task in the tropics can be accomplished."

General.—The position with regard to Fiji is not as stated in the committee's report. The Legislative Council in Fiji consists of fourteen nominated, and seven elected members. The nominated members include eleven European officials, two Fijian officials, and one Indian member. There is nothing to require any matters on which the elected members vote *en bloc* in opposition to the Government members being referred to the Secretary of State for the Colonies. As a matter of fact, the Governor of Fiji has powers of disallowance of motions, even if passed by the Council, that the Administrator of Western Samoa does not possess. The following are the relevant sections from Fiji Letters Patent:—

EXTRACTS FROM FIJI LETTERS PATENT.

Clause 25.—When a Bill passed by the Legislative Council is presented to the Governor for his assent he shall, according to his discretion, but subject to the provisions contained in these our Letters Patent, and to any Instructions addressed to him under the Royal Sign Manual and Signet, or through a Secretary of State, declare that he assents thereto, or refuses his assent to the same, or that he reserves the same for the signification of our pleasure.

Clause 27.—The Governor may reserve for the signification of our pleasure thereon any Bill passed by the Legislative Council, and shall so reserve any such Bill by which any provision of these our Letters Patent is repealed, altered, or amended, or which is in any way repugnant to or inconsistent with any of the provisions of these our Letters Patent. A Bill so reserved shall take effect so soon as We shall have given our assent thereto, either by our Order in Our Privy Council, or through a Secretary of State, and the Governor shall have signified such assent by Proclamation in the *Fiji Royal Gazette*.

Clause 32.—All questions arising at meetings of the Legislative Council shall be determined by a majority of the votes of all the members present, except the Governor or other presiding member, and in case of an equality of votes the question shall be determined by the casting-vote of the Governor or other presiding member: Provided that the Governor may disallow any vote or resolution of the Council, and any vote or resolution so disallowed shall have no force or effect.

Mr. Meredith.] The facts and statements made in these reports are true and correct to the best of your knowledge and belief?—Yes.

I just want to ask you about one other matter: you have now received a report from England as to the result of the sale of Native copra through the Crown Estates?—We have received a report as to the price realized.

What will be the result to the Natives of the realization of that price?—On the first sale, if our figures are correct, it should be another 4s. 6d. by the time it reaches the Natives; and with respect to the second sale, if our figures are correct, there should be another £1 4s. 6d. distributed to the Natives.

Per ton?—Yes.

The Chairman.] Would you please turn to your notes where you refer to the petition signed by eleven local cocoa-planters: are they mixed European and Native planters?—They are all European planters.

Mr. Baxter.] In your statement with respect to the table showing advance and expenses—the fourth line—the following occurs: "Shrinkage before landing at Apia, 2½ per cent. on £17 2s. 8d." Over what period would that have been for?—At the outside, up to about a month.

Copra shrinks more in the first week than at a later stage, does it not?—Yes.

So that you would really get the bulk of your shrinkage within the first month?—Yes.

Then, at the last line but four on the same page you refer to "brokerage," and you show it at 2s. 6d.: what is the rate of brokerage you pay?—½ per cent.

There is no commission here?—London expenses only, of 5 per cent., are paid, and there are also small expenses so far as the High Commissioner's Office is concerned.

I notice that there is no entry for copra-weighers' salaries?—Do you mean in Apia?

Yes?—They are included in the lighterage and shipping charges.

And the place of advance?—That is covered by handling and loading charges.

That is at 5s. 6d. per ton?—The experience of the plantations on actual figures.

That would not include a proportion of the salary of the man who was doing the actual weighing-in of the copra?—No, except to the extent that any overhead charges would be included in the 5 per cent. amount.

We will leave that aside. You give them the use of the copra-sheds?—Yes, that is so.

It would be really just the baggage, loading, and the persons who are actually doing the loading?—And the weighing-in.

It would not include their salaries?—No.

Would it include the salaries of the persons that were loading?—Yes.

But would not include the salaries of any supervision officers?—No, it would not include the manager.

In fact, it would include only the pay of such labourers as were specially engaged on the job?—That is so.

There is just one other point that I cannot follow you. You say, "Shrinkage before landing at Apia, 2½ per cent.;" and then lower down you say, "Shrinkage in Apia prior to shipment, 5 per cent.?"—That is so.

Where would you say that the bulk of the shrinkage takes place?—Remaining in the shed here up to three months; and there is also wastage in unpacking the stuff and repacking. We estimate that 10 per cent. shrinkage right through for good-quality copra should be the maximum.

You reckon on 10 per cent. right through?—Yes.

Ten per cent. is the amount fixed by the merchants?—They have varying amounts.

You have cut out the salaries and various other charges that a merchant would have to meet: who would have to bear those expenses?—The plantations bear that, subject to the reduction of the commission. A proportion of the head-office expenses is charged up to the plantation each year, so that by reason of this commission the plantation is charged with a lesser amount.

The wages of the men who export the copra are not charged on the copra?—Not directly charged.

That I suppose applies to all the four centres where you are making advances?—That is so—not directly charged.

Then, at Vaitele, Vailele, and Mulifanua I conclude that these charges are made by the Reparation Estates—that is, the plantations?—In the first instances, yes.

And at Fagamalo?—In the first instance it is borne by the Administration.

In the first instance it could only come back through the 5 per cent.—it cannot come back any other way?—That is so.

I suppose the same applies to the other charges—namely, use of sheds and other articles which are necessary: the expenses of those are not borne by the copra, they are borne by the Reparation Estates and the Administration?—They are borne by the Administration and are covered by the 5 per cent. commission.

We can put it this way: on your answer you consider 5 per cent. is merely to cover additional expenses?—That is so.

You are advancing at four points now, and I conclude that if the scheme goes ahead it is bound to grow?—If we are compelled to pay a higher price it will go ahead.

You cannot leave it at those four points, and you will have to make arrangements with the Natives to supply the copra?—Yes.

That would mean eventually you would have to have buying-stations right throughout the group?—If the scheme becomes general in application we will have to.

I suppose you expect it to become of general application?—We hope, either by our own efforts or through other efforts, that it will come about.

If the merchants cannot fall in with the scheme because it will not pay, you contemplate the scheme growing to deal with the bulk of the copra here: is that the position?—We do not contemplate that so far.

Have you considered what the form of organization will be that would be necessary in Apia for the purpose of handling such an undertaking?—The organization of the New Zealand Reparations Estates would be quite capable, with suitable additions as the business increases.

If the scheme was increased would you not have to increase the organization of the Crown Estates considerably to handle the copra?—With that general application we would.

If you did that the copra would then have to bear these charges and salaries, rental of sheds, insurance, &c.?—The scheme would have to stand on its own feet.

Exactly; so that these advantages that they are gaining now are only temporary while the scheme is small?—Charging indirectly the salaries, yes, that is so.

I conclude that you went into the matter without understanding that you might have to go into the other side of the business of dealing in merchandise?—No.

The Chairman: I do not think that the witness should be put into the position of having to enter into a discussion that relates to the future. How could a person in the position of Secretary to the Administration say what can or cannot be done with respect to a wide and general scheme? We know that the scheme is only tentative.

Mr. Baxter: I think I am entitled to show that the figures are wrong.

The Chairman: He is not bound to give you a definite scheme or particulars of a definite scheme with respect to the general application of this matter.

Mr. Baxter: I will satisfy myself by asking this: (To witness:) So far as the Administration is concerned it has not contemplated ever handling the matter in a large way?—No.

At the present time you are selling through the Crown Estates and shipping the stocks Home?—Yes.

It would have to be altered if the scheme improved?—We will leave the scheme to look after itself.

Perhaps you can assist me here: when you buy copra—I am using the term "buy" because it is convenient—I suppose it is bought in comparatively small quantities?—Mainly in small quantities.

Judge MacCormick.] The reports show that about 100 tons have been bought?—Yes.

Mr. Baxter.] You advance against small amounts?—Yes, small amounts.

What arrangements have you for dividing up the surplus between the various consignors when you get the account sales back?—The attachment to the copra report shows that those who deliver the copra get a receipt for the quantities which they delivered, and—

The Chairman.] There is only one practical way of doing it, that is, the whole scheme is pooled and the surplus is divided up later?—Yes; it is explained in the *Savali*.

Mr. Baxter.] Supposing you have a loss on a shipment, what arrangements are made?—If we have a loss the New Zealand Government would have to bear that through the New Zealand Reparations Estate, but we should fix our advance so that there would be no loss.

The Chairman.] You have to take the risk—you do not expect to be recouped with the loss ? That is so.

Mr. Baxter.] You ship only one grade of copra, do you not ?—Yes, it is all marked as one grade.

There is one other point that I wish to bring under your notice with respect to this scheme, and it is this : Have you made arrangements to advance against copra in, say, Fa'asaleleaga ?—Is there not a possibility that the Natives there will hang back on their copra until you make arrangements to give them as much for the copra as they would get at Fagamalo ?—I do not think so.

You have not heard of that ?—The price differs in the various districts at present, and the Natives are used to the different prices.

The Samoans look upon it this way : The Samoans at Fagamalo are receiving from the Government a certain price—I do not know what the price is—and the people at Fa'asaleleaga are left to get what they can from the merchants : is it not in accord with the Samoan custom to say, " We will not produce copra until we get the same price as they are getting in Fagamalo " ?—No, we do not take the ordinary Native copra.

In your evidence on finance you say there that it is impossible to reduce expenditure : that is practically what you say. You will remember that the committee's report on these figures was wrong in many respects. There was no query raised about the actual emoluments shown, except that there were some percentages that were not right so far as Fiji was concerned—there was no question raised as to the correctness of the figures shown, and the salaries paid to the officials in Fiji as compared with Samoa ?—At the time that report was prepared we were not in possession of all the facts and figures that we have now with respect to Fiji. It is almost impossible to say that the position in Samoa is the same as that existing in Fiji.

Do you consider that the officials in Fiji are better paid or are not so well paid as the officials in Samoa ?—

Mr. Meredith : I do not think that Colonel Hutchen should be asked to criticize the payment or non-payment of salaries of another country. In many cases it cannot affect the position.

Mr. Baxter : I submit that I am entitled to make a comparison.

The Chairman : I consider that it is a proper question, having regard to the comparisons which have been instituted, and the witness must be able to say one way or the other ?—The whole conditions of employment are not wrapped up in the question of salaries. The officials there have a pension scheme to which they do not contribute ; but here we have to pay our own contributions to the superannuation fund. Another thing is that the leave conditions are very much more liberal there than is the case here.

Mr. Baxter.] In other words, you say it is impossible to compare them ?—You cannot.

In your statement you refer to the Central Hotel being purchased for £10,000, and there was a further sum of £3,520 11s. 8d. for equipment and expenditure ?—That is so, and that was transferred to the Casino when it was taken over.

It was not all equipment—I think there were other things ?—Furniture, equipment, &c.

Were there not one or two alterations and improvements ?—Yes.

The rent you are now receiving for it is only £366 ?—Yes.

The bank rate on the total amount expended at 7 per cent. would be £931-odd ?—I do not suggest that it is sufficient revenue for the original outlay.

The Central Hotel has to pay water rates, insurance, &c. ?—It is paying water rates, insurance, &c.

I wish to refer for a moment to the steam laundry : the steam laundry cost £6,170, did it not ?—Yes.

In fact, a concrete building was built for the purpose of this laundry ?—Yes, a ferro-concrete building.

It is let for an annual rental ?—Yes.

What is the annual rental that is received ?—£50 per annum.

And I suppose it has to pay the usual taxes, such as water rates, insurance, &c. : are those taxes, &c., paid by the Administrator or the lessee ?—The rental is free of the taxes.

I believe that at the time it was built a lot of the washing was, and still is, being done by the Samoans ?—That is so, and if that were not so the laundry would be a good paying concern.

You refer to the new wharf, costing £8,544 ; I conclude that that is the final contract price ?—Yes, the final contract price.

That would not include the expenses in regard to the services of Mr. Watson and Mr. Hutton and others who were performing the work of supervision and surveying and that kind of work ?—No.

You make some remarks with respect to loans, and we are not going to dispute that at all : you will admit, or agree, that the people here, and particularly the Samoans, are very suspicious of loans, and are inclined to fear them ?—They are apt to be suspicious in money matters.

The local white people too ?—I can only speak to the extent that I know.

That being so—namely, that they are suspicious in money matters—what steps has the Administration taken to educate the people with respect to these loans before they were issued—that is to say, educate them as to the necessity for them ?—I was not here when the loans were first issued.

Then you refer to the sum of £50,000 as being the approximate profits of the Reparation Estates : is that just the profits on the plantations, or does that include also the rentals of those plantations being leased ?—That represents the profits for the whole of the ramifications of the New Zealand Reparation Estates.

Through the generosity of New Zealand a proportion of these profits come direct to the Samoan Treasury, and Samoa benefits from the whole lot indirectly. I do not wish to inquire into the matter in any way, but that is the position, I suggest. As the local taxpayers are considerably interested in

the results of the New Zealand Reparation Estates, I think I might ask this question: Would it not have been better if this hydro-electric scheme had been brought in by private enterprise?—Yes, certainly. We tried for two years to get private enterprise to do the work.

Did you call for tenders to do the work?—The Public Works Department in New Zealand called for tenders.

And you could not get any satisfaction?—We could not get any satisfaction whatever.

With respect to public works, you say that the total value of work to be controlled by the staff is £51,498—that is, from the estimates of 1926–27?—That is so.

All that work was not done?—The only work that was not carried out, so far as I know, was the Inspector's residence at Fagamalo, and this was a matter of £1,000 which was set aside for that.

All the other work was carried out?—Yes, so far as I am aware. The vote was expended—that is, the vote for the works.

With respect to the question of auditing: the auditor who comes from New Zealand is usually here between boats, is he not?—He remains a month here.

And during that month he audits the books of the Administration, and also, I think, the books of the New Zealand Reparation Estates?—Yes.

So it is impossible for him to go into everything very fully?—The subsidiary accounts he cannot go into, and therefore we have a local auditor.

The local auditor is a member of the staff of the Administration, is he not?—The Public Trustee.

I do not wish to attack his integrity at all when I say this, but all that he can do is to report on the position to the Administration and forward his report to the Secretary?—Yes.

I do not wish you to misunderstand me when I ask you this question: there is very little control over the expenditure of this country because the expenditure is fixed at central office and the report of the local auditor is on all the subsidiary work: what are the duties of the local auditor?—He has to check off the subsidiary accounts and report anything that he notices when he is examining the books and also the staffing of the various offices. So far as the control of the public funds is concerned, the expenditure is not approved in the central office, but estimates are prepared by the Administrator and forwarded by him to the Minister of External Affairs for his approval.

To whom does the local auditor report?—He reports to the central office, and his reports are available for the New Zealand Government auditor when he visits Samoa annually.

In your statement with respect to the Fiji figures for 1925 you show the revenue there *per capita* as £3 4s. 10d.?—Those figures are not supplied by me, but by the Fiji Treasurer.

I am not in any way querying the figures. I would like you to look at the expenditure, which includes loans, and it works out, according to your statement, at £3 0s. 8d.?—Yes; and excluding loans it works out at £2 16s. 4d.

By taking the highest expenditure, that gives them a surplus per head of 4s. 2d.?—Yes, on those figures.

And the population of Fiji is, I think, according to the blue-book, 169,367?—Yes.

That would make a total surplus with respect to Fiji of £35,347?—Yes, on those figures.

And you will probably remember that Mr. Smyth in his evidence showed that so far as Samoa was concerned the cost of expenditure over revenue was 8s. 10d. per head?—I do not remember.

In the estimates of 1925–26 the expenditure for Samoa is shown as £130,200?—Yes, that is so.

At page 26 of the estimates the actual expenditure for that year is shown as £150,687?—Yes.

What was the reason for such a big difference between the estimate and the actual expenditure?—The revenue increased as the year progressed—in other words, the revenue greatly exceeded the anticipated amount, and additional public works were gone on with. That year a commencement was made on the Mulifanua Road.

You went ahead with these extra public works: were there supplementary estimates prepared, or anything else to cover that?—I was absent from Samoa at the time.

I suppose you quite agree that the Samoan Amendment Act was an expression of confidence on the part of the New Zealand Government in the ability of the citizens to take part in the government of Samoa?—They contemplated advancement.

And that they would take an active part in the government of Samoa: have the elected members had any opportunity of taking any actual part in the legislation?—Yes, they have in the Legislative Council, certainly. Some of the Ordinances have originated as a result of the elected members.

Have they ever been consulted in shaping any Government policy or any other matter brought forward?—The policy is fixed by the New Zealand Government after, of course, obtaining the views of the Administrator. He endeavours to obtain the views of the Legislative Councillors, and, so far as it affects the Natives, through the Fono of Faipules.

How often does he seek that information?—When the Legislative Councillors were first selected the Administrator used to correspond with the Legislative Councillors and seek their views. This practice he had to discontinue by reason of the fact that he received an intimation from them that they preferred any matters to be discussed in the Council.

Did he follow any other line of action after that?

Mr. Meredith: I suggest that it would be better to leave these matters till the Administrator is called.

Mr. Baxter: The Administrator will be called?

Mr. Meredith: Yes.

Mr. Baxter: I did not know that he was going to be called. That being so, I am prepared to defer any further questions that I have with respect to the Legislative Council.

Mr. Meredith: With respect to the copra question, the present method of advances is purely experimental?—Yes. We have had no previous experience to guide us.

And it is mainly with the object of obtaining for the Natives an increased price for the better quality of copra produced?—Mainly to get the Natives to produce a better-quality copra.

That was your ultimate object, and to attain that you arranged for a better price to encourage them to do so?—Yes.

The position now is that the merchants are only paying one price for all classes of copra?—Yes.

And if subsequently a satisfactory price is obtained for good Native copra the Administration will be perfectly satisfied?—Quite satisfied.

And does not wish to embark in the business in any way?—That is so.

And would relinquish the system if the merchants would take it up and satisfy the Natives?—Yes.

With respect to auditing: the matter is covered by the Samoa Treasury Regulations of 1924, published in the *New Zealand Gazette*, No. 60, of the 11th September, 1924, and the whole responsibility of the audit is that of the Controller and Auditor-General of New Zealand?—Yes.

And section 29 reads, "It shall be the duty of the Controller and Auditor-General from time to time, at such intervals as he deems necessary, not exceeding in any case one year, to cause an audit to be made of all accounts relating to the receipt, custody, or expenditure of public moneys"?—That is correct.

An officer is sent from New Zealand to perform this duty from the New Zealand Office of the Controller and Auditor-General?—Yes.

And he takes whatever steps he thinks necessary to satisfy himself as to the correctness of the accounts?—Yes.

He is not under the control of the New Zealand Government, but under the control of the Controller and Auditor-General?—Yes.

And he makes his report to the Controller and Auditor-General?—Yes.

For your own protection, besides that audit you have a local auditor performing what may be called a current running audit?—Yes; that is what we aim at.

And he reports to the Administration?—Yes.

So you are in this position: that the Administration provides for its own continuous audit, which is submitted to the Administration and to the New Zealand Controller and Auditor-General's officer performing the annual audit?—Yes.

ERNEST HUNT sworn and examined.

Mr. Meredith.] You are a registered medical practitioner, residing at Apia?—Yes.

And you hold the diplomas of M.R.C.S. and L.R.C.P.?—Yes.

How long have you been here?—Three years and ten months.

And during that time you have been in charge of the public hospital in Apia?—I have been officially in charge since the 1st March, 1926.

Will you please read your statement to the Commission?—Yes. The statement is as follows:—

Dr. Ritchie is the Chief Medical Officer, and is at present dangerously ill in the Apia Hospital, and unfit to appear. He holds a diploma of M.B., B.Ch. (N.Z.), and also the special qualification of diploma of public health, D.P.H. (N.Z.). He combines the positions of Chief Medical Officer and Medical Officer of Health. His duties are set out in the Samoan Health Order of the 16th February, 1921, sections 6 (2B) (2C) and sections 11 and 12:—

6. (2B) A Chief Medical Officer, who shall be a qualified medical practitioner, and who shall be Director of the Division of Clinical Medicine and of Hospitals.

(2C.) The Medical Officer of Health, who shall be a medical practitioner with special qualifications in sanitary science, and who shall be the Director of the Division of Public Hygiene.

11. The Chief Medical Officer shall be charged, subject to the control of the Administrator, with the administration of all laws and regulations relating to lunacy, hospitals, and medical aid, and shall be responsible for the efficiency of the hospital service and of the clinical, medical, and nursing services throughout Western Samoa, including such general measures for preventive treatment of disease as may be decided on by the Board of Health.

12. The Medical Officer of Health shall be charged, subject to the control of the Administrator, with the administration of all laws and regulations relating to sanitation, quarantine, and the purity of food and of drugs, and for that purpose he is hereby empowered and directed.

Speaking professionally, I can positively assert it is impossible for any one to perform those duties, and at the same time undertake any medical or surgical work. Under the German Administration there was a medical officer who acted as adviser to the Administration, and another who was an eye specialist. This was the only official staff. The general need of the population, both European and Samoan, were attended to by private practitioners. The plantation labourers were the subject of a separate contract with a private practitioner. It will be seen that, beyond establishing a small general hospital, the German Administration made no attempt to provide a medical service. During the period of military occupation little of a permanent nature was, or could be, done. The hospital, as it was in 1914, is shown in the annual report of the Department of Health for the year ended the 31st March, 1924, page 23. When the present Civil Administration was set up it was decided that a complete medical service for the whole Territory should be instituted. Towards the end of 1920 there was submitted a comprehensive scheme, comprising a hospital in Apia, and six out-stations, each in charge of a European Medical Officer, to attend to the needs of the outlying districts. In 1921 the first of these out-stations was opened at Tuasivi, Savai'i. The further advancement of the scheme was hindered by various factors, of which two were at the time insurmountable. The financial position made it impossible to advance at the pace anticipated, and time was required for the training of Native personnel to help staff the out-stations. At this time the

Natives paid for medical attention, and did not make full use of the facilities offered at Apia and Tuasivi. Thus under date the 18th July, 1922, in submitting the quarterly report for the period April-June, 1922, the then Chief Medical Officer reported: "Reports from Tuasivi show that the attendances of patients is very unsatisfactory, averaging about two per day, thirty-two being admitted as in-patients. It is known that the amount of sickness in the district is greater than would be gathered from the numbers seeking help. The explanation given is that they cannot pay the charges." This failure of the Natives to seek medical aid when it had to be paid for is also shown by a comparison between the years 1922-23 and 1923-24, the latter being the year in which free treatment was instituted. In 1922-23 the general attendance at the Apia Hospital, excluding in-patients, numbered 9597, of which 4,505 were Chinese attendances. The large number of Chinese attendances was due to the arrival of a transport with over nine hundred coolies towards the end of the previous year. The following year the general attendance numbered 37,279, of which only a few hundred were of Chinese. In Tuasivi the numbers increased from 1,509 in 1922-23 to 16,038 the following year. These numbers are larger than has been the case since, owing to the rush on the part of the Natives for treatment of yaws and to the initiation of a campaign against hookworm. The difference between the two years is perhaps better shown by omitting the treatments given for these two diseases in the latter year and showing only the general attendances for other reasons: Apia Hospital, 1922-23, 9,597 attendances; 1923-24, 23,323 attendances. Tuasivi, 1922-23, 1,509 attendances; 1923-24, 8,738 attendances. As already mentioned, the Natives prior to 1923, paid for attention received, and consequently did not attend in any great numbers. Their criticism of the position as it was at that time was that they were not able to work when ill, and therefore had no money to pay for treatment. The cash system was then modified, and accounts for medical attention forwarded through the district Faipules for collection. This practically amounted to free treatment, as the scheme proved a failure as far as revenue was concerned. The position, from a financial point of view, was becoming impossible. Samoa was passing through a period of depression, yet the medical expenditure was rapidly increasing, and so increasing the burden on the finances of the country. Further expansion of the service, to meet the needs of the outlying districts, was thus hampered for lack of funds, and no systematic work to bring under control prevalent diseases such as yaws and hookworm was possible. This was the position when, at the Fono held in December, 1922, the matter of adequate medical attention was fully discussed by the Faipules, and the Natives offered to pay a medical offering of £1 per adult male per year in return for free medical treatment. The following extracts from the Faipules' minute-book show the position of acceptance of the medical tax by the Natives up to date:—

MEDICAL TAX.

The following is a translation of resolution passed by the Fono of Faipule in December, 1922:—

1. That this Fono considers that a system of general subscription for medical purposes would be preferable to present system of individual payment.
2. Medical Tax: This matter is left to His Excellency the Governor to examine, and he to decide whether to levy a tax or not. The Fono, however, declare the desire that, if His Excellency decides to levy a tax, such tax shall not exceed £1.

His Excellency declared that if he finds that free medical treatment is possible to all Samoans, together with the establishment of medical services in different parts of Samoa, if a tax of £1 is ordered, he will make the order. If, however, he finds that a tax of £1 is insufficient to provide money for all these matters he will not levy a tax, but would continue as formerly.

When the tax was levied a promise was given that it would be reviewed after three years. In August, 1923, Faipules were instructed to discuss the matter of the tax with the people of their districts. The following written replies were received:—

Tuamasuga North—Faleata: All accept the medical tax with pleasure. *Sagaga*: The matter of medical tax was excellently received and was whole-heartedly accepted by all villages. *Leauvaa*: The people do not object to the tax, but are poor and request an extension of time. *Saleimoa*: All accept the tax. *Anoamaa*: (1) People of the district will pay the tax; (2) all villages agree whole-heartedly to the tax. *Vaa-o-Fonoti*: People accept the tax, as it will be the means of enabling Samoans to rapidly become healthy. *Aana—Faleasiu Village*: Agree with great pleasure to the tax. (NOTE.—There was some opposition to the tax by the remainder of the district, and, in reply to a request, His Excellency the Administrator met the chiefs of the district at Leulumoega on the 3rd September, 1923. At this meeting the tax was agreed to. *Alipia*, in reply, said, *inter alia*: "We quite agree to pay the £1 tax towards the Medical Department. . . . Thanks that you have the health of Samoa as your first consideration.")

Tuamasuga South: All accept the tax with pleasure.

Fu'asaleleaga (Savai'i): (1) All villages accept the tax with pleasure; (2) agree with great pleasure and with loyal courage, as the tax shall be known as "Offering of love to all persons, because the strong and the weak will be equal, the rich as well as the poor."

Itu-o-Teine (Savai'i): Tax accepted.

Whilst on *malaga* through Upolu and Savai'i, His Excellency the Administrator personally received verbal acceptances of the tax from all other districts who had not forwarded written replies. In December, 1926, the matter of the medical levy was again tabled at the Faipule Fono, when the following resolution was passed:—

It is unanimously agreed by the Faipule Fono that the following shall be placed before His Excellency the Governor:—

1. There shall be one tax to cover everything (*i.e.*, personal tax, medical services, education, &c.). (2) The tax shall be as follows: *Matai*, £2; *tavulea*, £1 16d. (NOTE.—This is a reduction of 4s. in each case.)
3. The tax is to be payable between the 1st July and the 30th September each year. An Ordinance, No. 4, 1927, was passed putting this into effect.

At the beginning of April, 1923, free treatment was instituted under payment of the medical tax of £1 per head. Here we were faced with a considerable problem. Every Native in Samoa, in the out-districts as well as in Apia, was entitled to receive free treatment, and arrangements had to

be made to provide facilities throughout the Territory as quickly as possible. Extra nurses and cadets were appointed for training, and arrangements made for the building of an out-station at Aleipata. Those trained nurses we had were sent to mission stations, to test their usefulness when thrown more or less on their own responsibility. Campaigns against yaws and hookworm were immediately commenced. Our activities were considerably hampered by the presence during the first year of dysentery in epidemic form. At that time we had no organization in the outlying districts to cope with an epidemic, with the result that the death-rate was heavy. To-day, four and a half years after the institution of free medical treatment, we have out-stations and dispensaries dotted throughout the Group, as shown on the accompanying map (Exhibit No. 62B). The following is a list of hospitals, out-stations, and staff outside Apia; this does not include mission stations, to whom drugs are supplied free:—

Upolu.—Aleipata: One hospital—Dispensary, three *fales* for patients, *fale* for Native staff, Medical Officer's residence. Staff—One Medical Officer (European), one Native cadet interpreter, two trained nurses (Samoan).

Dispensaries: Ten, each with one trained nurse.—Lufi Lufi, Fagaloa, Satalo, Fusi, Sataoa (Lotofaga), Matautu, Falelatai (one New-Zealand-trained nurse returning shortly to hospital), Mulifanua, Fasitootai, Malua.

Sava'i.—Tuasivi: One hospital—Dispensary, three *fales* for patients, *fale* for Native staff, Medical Officer's residence. Staff—One medical Officer (European), one Native cadet interpreter, two trained nurses (Samoan).

Safotu: One Native medical practitioner (hospital), one nurse.

Dispensaries: Five, each with one trained nurse—Satupaitea, Gagamalaei, Samataitao, Sataua (Asau), Fagamalo (one child-welfare nurse).

Resident in Apia: One Visiting Medical Officer.

Coast-line, Mulifanua: *Falefa*.

In 1925 child-welfare work was commenced. This work, although urgently required, had been delayed until our work on yaws had brought that disease under control and the risk of its being contracted by young babies rendered slight. A child-welfare officer was appointed temporarily, and women's committees set up in the villages. These committees were visited by the officer in charge, district by district, and articles published in the *Savali* giving information on the care of baby. The results have been most gratifying, the infant mortality-rate having been practically halved in three years. Unfortunately, the present unrest has, I fear, resulted in the disbanding of many of these committees, and, if so, there would be an increase this year in infant mortality. The policy of development which we are pursuing is to train as rapidly as possible Samoan boys and girls to do most of the work, and to keep the European staff as low as is consistent with efficiency. At the present time we have a staff of seven European Medical Officers in a population, European, Samoan, and Chinese, of approximately of 42,000—that is, one Medical Officer to 6,000 inhabitants, whereas in most European countries there is one practitioner to from 1,000 to 1,500 population.

In New Zealand, with a population of 1,400,000, the number of medical practitioners in 1926 was 1,283. As the population increases, it is hoped to have sufficient Native medical practitioners and nurses trained to render it unnecessary to increase the number of European Medical Officers, whose duties will gradually become more and more the oversight of the work of the Native staff, and the attending to the more serious branches of the work. Very few changes have taken place in the number of the European officials in the Department, although the work has markedly increased. In 1921 there were seven Medical Officers, nine nursing sisters (including the Matron), two dispensers, and an office staff of two. To-day the staff is almost the same, the additions being one office cadet and a laboratory staff of three and two Health Department Inspectors, and we now have only one dispenser. The European nursing staff is as small as experience has shown to be advisable. In New Zealand nurses in our hospitals are not expected to work more than eight hours a day; here in Samoa, in the tropics, the hours of work are the same. It is not possible to efficiently run the hospital on any smaller staff than at present. I would like to stress the necessity of having a European sister in charge of the Samoan ward and *fales*. Only those who actually know can give an idea of what would happen if such supervision was removed. Briefly, there would be no treatment given at all, no teaching of the nurses, and the equipment would disappear in no time. This I can personally vouch for. The Native nursing service was commenced in 1919, and in 1921 four nurses passed the examinations set for their qualifying for a certificate as a trained Native nurse. To date thirty nurses have so qualified, of which number twenty-four are still in the service of the Administration. In addition, we have three nurses who trained in American Samoa and sixteen nurses in training, a total of forty-three. As rapidly as our supply of trained nurses permits, new dispensaries are opened. This policy will be followed until sufficient nurses have been trained to supply our requirements. The course of training will then be made longer and harder, and gradually the standard will thus be raised. At the present time the nurses are being given a sound training in general nursing, and to this has now been added a course of theoretical and practical training in midwifery. It will be some years before the present education policy gives us well-trained girls and before saturation-point is reached in regard to number of nurses, and therefore also some years before we commence to make the course of training a more ambitious one. The standard reached by the girls we have trained during the past several years has demonstrated the capabilities of these girls, who are doing excellent work in the out-districts. Recently, under arrangements made with the Government of Fiji, we have commenced sending cadets to Suva for training in the Native medical training school there. This is part of a scheme for training Native medical practitioners, which will, it is anticipated, embrace most of the island groups in the South Pacific. Already one young man has returned to duty in Samoa, and reports regarding the work of the three in Suva are very favourable. As these young men return they will be placed in various districts, until ultimately every district in Samoa will have its Native practitioner.

It has always been recognized that in the best interests of Samoa out-nursing sisters should, if possible, be recruited in this country. Some years ago arrangements were made with the Auckland Hospital to take girls from Samoa for training, if nominated by His Excellency the Administrator. One has returned with her New Zealand qualification, and two others are in training in Auckland. As suitable applicants come forward arrangements will be made for their training. The suggestion that there is a lack of interest in Native patients is ridiculous. The Samoans and their wives and families are at present entitled to the following:—

- (1) Free attendance at the hospital as often as desired and visits at their own homes.
- (2) Free medicines and dressings.
- (3) As many injections for yaws as are deemed necessary to effect a cure. The cost of the drug used for this purpose alone makes a considerable hole in amount paid—7s. 2d. for an adult (three injections).
- (4) Free treatment at hospitals and out-stations scattered all over both islands, and staffed either by European practitioners, Native medical practitioners, or trained nurses.
- (5) Treatment in the hospital as long as any sickness lasts.
- (6) Free surgical treatment. It is impossible to estimate the actual cost of this, but at a conservative estimate every operation of any importance must surely, if reckoned in terms of pounds shillings and pence, make any subsidy look very small indeed. To the cost of each operation must, of course, be added the expense of nursing and after-treatment.
- (7) Free maternity care in a special *fale* built for the purpose, with all necessary obstetrical operations.
- (8) Free hookworm treatment.
- (9) Free anæsthetics.

SANITATION.

In 1920, when Civil administration commenced, modern sanitary conditions may be said to have been non-existent. Some members of the community had attempted to improve the conditions in their homes, but the work was crude, and in most cases unsatisfactory. In order to remedy this, regulations relating to drainage, &c., were enacted, and a Health Inspector with plumbing qualifications was appointed to ensure their being carried out. Although much still remains to be done, Apia is at present a more sanitary town than ever before in its history. Native sanitation is a much more difficult matter than in the case of Europeans. It could only proceed hand-in-hand with education, and in order to hasten it lantern lectures and lectures illustrated by means of films were carried out in connection with our hookworm work. Large numbers of latrines have been installed, some of them poor and unsightly, but they are evidence of progress.

VITAL STATISTICS.

I put in the attached graph [Exhibit No. 63], showing, as far as can be ascertained, the movement of Native population in Western Samoa from 1886 to 1926. From 1886 to 1917 the increase was very slow; in 1918 the influenza epidemic caused a loss of the increase for twenty-one years; since that date the progress has been rapid. For a few years after 1918 the death-rate was low, owing partly, no doubt, to the deaths in the epidemic of many old people whose deaths would have fallen naturally into the figures of succeeding years. This factor was, however, very soon counterbalanced by the greater percentage of children in the total population. During the years since free treatment commenced, with systematic work throughout the Territory, the increase has been greater than at any time since figures were available. The work of the Medical Department in Western Samoa has been the subject of criticism by outside experts in tropical medicine. In fairness to Dr. Ritchie, I should like to refer the Commission to the remarks of S. M. Lambert, M.D., of the International Health Board of the Rockefeller Foundation, in his report on Western Samoa, 1924, page 37, A.—4A:—

In Samoa we have a long-visioned Administration which is giving every support to a strong Native Department and a modern Department of Public Health, these two working hand-in-hand. Yaws is well under control, and may be eradicated in the near future. Hookworm-control measures are well advanced, and will now be prosecuted with the vigour given to the yaws campaign. Adequate sanitation, proper latrines, and pure water-supply are gradually being installed in all villages. Definite plans are undertaken for child-welfare work in Native villages with the new year. Even thus early, these measures are being reflected in increasing populations of healthy, happy Samoans. A few years and they will mean dividends on the investment for the country, which, after all, must be the criterion of the success of a humanitarian effort if it is to be enduring.

And the same gentleman's remarks in his "Health Survey of the New Hebrides," 1926, on page 15:—

The vital question as to whether the decline of native Pacific races can be checked, and their numbers brought back, has been answered brilliantly by the New-Zealanders in Samoa by intensive efforts against hookworm disease and yaws, especially with good hospitalization and the establishment of confidence in their Government in the Samoan mind. In a period of less than three years a birth and death rate practically equal has been changed to a birth-rate of fifty-five and a death-rate of twenty-two, with an infant mortality-rate that many civilized countries might envy. Samoa lays emphasis on her yaws and hookworm campaigns as the important features of this racial recovery.

Also the remarks of P. A. Buxton, M.R.C.S., D.T.M. and H., formerly Milner Research Fellow, Director of Medical Entomology, London School of Hygiene and Tropical Medicine, in his "Researches in Polynesia and Melanesia," at page 4:—

It is, perhaps, not impertinent to state that New Zealand provides a public-health service which might serve as a model to any small tropical country, and that the administration of that Department seemed to be characterized by vision and forethought.

Dr. Lambert refers to the confidence of the Natives in the Government as a factor in the success of the campaign of preventive medicine against disease. This cannot be too strongly stressed, and it applies with most force to the outlying districts. If the Natives there do not respond to notices to attend at medical *malagas* our efforts are to a great extent nullified.

Mr. Meredith.] Can you tell the Commission whether the evidence you have given is from your own personal knowledge and as a result of examination of reports, and whether the contents of your statement are true and correct to the best of your knowledge?—Yes, they are.

Mr. Slipper.] Do you remember the case of Tuao's daughter, named Minie?—Yes.

Do you remember whether she was taken to the hospital for treatment?—Yes.

And is it correct to say that she was removed from the hospital because the doctors said that she would not receive treatment in the hospital?—I am not aware of the fact.

The Chairman.] What was the year?—1927.

Mr. Slipper.] You are not aware of the fact?—No.

Do you remember the case of Mr. and Mrs. Yandall and their children having taken poison?—Yes.

Am I correct in saying that they were taken to the hospital at 8 o'clock and they were not attended to until 2 o'clock?—It is absolutely incorrect.

The Chairman.] What were they?—Some of them are half-castes and there was one black boy amongst the party.

Mr. Slipper.] Did not three of the children die?—Yes.

Did they receive immediate attention?—They did.

Perhaps you will remember the case of a Catholic pastor who was taken to the hospital, and when he laid down he cried out with pain?—I do not remember anything about it.

The Chairman.] What year do you suggest it was?

Mr. Slipper. : I suggest that it was in 1926 or 1927. (To witness:) Do you know Tuao's son named Pili?—Yes.

Is it correct that he was taken to the hospital this year in great pain?—I do not remember his actual admission, but I know that he was there.

Am I correct in saying that he was rejected from the hospital on the ground that the time for attendance was past?—We will take it in two parts: do you remember that he was rejected from the hospital?—I have no knowledge of it whatever.

Judge MacCormick (to witness).] How long has Dr. Ritchie been Chief Medical Officer?—I think he is in his seventh year.

FRANK GEORGE LEWIS further examined.

Mr. Baxter.] Referring to District Councils: there are about thirty District Councils, are there not?—Yes.

I notice in a reference you make in your papers that a summary of the remits shows that there are thirteen out of thirty District Councils who have not put forward any remits at all: I conclude that they had none to bring up?—Yes, in that particular Fono, although they were not prevented from bringing up any after that list was made up.

Matters very often come up before the Fono and are sent back to the District Council for consideration?—Yes.

Supposing some matters were sent back, and at the next Fono of Faipules any District Council had not forwarded their remits dealing with the matters sent to them, what course do you follow?—If it is a matter of the general policy of Samoa, all the Samoans would have to express an opinion about it. If they had not put in a written report, they would be asked about it at the Fono.

It is not necessary for remits to be in writing, and, if not, then you ask the Faipule as a matter of general policy?—Yes, that has been done.

I am just trying to ascertain the procedure, that is all, Mr. Lewis. Now we come to the question of the medical tax. I think it came up when it was changed into the personal tax, about the January Fono, 1925?—I think probably it was two Fonos ago.

When the Fautuas, a few months back, came down to get their pay, did you require them to sign a document other than the usual receipt?—Yes.

What was the document?—I asked both the Fautuas whether they were prepared to sign, as other officials were signing, an intimation that, as officials of the Government, they were supporters of the Government.

That was to each of them?—Yes.

Did they sign it?—No, neither.

Did they receive their pay or was it withheld?—They had an interview with His Excellency and that point was waived after they had explained the position to him.

You held the matter over to be dealt with by His Excellency?—Yes.

There was a message went round Savai'i, sent by yourself in your official capacity: where did you send that message from?—This message emanated from my office in Mulinu'u.

And was it sent from your office to Savai'i?—Yes.

In what manner?—We sent the message out to all radio stations in Samoa. It was a progress report of the political situation in Samoa.

Mr. Slipper.] Regarding the question of banishments, do you regard them as a punishment or not?—Certainly.

Can you see any reason why all matters of punishment should not come before the Court?—They come before our section of the High Court and before a Commissioner of the High Court.

Am I wrong in suggesting that the question of banishments comes before a section of the Faipule, whose recommendations are endorsed by the Administrator?—They are appointed by the Administrator to advise him in the matter, as a committee.

Can you see any reason why they should not come before the High Court?—That is for the Administrator.

The Chairman : You need not answer that question. The power is there in the jurisdiction given to the Administrator.

Mr. Slipper.] How long have you been here?—Seven and a half years.

So that a considerable amount of your paper is historical?—Yes.

Can you tell me whether it was an ancient custom to take away titles?—I have read of instances of it in history.

In regard to banishments in the olden times *fa'a-Samoa*, do you consider yourself in a position to speak authoritatively about them?—Yes, I consider so.

That is, from your reading and from what you have been told?—Certainly, from my conversation with Natives from time to time.

From your experience—you have been here only seven years—can you tell me whether people were banished in the olden days without a full inquiry?—I cannot say.

I put it to you that when an inquiry was brought forward there was every opportunity given to bring witnesses in the olden days?—There were some instances where men did not wait for an inquiry.

If I suggest he had an opportunity to call witnesses, does your history tell you that much?—It depended on the case. Some of them did not want a trial.

Were there any British Courts in those days?—No, certainly not; not in the days I am referring to.

Mr. Meredith.] Can you give me the date on which Mr. Griffin gave up his duties?—The 15th of January this year he went home on sick furlough.

The Chairman : What we are told is that he practically gave up his duties in June, 1926, that he went home at the beginning of January, and died in May.

Do you remember when he gave up official duties?—In June, 1926, he was working; then took bad again. He was again in the office in September and October off and on.

He just resumed temporarily?—Yes.

Mr. Slipper.] May it please your Honour, I ask you to disregard any historical evidence by Mr. Lewis, as far as banishments are concerned, prior to the Ordinance of 1922.

The Chairman : Can Mr. Lewis tell me what is the position as regards the hedge in Tamasese's case?

Mr. Meredith : I am going to put that question to Mr. Allen.

ROBERT HOUGHTON ALLEN further examined.

Mr. Meredith.] You might tell us about the hedge in the Tamasese case?—The *pulenu'u* of Vaimoso complained to Mr. Griffin that Tamasese had grown a hedge across the village *malae*—that is, the village common. The planting of a hedge on that particular place, on someone-else's land, was likely to cause a great deal of trouble, and the village, through the *pulenu'u*, appealed to Mr. Griffin to have the hedge removed. Mr. Griffin ordered the hedge to be removed, after an interview with Tamasese. Tamasese refused to remove the hedge at all. He was given until a certain date. He refused point-blank to remove the hedge. Upon this refusal Mr. Griffin reported the matter to the Administrator. The Administrator actually went to the spot and inspected the property and the hedge that was causing the trouble in the village. He was quite satisfied that the hedge should not have been put there, and gave Tamasese a direct order to remove the hedge. Tamasese again refused. He was then called before His Excellency, and in an interview His Excellency asked him a direct question, "Are you going to obey the order of the Secretary for Native Affairs?" The answer was "No." He was asked a further question, "Are you going to obey my order?" Again the answer was "No." His Excellency then told him that he would be banished and sent to Leulumoega, and an order was made accordingly. In reply to His Excellency's decision that he would be banished to Leulumoega, Tamasese replied, "*Fa'afetai*" (Thank you). The land in question was proved at a hearing before the Land and Titles Commission to be the property of another than Tamasese.

Was that the case where some of the other chiefs indicated their approval of this action?—Yes. On the 31st March, 1924, Faumuina headed a deputation of the chiefs and orators of Faleata and interviewed His Excellency the Administrator at Mulinu'u. Faumuina, in speaking for himself and the deputation, expressed his approval of the banishment of Tamasese.

The Chairman.] Just look at the banishments of two men, Inu-Tulifau and Faamaufala. That is supposed to be sedition. Sedition suggests a wide term. Can you remember what the facts were?—I can quote the files, sir. The report of the conversations on the 2nd July, 1924, begins as follows: Inu-Tulifau speaking, after giving thanks to the Deity: "There are two matters about which I have come before your Afioga, the King of Samoa: (1) Let Malietoa be king and Tupua deputy king; (2) Let the families of Tupua and Malietoa form the Government."

It was sedition, relating to the re-establishment of Malietoa as king?—Yes. I think in fairness to Malietoa I should quote this reply.

Mr. Meredith.] There is no point in that. It is not suggested that Malietoa was a party to it?—No.

The Chairman.] I notice that in your statement in many of the cases you give the result of the order of local banishment, and whether pardoned, and so on; but in a great number of them you do not say whether they are current or not. Are there any current now?—Yes, sir. I cannot say

offhand which are current, but those orders made at His Excellency's pleasure and which have not been cancelled are still current.

Could you let the Commission have a list of them?—Yes.

Look at the case of Anae-S and Asi-Maatusi?—The order depriving Asi of his title is not on the file.

You can give me the date of the order?—The date of Mr. Griffin's recommendation is 21st December, 1923.

Mr. Slipper.] Regarding Tamasese, were you present at the sitting of the Land and Titles Commission to settle the question of this land?—No.

Then do you know anything about it at all?—It is on file, the decision of the Commission.

That may be incorrect or true, as far as you know?—That is all I know.

On your file, have you got a record of exactly what happened, signed by an authoritative person sitting on the Commission?—Yes.

Can you produce it?—Yes.

With regard to banishments, may we take it that you know the old Samoan custom?—Yes, from what the Natives have told me.

From 1922 upwards, can you say that in every case where there has been a banishment there has been a full and clear opportunity for the defendant to ask questions and present his case?—No, I cannot say that, because I was not there.

Judge MacCormick. : How can he say if he was not there?

Mr. Slipper. : You refer to—

The Chairman. : If you look at the minutes you will find that in every case evidence was called on behalf of the person charged. You could not have anything better than the minutes recording what took place.

Mr. Slipper. : I am bound to say, at the risk of causing your Honour displeasure, that as far as I am aware the minutes are not reliable.

The Chairman. : I am sorry to hear you say that.

Mr. Slipper.] With regard to Asi's title, is that the Asi that is employed in the Court here?—I think it is.

And you have no record of that on the file—record of losing his title?—Every record is on the file, but the actual copy of the order is not on the file.

Mr. Meredith.] There is a case relating to a banishment which we promised to have cleared up. This was an alleged banishment supposed to have been made by one Faipule?—The complaint was laid against Salanoa, Faipule, that he had banished one Galo from the Village of Fasito'otai.

What were the facts?—The facts are these: The Faipule Salanoa, writing on behalf of the *pulenu'u* and the District Committee, on the 12th February, 1925, complained that a *taulealea* named Galo caused trouble in the village of Fasito'otai. The parties were called before the Ali'i and Faipule of the village concerned, and the defendant was called before Mr. Griffin on the 31st March, 1925. The decision in the case was that Galo was to apologize before the Court and to two other chiefs of the village; such apology to be published in the *Government Gazette*, the *Savali*, and Galo to be banished from the village for six months if in accordance with His Excellency's wish. There is a further note that this matter would not be taken before his Excellency if Galo remained away from the village for six months. Galo did not belong to the Village of Fasito'otai; he belonged to another village, and was merely a visitor there.

And did Galo agree to go away from the village?—He went home to his own village, and the matter stopped there.

Mr. Slipper.] You say Galo was only a visitor: is it not a fact that he was born and bred there?—I cannot say; it is on the file.

You will not dispute it?—No; I cannot tell you. I can find it on the records for you.

Tuimalealiifano. : I wish to give evidence.

The Chairman. : Are you a petitioner?—No.

The Chairman (to Mr. Meredith): Do you want to call this man?

Mr. Meredith. : No.

The Chairman (to Mr. Baxter): Do you want to call him?

Mr. Baxter. : No.

The Chairman (to Tuimalealiifano): This tribunal is set up to investigate certain complaints made by certain petitioners in documents placed before the House of Parliament and placed before the Government. The Commission is limited to the investigation of those complaints and matters. I have asked counsel on both sides whether either of them wishes you to give evidence. These gentlemen have devoted considerable time to ascertaining what evidence is proper to be brought before the Commission, and they are in the best position to judge whether your evidence will be of assistance to us. I know the high position you occupy in Samoa, but I cannot grant to you permission to do a thing which I would refuse to the humblest *taulealea*. We are sorry, therefore, that we are unable to hear your evidence.

Tuimalealiifano. : That is one reason why I could not rest quiet and witness these two sides in dispute.

The Chairman. : You have now done what you consider it to be your duty, and you may rest content.

Tuimalealiifano. : I would like to assist the Royal Commission.

The Chairman. : We have ruled, and our ruling must be obeyed.

MONDAY, 24TH OCTOBER, 1927.

Mr. Meredith : Before proceeding to call evidence, your Honours, you will remember that there was a question in regard to the matter of granting of store licenses and the cancellation of them, and you were good enough to allow me to mention that matter at a later date. I have looked into the matter.

The Chairman : It is not a very convenient stage to refer to it just now.

Mr. Meredith : I wish to explain the position, sir, before the Administrator comes into the Court, and it will only take the Commission one moment. The Ordinance, No. 2 (page 213), the Taxation, Licensing, and Revenue Amendment Ordinance, 1924, purports to give power to cancel a store license. A store license is a license given to any person conducting a store as defined by section 34 of the principal Ordinance and which purports to incorporate Part IV of the Act :—

34. For the purpose of assessment of store-tax, "store" means any building, room, or premises from which goods are sold in the course of business, but does not include a copra-shed. "Turnover," used in reference to the business conducted in a store, means the selling-value of the goods, other than the natural produce of the Territory, sold out of the store, without deduction of any kind.

Briefly, the position is this : The license was issued to Nelson and Co., and not to any individual, subject to certain individuals being kept as traders in particular places. No license of any kind was issued to the individual trader. I agree with Mr. Slipper's contention that, therefore, the individual men—Kruse, Hunkin, and Ale Lui—had no license of any kind issued to them which could be cancelled ; and, further, the notice which was given to each of these individuals was to show cause why their trader's license should not be cancelled, which was entirely wrong, because there is no such thing as a trader's license. There are only two licenses known—a business license and a store license : these individuals had no license of either kind.

The Chairman : Can you refer me to the section under which licenses are issued ?

Mr. Meredith : Licenses are in the main Ordinance, section 42, page 83.

The Chairman : That is the business license : where is the other license ?

Mr. Meredith : The granting of the store licenses is under section 3 of the No. 2, 1924—the Taxation, Licensing, and Revenue Amendment Ordinance. So the position clearly is this : that these men had no licenses of any kind which could be cancelled, and the procedure was entirely wrong. I just want to mention on this subject that, whatever error was made, the responsibility is taken by the Administration officials, and not by the Administrator, who acted in accordance with the procedure laid down by his officials. One further remark : The order for cancellation of these licenses by the Administrator was not done in pursuance of any previous notice, which will be seen from the Administrator's evidence—it was from personal information he himself received while on a *malaga* ; but, in any event, of course, the whole proceedings are abortive. I now call the Administrator.

GEORGE SPAFFORD RICHARDSON sworn and examined.

Mr. Meredith.] You are the Administrator of Western Samoa ?—Yes.

And you were appointed to that position on the 15th March, 1923 ?—Yes.

I think, General, you have a statement of the general position, and I would be glad if you would read it to the Commission ?—Yes. It is as follows :—

The policy of the Government that I administer and have consistently carried out on behalf of the Natives may be summed up as follows : (1) To make the Natives better Samoans and not to set up European standards in those matters which are inapplicable to Native life in these tropical islands ; (2) to teach them as far as possible to govern themselves ; (3) within the utmost limits of our financial resources, to promote their health and education, and to teach them to enhance their own prosperity by increased efforts to develop their lands and to improve the quality of their products for export. In carrying out this policy I have not attempted to change the social structure of Native life or to interfere with Native rule any more than is necessary to maintain order, but rather to encourage the Natives to retain their good customs and their social organization. The Government policy for European inhabitants provides, amongst other things, for (1) controlling their own municipal affairs ; (2) reservation of land for local European population ; (3) technical education for boys to fit them for trades and business occupations ; (4) sending of boys to New Zealand for training in Government institutions in the Dominion ; (5) employing in the Administration, consistent with efficiency, as many as possible locally born Europeans ; (6) representation in the Legislative Council to have a voice in their own affairs ; (7) subject to the local laws, freedom to trade in any part of the Territory. Up to October last year both Europeans and Natives appeared to be prospering under this policy, each working out their own salvation and looking after their own affairs.

[In November, 1925, I proceeded to New Zealand on leave of absence. Prior to leaving Samoa various complimentary addresses were presented to me. The one from the European citizens, to which Messrs. Nelson and Williams, among others, subscribed their names, is referred to on page 167, Joint Samoan Petition Inquiry Committee. On the 11th February, 1926, I returned to Samoa and was accorded public receptions both by the Europeans and Natives. From the tenor of the speeches on those occasions, and from information I was able to gather from every district in Samoa, there was no indication whatever of unrest or dissatisfaction with New Zealand administration. Mr. Nelson left Samoa during my absence in New Zealand and did not return to the Territory till the following October, during which period he corresponded with me in a friendly manner and I replied in a similar strain. I also gave him letters of introduction to persons in New Zealand, including a letter to the Hon. Mr. Nosworthy, who was asked by me to try and arrange, if possible, for Mr. Nelson to also meet the Prime Minister. There was no indication in any of Mr. Nelson's letters to me that he intended to raise any Samoan political matters with the New Zealand Government without my

knowledge, or that he intended to take any political action with the Natives after his return. On the 11th May, 1926, His Excellency the Governor-General made an official visit to this Territory, remaining until the 16th May. His Excellency's visit was marked by enthusiasm and expressions of loyalty on the part of both the Europeans and Natives. I am convinced that the inhabitants did reveal on that occasion their sincere feelings of loyalty to His Majesty the King, their gratitude to New Zealand, and their satisfaction with the Samoan Administration, as expressed in the various speeches made to His Excellency. In July, only two months after the departure of His Excellency the Governor-General, I learned that Mr. Westbrook was adversely criticizing conditions in Samoa in both the New Zealand and Fiji press. His criticisms included serious misstatements about the visit of the Governor-General, the New Zealand plantations, the New Zealand loan, &c. He also proposed self-government for Samoa, and at the same time suggested that no further education for the Natives was necessary beyond that given by the Missions. Up to this time I am convinced that the Natives were neither dissatisfied nor had any idea of self-government entered their minds, as I had visited all districts and received expressions from the Ali'i and Faipule in every district of their appreciation at being under the care of New Zealand, and the policy governing their administration—viz., to keep Samoa for the Samoans, and not permit Asiatics to permanently settle in this country or aliens to acquire Native lands. They were particularly pleased with the recognition given to their Fono of Faipule, and the establishment of District Councils and Village Committees, whereby they themselves had increased powers. After Mr. Westbrook's return to Samoa I saw him personally and invited him to discuss with me any of the matters he considered to be wrong with the administration of Samoa, but he did not mention anything beyond two personal matters. Just prior to Mr. Nelson's return to Samoa in October I was interviewed by Mr. Gurr, who extended a pressing invitation to me to attend a public reception to welcome Mr. Nelson. I accepted the invitation, and on behalf of the citizens made a complimentary address of welcome, to which Mr. Nelson replied. I was not aware at the time that Mr. Nelson was organizing a Native political movement. On the 14th October I was returning from Fasito'otai with Mr. Griffin, late Secretary for Native Affairs, when at Leulumoega we met Aiono, Faipule, who reported that the Natives, including officials of his district, had been asked to go to Apia to see Mr. Nelson and talk with him on matters concerning Native administration. On the 15th October the first combined political meeting was held. At about this time I was making a series of *malagas* to districts to urge the Native to improve their plantations and to grow bananas for export to New Zealand, for which purpose the New Zealand Government had authorized the purchase of a ship especially to carry fruit from Samoa to the Dominion and thereby help the Natives. On the 20th October I attended a *fono* at Lufilufi, where for the first time I saw some effect of the meeting in Apia. One orator, who I believed belonged to Falevao, repeated some of the things he had heard at that meeting and expressed them as his own views. On the subject of the law concerning deprivation of titles those present ridiculed him, and expressed their appreciation of the existing law, based on Samoan custom. On the 27th October I visited Fagaloa, where the Natives expressed their disapproval of the Europeans and a small section of Natives in Apia speaking for Samoa. They spoke to me most approvingly of their Faipule (Fonoti) and the Government. It was reported to me that one section of Natives, who had come from Faleapuna to attend the same meeting, and amongst whom were individuals who had attended the meetings in Apia, had caused trouble by showing resentment to their Faipule and quoting their grievances against the Administration as expressed at the public meeting in Apia, and also by Mr. Westbrook in his letter to the *Auckland Star*, a copy of which they had taken with them to Fagaloa and which was shown to me. Their chief complaint was concerning the debt owing by Samoa to New Zealand, which was criticized by Mr. Westbrook in the paper referred to. The trouble resulted in the Faleapuna Natives refusing to remain for the district *fono* to be held with me the following day, and leaving Fagaloa the evening before I arrived, thus showing disrespect to the Faipule and myself. On the 3rd November I visited Manono, when I found the Natives perfectly contented and loyal, and entirely out of sympathy with the movement in Apia. During the month of November I received information from the Secretary for Native Affairs and also from Faipules that propoganda against the Administration was being circulated around the islands and was causing Native unrest. On the 10th November I visited Falelatai district, where the orator (Puni) made a very strong speech against the New Zealand Government and the Administration. He stated they objected to the loan from New Zealand, as the Native lands would be seized for payment. He opposed the export of bananas, as the Samoans would have to pay for the ship. He expressed dissatisfaction with the doctors, medical tax, and the large number of white officials. The Faipule (Nanai) reported that he was unaware that this speech was going to be made; that since the meeting in Apia *fonos* had been held in his district without his authority; and that a person from Apia had supplied his people with the information which formed the basis of remarks made to me by the orator, with whom he did not agree.

On the 12th November a second combined political meeting was held in Apia, at which Mr. Nelson again presided as chairman of a Citizens Committee. Prior to this meeting I was requested by Aiono and Toelupe and other Faipules to prevent Natives from attending. Having seen the evil effects of the previous meeting and subsequent propoganda on the Natives, I deemed it necessary to issue a warning to the Europeans to refrain from interfering in Native political affairs. The warning I issued, and which was read at that meeting, is referred to in my last annual report on this Territory. On the 23rd November I visited Poutasi and found the Natives all unaffected by the Mau movement; but this was not the case at Lotofaga, where I visited subsequently, and where there was a division amongst the chiefs. The Faipule informed me that the unfriendly attitude of some of his chiefs was due to information brought from Apia by an agent of the committee. At this meeting the medical tax was objected to, and also the loan from New Zealand. On the 24th November Faumuina and Karauna Matau both left for Savai'i to distribute circulars issued by the committee, and

which I considered to be likely to cause unrest. Knowing of the evil effects this propaganda had produced among the Natives of Upolu, I decided to endeavour to prevent the circulation of these printed documents in Savai'i. I therefore sent the Inspector of Police to bring these two agents back. AINU'U, another member of the committee, was stopped from going to Savai'i on similar business. There were two statements at least in these circulars calculated to disturb the Natives. On the 27th November I interviewed another Native member of the committee, TOFAEONO, who informed me that the Samoans did not understand the matters submitted to them at the meeting; and that, although he knew the Government had done great work for the people, he was on the committee and he could not withdraw without ridicule from his family. After Mr. Braisby, the Inspector of Police, had returned from Savai'i with FAUMUINA and KARAUNA MATAU, I satisfied myself that their action in spreading propaganda was causing unrest, and was likely to disturb the peace, order, and good government of the Natives. I therefore ordered them to remain in their villages for three months. I hoped that this would act as a warning to others. The island of Savai'i was at that time practically unaffected by the political agitation, but to-day there is a disregard for law and authority in many parts of that island.

Early in January the Secretary for Native Affairs reported to me that the political unrest was increasing among the Natives throughout the Territory as a result of propaganda being circulated by the committee in Apia. I therefore decided to take some action to stop these activities, and on the 12th January I ordered the Native members of the Mau committee to appear before me. LAGO LAGO, who I considered to be the chief agitator, was warned to cease influencing the Natives to participate in this movement. I informed him if he continued to do so I would shift him from Apia. ALIPIA, ANAE, and TUISILA I returned to their villages, and ordered them to remain there for three months. TOFAEONO and AINU'U, who lived near Apia, were ordered to cease political agitation with the Natives. Evidence of this agitation being viewed seriously by some of the older Natives was shown by the fact that on the 21st January a deputation of old chiefs from Apia waited upon me and expressed their disapproval of the agitation against the Government. A number of letters were also received by the Native Department from various districts expressing loyalty to the Government and disapproval of the agitation. The following is an extract from my diary, dated the 28th January this year. It refers to a conversation with the Secretary for Native Affairs:—"Two chiefs from FA'ASALELEAGA, Savai'i, report they have been appointed to the political committee in Apia. On being questioned, they did not understand the objects of the agitation, but expected to go to New Zealand. They did not want to abolish the Fono of Faipules or the law *re* titles and banishments, and said they were loyal to the Government." On the 31st January the Faipule committee I had appointed to advise me in regard to the unrest in Faleapuna reported that they could not possibly bring about a reconciliation, as agents were constantly travelling between that village and Apia and conveying instructions from the main committee to the Ali'i and Faipule of that village. The police reported that meetings were held almost daily in Mr. Nelson's office. I formed a definite opinion at this time that every move I made to influence the Natives to return to the state of contentment they were in prior to the public meeting was being counteracted by the committee in Apia. Faipules and officials were finding it difficult to function, and I therefore decided to submit an Ordinance to the Legislative Council to maintain Native authority. This Ordinance I sent to New Zealand for approval before submitting it to the local Council.

On the 7th February I received reports from the Resident Commissioner that attempts were being made to disaffect all districts in Savai'i, and that Mr. Nelson's traders were being used as agents to get signatures and support for the Mau. Faipules and loyal Natives interviewed me, and stated that my failure to deal with the agitators by deportation, as in former times, was being misconstrued as weakness and only adding strength to the Mau movement. During the latter part of February I received several deputation of Natives from various districts, professing loyalty and appreciation of what the Government had done for Samoa, and expressing some concern regarding the anti-Government agitation. On the 15th and 16th March a meeting of the Legislative Council was held, at which the Maintenance of Native Authority Ordinance was passed. At this meeting I took the opportunity of making another statement warning Europeans against interfering in Native political affairs. During the month of April I was absent from the Territory, serving on a Commission in the New Hebrides. On my return in May it was reported to me by both the Secretary for Native Affairs and Faipules that the committee had increased their activities and that funds were being collected for the Mau from Natives in nearly every district. From the 24th May to the 1st June the Faipules assembled at MULINU'U. They were all very perturbed over the unrest, which they were unable to suppress. In view of the forthcoming visit of the Hon. the Minister of External Affairs, they passed a resolution to address him by letter, a copy of which is published in A-4B. On the 3rd June the usual ceremonies and celebrations in honour of His Majesty's birthday were held in Apia, when the Natives divided themselves into two parties, the one wearing special-coloured ribbons to indicate they belonged to the Mau, the leaders of which set the example by elaborately decorating their cars with flags and ribbons of the same colour. This party kept aloof from the official ceremonies and held sports on their own account; the other party participated in the official ceremonies and celebrations organized by the Administration. By this means was there established in the eyes of the Natives two distinct parties in Samoa—viz., those giving their allegiance to the Government, and those belonging to the Mau. On the 11th June the Hon. the Minister interviewed the European and Samoan members of the Mau committee, the occasion being marked by a specially organized demonstration of Natives, including representatives from nearly every district in Samoa.

When the Hon. the Minister left Samoa in June I was faced with a very difficult position, the Natives being definitely divided into two parties—those loyal to the Government, and those in the Mau. The Native Government officials and loyal Natives were expressing the greatest surprise at

the apparent weakness of the Government in permitting anti-Government activities and demonstrations, while the former were finding it almost impossible to carry out their duties and difficult to resist the *fa'a-Samoa* influence brought upon them to change their loyal attitude. I therefore sent for the two Native ringleaders--viz., Faumina and Lago Lago--on the 14th June, and addressed them in a conciliatory manner, and urged them to do the right thing by influencing all those Natives from out-districts who had assembled in Lepea and in its vicinity to return to their homes, and to do their utmost to undo the harm which they had done. I gave these two chiefs an opportunity to make a statement to me and tell me what was in their minds; but I also said that if they preferred not to say anything they could keep silent and report in writing within three days to show that they had carried out my orders. After my interview with these two chiefs I received reports from both the police and the Secretary for Native Affairs that propaganda against the Government was increasing, and that a large committee of representatives from out-districts was to be maintained in Lepea and Vaimoso for the spreading of propaganda to their people, and that these representatives did not intend to disperse to their homes or cease agitation until Mr. Nelson had brought them the victory. The letter sent to me after three days by Faumuina and Lago Lago was, in my opinion, not written or dictated by them. It was not the type of letter chiefs are accustomed to write to their Administrator. Furthermore, I was satisfied that they had not carried out my instructions, and that the Native chiefs belonging to the Mau committee assembled in Lepea had not dispersed. I therefore decided to remove the influence of these two chiefs from the headquarters of the Mau organization and expel them to Apolima, which was carried out on the 22nd June. Their removal from the Mau headquarters was, in my opinion, absolutely necessary to check a movement which had already done a great deal of harm to the Natives, and if allowed to continue unchecked would make it impossible for the Native Department to function.

On the 18th June I received information from the Native Department that Natives were being urged by the committee to endeavour to make my forthcoming *malaga* around Upolu a failure; also to become passive resisters in all Government matters and not obey instructions given by Native officials. On the 23rd June I issued instructions for the Native leaders of the Mau movement belonging to out-districts who were still remaining in and around Apia to return to their villages. These orders were not obeyed. Each of these Natives was informed by letter that I would discuss with him any matters he wished to bring before me in his own district, to where he had been ordered to return. They all failed to return to their districts or to appear before me. I was satisfied that their stay in Apia was a serious menace to the peace, order, and good government of the Territory. I therefore decided to order the police to arrest several of the committee and charge them with disobeying the orders issued to them. Tuisila, Fuataga, and Tagaloa were arrested and awarded imprisonment for this offence. From the 27th June to the 9th July I made a *malaga* around Upolu. During the *malaga* the Natives of a number of villages, particularly in Aleipata and in the vicinity of Apia, did not attend as usual, the explanation given by the Faipule of the district for their non-attendance being that the chiefs and orators in these villages had been influenced to join the Mau and had received instructions from the committee in Apia not to come before me. At each place I visited I held a *fono*, or meeting of the chiefs, and requested them to put their matters before me. The speeches made by the Native orators were conspicuous for their loyalty and complete absence of any complaints against the Government. Requests were made in several districts for the Government to increase the price paid for Native copra, while in every district the chiefs asked that the Government put a stop to the present agitation, because it was dividing their people and disturbing their social life. The following is a copy of a speech delivered in one district, and is typical of those made in nearly every district I visited.

How good and pleasant a thing it is for brethren to dwell together in unity. It is like the precious ointment upon the head that ran down upon Aaron's beard. It is like the dew of Hermon that descended upon the mountain of Zion. Just so in this district brethren are dwelling together, and our father has come to visit us. Our gathering to-day is a pleasant one.

I have read a proverb in a newspaper which means something like this: If the day is fine, things done on that day will be good. There is also a Samoan proverb which says, "Fine-looking people always do right." To-day it is as though the fisherwoman has spread out the results of her catch and shown everybody and made them satisfied. Our district is satisfied. Our Administrator has not done wrong, nor has our Government.

There is a story of a boy named Ti'iti'iatalaga, who went to collect the winds, and he had a battle with Mafui'e (Earthquake), who controlled the winds. Ti'iti'iatalaga won this battle. He then came with the winds and put them inside his coconut. He collected Mataupolu, La'i, Tualoa, and other various winds; but later he discovered that he had not got any good winds, only disturbing winds and winds causing rain and rough seas. Only one wind brought any good, the wind called Fisaga.

Your Excellency, there are many ill winds blowing about Samoa at the present time--lying winds, misleading winds, disturbing winds, winds of a few lying and wicked Europeans. They are misleading Samoa, and no good comes of them. The same thing caused wars in Samoa in early times, and many of our forefathers met their death through them because they were misled and prompted by some Europeans. Therefore we pray and plead before you concerning these agitators who have deceived some of our countrymen, that they be sent away from Samoa. We do not want them. We do not hold to one single thing of their Mau. We do not desire that a few Europeans should control our affairs.

There is but one wind that causes us rejoicing, Fisaga--i.e., the Government. We are quite content, and are certain that Samoa is happy and fortunate under the care and protection of the Government of Great Britain. All is well with our country because of Your Excellency's instructions. The health of Samoa is good, as also the education of our children and the development of our lands. Hence we serve and follow the Government. We pledge our loyalty to the Government, as the words of Ruth to Naomi: "Whither thou goest I will go . . . where thou diest will I die." If Your Excellency and the Government were to be overthrown this district would still be with you. Whatsoever the King commands, that is our authority; for he who obeys the law need have no fear.

Our plea to Your Excellency is that this Mau may be dispersed. Let Atua people go to Atua, Aana to Aana, and also Savai'i people go to their districts, and leave our district and plantations. There is a great deal of stealing going on at present because of the people who came here in connection with the Mau, and who come and rob our plantations.

This speech was delivered at Moata'a, Vaimauga district, in July, 1927.

These expressions came, however, from Natives whose loyalty had not been affected by the seditious agitation. I did, however, get into touch with some of the chiefs and orators in Lefaga who had joined the Mau—viz., Tuala, F., Su'a-Lamatu, Mamea, Tuala-Sofai, Soa, and Makuati. The first named, speaking for the remainder and in the presence of about fifty Natives supporting the Mau, said: "We have no grievance to put before you. We are only the leaves and branches. The root is in Apia, and we are waiting their instructions, and until the matters they are not pleased with are settled." The Ali'i and Faipule in various districts informed me that the Natives associated with the Mau had received instructions not to appear before me; to keep their children from attending school; to ignore orders issued by the Government; not to pay taxes; not to recognize the authority of the *pulemu'u*. During my *malaga* I saw the effect of these instructions on village life. Villages were dirty, plantations neglected, and children were being kept from attending schools. I also learned from the Native officials that their authority was being disregarded, and that the Mau movement had grown since the Minister's visit. Owing to the Native officials being unable to function in villages supporting the Mau, I saw that a serious situation was being created, which was prejudicing the carrying-out of the mandate on behalf of the Natives, whose successful administration depends entirely upon the ability of the Native officials (Faipules, *pulemu'us*, &c.) to uphold Government authority. The influence of the officials had, however, been undermined by the activities of the Mau. The Administration has no really effective means to enforce law in circumstances similar to that created by the Mau, where large numbers of Natives oppose Government authority. The Police Force in this Territory is not armed. Hitherto there has been no necessity to arm it or to use force. It comprises one Inspector, three European police, and forty Natives. Since the commencement of this unrest cases have arisen where the Native police have been unable to function, and unable to make arrests.

After returning from my *malaga* around Upolu I considered it necessary to punish a number of ringleaders in various villages where Native officials were being opposed, by either expelling them to other villages or removing their *matai* titles. Banishment, or expulsion of offenders from one village to another, arising out of the present Native unrest, are in a special category. They were necessary in order to cope with an emergency situation, and were the direct results of the serious agitation started by the committee in Apia. Under normal conditions there are very few cases of banishment. For the twelve months preceding the Native demonstration in June last there had been only seven Samoans expelled from their villages for various offences. Four of these were at the request of either the members of the family concerned or the village authorities, some of whom—viz., Ale-Malu, Taliaua, Mata'u, Fatui, Valasi, and Vaoga—were the signatories to the petition to the New Zealand Parliament, which included an objection to this Samoan customary form of punishment. The remaining three cases arose out of the political agitation. On 16th July I ordered six of the chief offenders in Apia who were causing trouble to appear before me—viz., Alipia, Autagavaia, Umaga, Solofa, Sanuiga, and Mamea. Only one of these—viz., Umaga—put in an appearance. He could not give any reasons why he had shown disrespect, nor was he able to state any cases of unfairness or injustice to himself on the part of the Government or his Faipule. He stated that he had joined the Mau of his own accord because all the people of his village were in the Mau. I transferred two of these six Natives to other villages, ordered one back to his own village in Savai'i, and removed the titles of the whole six. On 20th July I ordered seventeen *matais* of various villages in Upolu who had shown disrespect to their Faipule and myself during my *malaga*, by failing to attend the *malaga*, to appear before me. The general trend of their statements was that they had no complaints against their own Faipules, officials, or the Administrator, and they had no matters to put before me, as all those things the Mau were displeased with had been submitted to me in a petition. They apparently referred to the parliamentary petition I had not then seen. Only three of these *matais* appeared to know what these matters were—viz., Papali'i-Ulu, Mata'u-Karauna, and AINU'u—all of whom were reported to me as active workers in the Mau in Apia. Mata'u-Karauna had been previously warned by me at an interview with me on the 31st January, when he made the following statement, which I took down in shorthand :—

Karauna Matau—Interview with His Excellency the Administrator, 31st January, 1927.

Central Office, Apia.

He stated he wished to open his heart in regard to the part he was playing in connection with the political movement engineered by certain Europeans in Apia. He stated that he had been appointed secretary. He knew that the work they were doing was bad for Samoa. He was employed translating documents, and these documents were supplied by Mr. Nelson, and included newspapers, reports, and letters published in the press, extracts being made and translated which would be of use to their movement. Adverse reports were not translated. Some of these reports were circulated around Samoa. He was in a position that he could not refuse to do this work, though he knew it was wrong. He had been in gaol and had a grievance against the Government. His grievance was that he was dismissed, with only two hours' notice, from his position in the Police Department; and also that he was deserving of greater consideration from the Government in view of his valuable services during the regime of Colonel Tate, when he settled troubles in Malie caused by Malietoa. At that time there was much trouble in Samoa because the Faipules had no power to represent their people and were not recognized in the Constitution. He knew that the present movement was initiated by Europeans to do away with that power. The work he did formerly for the Government caused him to be disliked by Toelupe. He stated that Nelson had got him into his grip and wants to offer him employment so that he would be compelled to carry on his present work. He knew Samoa was peaceful until the committee caused this disturbance. Lists had been sent around to villages calling for subscriptions to pay for Samoans going to New Zealand. Many had given 1s. because they did not like to refuse. They were led to believe that much benefit would come to Samoa if a deputation was sent to New Zealand. People had absolutely no complaint against myself (Governor) and would obey any instructions I issued, but they had to-day been divided into two parties by Nelson's propaganda. Many who had subscribed their shillings now repented. He foresaw there would be trouble in Samoa if this matter continued. The people were now realizing that the movement was wrong. Some translation of documents made by other persons were not correct. Although the country was peaceful at the time the agitation started, the European committee timed

the movement very suitably, because there were complaints against the Faipules exercising powers, although he knew of no case where such powers had been abused. He thought that jealousy on the part of some Samoans was the big factor which the European committee worked upon, for Samoans are very prone to be jealous of those in authority or in superior positions to themselves. He thought the Samoans did not generally realize that the Faipules had no power of punishment. Lago Lago was the dictator of many documents sent around in connection with this agitation. One circular sent (in my possession) from Lufi Lufi calling upon the Natives to oppose the Government, and marked as from Leulumoega, was shown to Matautia. He (Matautia) stated that it had been typed in Lago Lago's office in Apia. He (Matautia) was one of the parties who appeared before the Faipules at the recent *fono*. He states before they went they were told stories by Nelson and the European committee, and asked to keep a brave heart. He himself then expressed to the Faipules that he would not leave the committee, but would continue to work for it. Although he now states at this interview that he knew all along that what he was doing was wrong and Samoans are being deceived, he was thoroughly convinced that the movement was prejudicial to the interests of the Samoans, and knows that its objects are to abolish the present system of Samoans controlling their own affairs. Also that the Europeans brought the Natives into their agitation in order to gain power, and to oppose the Administrator and the Government in their policy regarding liquor and helping the Natives to get a better price for their copra. He states that the Natives all know that Mr. Gurr caused trouble in this Territory years ago, and they did not trust him. He thinks when the Samoans fully realize that no deputation will go to New Zealand, and that they have been misled, they will then come forward and make apologies. He says that he understands Samoans who come in from out-districts and pay their money to Mr. Smyth or Mr. Nelson, and who stay here for some time actively on behalf of the committee, are rewarded by presents of food.

Ainu'u had also been previously warned personally by myself. Being satisfied that they were causing much unrest, I decided to remove them both from Apia. Papali'i-Ulu gave as one of his complaints that the Chief Medical Officer was only a rat-catcher. I addressed the remainder and endeavoured to show them how they were being misled by the committee in Apia. I urged them to reconsider their disrespectful attitude and tender an apology through the Secretary for Native Affairs by the following day. This they failed to do; therefore I removed their *matai* titles. How entirely inadequate this form of punishment was considered to be is clearly shown by the remarks of various Faipules at a *fono* held at Mulinu'u on the 27th July. The following is a copy of the proceedings of that *fono* :—

Fono held by His Excellency the Administrator with some Faipules in Fono House, at Mulinu'u, 27th July, 1927.

Present: Malupo, Toelupe, Aiono, Mata'afa, Asi-Mama, Tuilaepa, Tuatagaloa, Fonoti, Sagapolutele, Seiuli, Tupuola, Tafua, Fuamatu, Su'a-Soloi.

After His Excellency's remarks about the present political situation, Tuatagaloa spoke, saying, among other things, "The trouble in Samoa at the present time is much on our minds. We continually pray about it to God. All Samoa is satisfied with Your Excellency's Administration—men, women, and children, and chiefs and *tulafales*. No cause at all can be found for the present trouble except the European agitators. I do not blame our brother Samoan chiefs who are in the Mau movement. They are a young generation which has not seen and known of our hard struggles in the past, and wars even. They are urged by European agitators. It is true that Your Excellency's hands are clean of any wrong in Samoa. But our patience is about exhausted. We have been accustomed to wars and bloodshed, and often now feel the promptings to take steps as in days gone by, *fu'a-Samoa*, to wipe out this troublesome section; but we then think of Your Excellency and the fair name of the British Government and His Majesty the King. We shall do what you say, whether it be easy or difficult. We have only one request: end this matter. We can scarcely stand it any longer. We know Your Excellency must also be just about exhausted. My own opinion is that under the circumstances Your Excellency should not leave Apia on the proposed *malaga* to Savai'i at the present time."

His Excellency explained that the Deputy Administrator was about to leave for New Zealand and would be taking important work with him. There would be some new laws in the form of Orders in Council. One was relating to villages in which there was no *pulenu'u*. The Ali'i and Faipule of such places would be themselves responsible for carrying out the Government orders, payment of taxes, &c.

Toelupe also spoke: "We shall leave the question of the settlement of this dispute and how to act when the trouble is ended. Let us think about ways and means to bring that end to pass first. We are very sad at the thought of the insults to Your Excellency and the Government at the present time. The *pulenu'u* are quite unable to do any work these days in their villages midst all this lawlessness. None takes any notice of them. We feel keenly for them. The plantations and instructions thereto are all neglected. Speaking for my own anxiety, we were told before we went to New Zealand at the beginning of this year that you would ask for the authority to punish Europeans. We came back and were told that you had been successful in getting that authority. We are still waiting to see it put into force. The country is beginning to doubt whether it is correct. *Faifeaus* and others of the *lotu* pray for the *manuia*, but we are beginning to doubt the Government. Lawyers should not be allowed to come here from New Zealand till Samoan boys are capable of being educated in the law. All the Government activities are made a matter for joking, including the visits of warships. All Your Excellency's good work will go for nothing, and New Zealand's government of this Territory will be of no use to Samoa. Your love and loving speeches are wasted: the people will not read them. We are not satisfied with the punishments of the Chief Judge. They are being treated as a joke. If you decide to send offenders to the Tokelaus, they should be sent to the separate islands and not allowed to consort together. Why has the subject of the cement in Malie not been investigated and ended, so that Samoa may know the truth? Delay is causing much suspicion. Let the Judge actually and quickly deal with these cases, which are the means of leading so many of the people astray. Lying tales are having unhindered sway over the whole place. Cannot the Government of New Zealand stop them? I again appeal for this case of the cement to be heard without delay. All the punishments should be made heavier. It is too light a matter to merely take away titles for this offence. Imprison the offenders and give them hard labour. If these light punishments are continued the trouble will increase rapidly; if heavy punishments are made it will stop. We request, for instance, that Ainu'u and Papali'i-Ulu, who have been punished, should both be sent to Sapapalii, in Savai'i."

Tuilaepa spoke: "Regarding the banishment of Faumuina and Lago Lago to Apolima, I appeal for them to be sent away somewhere else. The village has been entirely spoiled and all except two people are in the Mau owing to the evil work of these two chiefs. Previously no one at all on Apolima was supporting the Mau. Each week three or four boats of people visit these two, and the village is heavily burdened to feed them, as per the customs of the country. Can they not be sent farther away?"

Other Faipules spoke, and had false rumours corrected by His Excellency's explanations.

On the 30th July I obtained a signed letter containing seditious statements of a similar nature to the stories being circulated among the Natives all over Western Samoa. Other similar documents being circulated to districts had been previously shown to me, but this was the only statement signed

by a member of the Mau committee that had come into my possession. I therefore attach a copy, as follows:—

Vaimoso, 25th July, 1927.

To all heads of my family and Ma'opu, of Tuiaana, and all chiefs and orators in Sa'anapu: Greeting. Fortune is with me, who is living in a strange village. Let us praise God for His love if it is the same with you all. I have to make this report to you. A wireless message of life and joy has been received as follows: Good fortune has favoured our movement (Mau) on the *malaga* of Taisi (Mr. Nelson), and advice has been received that very shortly the struggles will be over and the victory in your hands. The Mau is established, and it is further stated that our Governor is a sergeant and should be sent home. Further, the Minister who came has apologized three times to Mr. Nelson because a Court case between Taisi and the Minister is coming on. Further, it is reported that there will be no further banishments of Samoan chiefs or further imprisonments. The chief thing in the wireless message is that Samoa is to be cut off from the control of New Zealand. Mr. Nelson will return with the verdict as to which Government is to have control of our country, but New Zealand is finished with Samoa. This is absolutely true. The crown of victory is now within our grasp. I further wish to warn you. Do not let us be boastful or overbearing, but give thanks to God, who has given us the victory. Do not make this public, but keep it secret till we actually see our victory. Therefore to our village my appeal is, do not let us have any disputes over anything, but consider everything well lest our village slip back to its status. Let our district call a meeting, as it is now shown that we have reached the land of Leape. Samoa has the victory. I shall not be further punished by the Governor. He has given up. I write this with joy to you. Let us serve our country. Do not be given over to vain boasting because of this story. Good luck to our village and the pastor. We are now staying in the house of Leleua-Siavao.—Farewell.

S. ANAPU.

No action has been taken against the offender up to the present. Shortly after my *malaga* around Upolu I received a number of letters from districts expressing loyalty to the Government and dissatisfaction with the Mau movement.

On the 3rd August I issued orders for ten Natives of the Mau committee still residing in Apia to return to their villages. They neither returned nor could the police arrest them without causing serious trouble, which I wished to avoid. All these later orders under the Samoan Offenders Ordinance were made by me after being satisfied that they were necessary for the peace, order, and good government of the Territory. In each case I had to assist me in coming to a decision the result of my own personal observations of what was happening in Samoa, the reports of my officials, and also in most cases a personal interview with the individual. The position at the time of issue of these orders was a grave one, the Mau movement striking at the root of constitutional government, and it was imperative that prompt steps be taken to check its progress by dealing with those whom I knew to be the leaders. This extraordinary change in the mental attitude of a section of the Samoan people who a year ago were law-abiding and expressing nothing but loyalty and gratitude to the Government for its efforts on their behalf, but who as a result of the Mau movement have expressed sedition, has caused me to question a number of Natives as to what are the objects of the Mau from their point of view. I have been unable to obtain from them any satisfactory answer to justify the action taken by the Mau committee. I have therefore had to fall back upon their original statements of complaints on Native matters set out in the Samoan section of the Citizens Committee reports. Most of these matters have been dealt with in evidence of the permanent officials, but I would like to add a few remarks concerning some of them.

1. "From time immemorial we have selected our own Faipule."

This is not true: *Vide* extracts from *Savali* giving appointments of Faipules by Dr. Solf.

2. "At no time in our history have our Faipule interfered or been allowed to interfere with our hereditary family titles or our civic privileges by banishing chiefs from one village to another."

Faipules have not interfered with family names, nor have they banished chiefs from one village to another, nor have they any power to do so. The Samoan Offenders Ordinance vests in the Administrator only the authority to deprive a Native of his title or to remove him for an offence from one village to another. During my term of office I have introduced a system of having offences under this Ordinance more fully inquired into than formerly, by the setting-up of a special committee composed of Faipules of various districts to investigate and report to me on cases that I want further elucidation upon. This inquiry to be apart from any previous inquiry or action taken by the family or chiefs of the village concerned. I have done this for the following reasons:—

(a) Mistakes are less likely to occur if Native offences are investigated by Native authorities who understand Samoan customs than if left entirely to the discretion of a white official or the Administrator.

(b) I wish to train Native officials to hold inquiries, and thereby teach them to take a fuller part in the administration of Native affairs.

(c) A committee of several Faipules representing different districts is more likely to be impartial than any inquiry by local chiefs held in the village of the offender.

Faipules have no judicial powers; they merely advise the Administrator on the result of their investigation. As an instance to show that even the banishment of high chiefs is approved of under certain circumstances, Faumuina headed a deputation of chiefs who interviewed me at Mulinu'u on the 31st March, 1924, when he, speaking for himself and the deputation, expressed approval of the banishment of Tamasese. He then mentioned that they had come specially to show me that they supported me in my action in banishing Tamasese. In a previous case—viz., on the 14th March, 1924—members of Lago Lago's (Afamasaga) family interviewed me at Mulinu'u and expressed their approval of Lago Lago having been banished and deprived of his title. Again, as late as the 19th of this month two letters have been received from different branches of Molio'io's family complaining of his unauthoritatively bestowing a family title without their consent, and requesting that he be never allowed to return to Faleapuna. The signatories to these letters are believed to be all members of the Mau, including one Savusu, who himself has been dealt with under the Samoan Offenders Ordinance.

3. "Neither the Faipule nor any other body of Samoans have ever barred our entrance into or residence in Apia, or anywhere else, except in the time of war."

This refers to the Faipule resolution to prohibit Natives from out-districts residing in other than their own villages for lengthy periods, unless in employment or with permission given by *pulemu'u* concerned. The Faipule Fono passed this resolution in 1925 in order to prevent the young men from leaving their villages and their lands, and coming to reside in and around Apia. The necessity for this prohibition was first brought to my notice by the chiefs in most districts in Savai'i complaining to me that their young men left them and so deprived them of workers for their plantations, and came to Apia, where they were unemployed and getting into trouble. I foresaw the danger of this drift of Natives from their lands, and the possibility of Apia developing into a centre of unemployed Natives becoming a burden to the local Natives and encouraging crime. I am convinced that the rigid enforcement of this resolution would be in the best interests of the Native race.

4. "Despite the many attempts in the past to abolish the 'fine mats,' not one has prevailed, thus proving that the Samoans are not prepared to forego the old custom, which means so much to their prestige and pride of race, and associated with so much of what they still hold dear."

This refers to the Faipule resolution made in 1923, and which did not attempt to abolish "fine mats," but merely to prevent the useless waste of time in making "fine mat" *malagas*. At the half-year Native assembly in 1923, the Faipules represented to me that the old Samoan custom of large parties making *malagas* around the islands for the purpose of presenting "fine mats" at certain Native ceremonies was detrimental to the welfare of the country and should be abolished. Among other reasons put forward in support of this proposal were the following: (1) These *malagas* led to Natives neglecting their plantations; (2) villages visited by these parties became impoverished, and also incurred heavy debts at traders' stores for European foods purchased for entertaining the visitors; (3) many disputes and troubles arose over the distribution of these "fine mats." Several Faipules considered it would create dissatisfaction to suddenly prohibit this custom, therefore it was decided that they should ask the Natives to agree amongst themselves to discontinue the "fine mat" *malagas* for three years as a trial. During this period nearly all of the districts expressed approval of this agreement, and at the end of the three years the Faipules decided that it would be in the best interests of the people to definitely pass a Native regulation prohibiting permanently these "fine mat" *malagas*. Chiefs and orators were the principal beneficiaries under this custom, as they were the recipients of the "fine mats." For this reason I consider it an unselfish act for the Faipules to suggest this regulation, which would affect them in common with other chiefs. Prior to this political agitation the Samoans did not express to me any objection to the abolition of this custom; on the other hand, they apparently appreciated its harmful influence on their social life.

5. "Samoans have been very averse to paying taxes. They have never agreed, and never will agree, to taxation for a special institution or department—not even the Medical Department. While the campaign against yaws and hookworm is appreciated, the Samoans feel that if the Administration does not consider it due to the Samoans out of the general revenue to get these treatments, they are quite prepared to pay for them as received."

I have not found the Samoans to be specially averse to paying taxes until recently, and then only on the part of those who have come under the influence of chiefs who have joined the Mau organization. The views of this sub-committee of Natives, as expressed above, do not coincide with those I have received prior to the Mau from every district in Samoa. I can also confidently assert that the Natives are not prepared to personally pay for treatment for yaws, hookworm, and other medical needs as they receive it, and if required so to do would not take advantage of it.

6. "The new land law which the Administrator is endeavouring to bring into effect is fraught with much danger and is undoubtedly causing much trouble. Protests are heard on every side," &c.

There is no danger in any proposals that have been made by the Administrator, and no compulsion upon any Native to divide up his land; nor has any trouble been caused by the proposal, which is simply as follows: In order to provide for the increasing population of the Native race, proposals have been made that the areas of bush land now lying idle, and which the Natives will not develop, should be divided and allocated by the Natives themselves under the authority of their District Councils, in from 5- to 10-acre sections to young *tauleleas* to cultivate for themselves, but under the control of their *matas*. Each such area to be partly planted in taro and bananas, and partly in coconuts and cocoa. Those districts that do not wish to do this are not compelled to do so, but if the Native race continues to increase in the same proportion as at present compulsion will ultimately be necessary. No pressure whatever has been used by the Administrator in this matter. The proposal is merely an exhortation to the Natives to carry out if they so desire, and the policy in this, as in all other matters, is to educate them to help themselves, and to guide and direct reforms which must necessarily be made very gradually. To say that "protests are heard on every side," &c., in regard to the division of land is quite untrue. Some districts had already adopted the principle—notably Malie—and prior to this agitation spoke approvingly of it. Furthermore, several villages, including Apia, where there are numbers supporting the Mau, have been given bush land the property of the Crown, by the Administration, and in each case have specially asked that it be not allocated communally to the whole village, but that it be surveyed and divided into sections and allocated to individuals.

7. "What we do want is a little more recognition of our sense of what is due to us as a people. We require sympathy and encouragement in our aspirations. High-minded action will not produce the best in us."

The Native Department is administered directly by a Secretary for Native Affairs, who has a most difficult task in dealing with the numerous details that are daily submitted to him by the Natives. He requires to be a man with infinite patience and tact, and to understand and sympathize with the Samoans, whose welfare it is solely his duty to consider. I have been most fortunate during my regime in having successively as Secretaries for Native Affairs the late Mr. Griffin, who for nineteen years served previously with the London Missionary Society in Samoa, and since May last the Rev. Mr. Lewis, who was a member of the Methodist Mission. Both these officials were selected on account of their possessing the necessary qualifications for the position. Their work in charge of the Native Department and their advice to me on Native matters have revealed nothing but self-sacrificing efforts on behalf of the Samoans, whose interests they have endeavoured to safeguard and whose cause they have always striven to promote.

8. "The Faipule to whom most of the points we complain of are attributed would never think of doing these things without the influence and authority of higher power. Had the very same Faipule held their seats from the people, instead of from the Government, they would have not for an instant have considered imposing these hardships on us."

I have made *malagas* around the islands on several occasions and visited each district, where I invited the chiefs assembled to freely discuss with me their needs and their opinions on various matters. I have always found them very candid and anxious to air their opinions, but on no occasion have they ever expressed to me any disapproval of the system of appointing Faipules or any dissatisfaction with their own Faipule. On the other hand, they have spoken most approvingly of the work done by the Faipule Fono on behalf of Samoa, and their satisfaction with their own Faipule. In every district the Ali'i and Faipule have expressed pleasure at my having given them increased powers by establishing District Councils and Village Committees with functions and powers clearly defined in the Native Regulations. It has been my object to reduce the number of Faipule from thirty-three to about twenty by merging some of the smaller districts into one, but owing to the constant requests for additional Faipule to be appointed and the many political divisions of the Samoans, which they themselves endeavour to keep distinct, I have been unable to effect any reduction. The Samoans do not understand modern elective methods. They do not even appreciate party politics in a Government, for those in authority, whether in a Village Committee, District Council, or Assembly of Faipules, do not decide matters on a majority vote, but discuss among themselves every question until a unanimous decision is agreed to. I consider that election of Native representatives as understood in a European community would not be possible at the present time without disturbing the peace, order, and good government of the whole Territory, for the party that did not succeed in electing their nominee would not be likely to accept the representative elected by the other party. I am convinced that it will be many years before the Samoan people can be entrusted with a franchise. The authority for appointment of Faipules is given in the Samoa Act. During the past four and a half years I have appointed ten of the thirty-two Faipules now holding office, as follows:—

Savai'i.—Suisala, 1923; Pei, 1923; Su'a Latu, 1924; Su'a Mui, 1925; Seumanutafa, 1926: All recommended by the Resident Commissioner of Savai'i. Further recommended by the Secretary for Native Affairs, who ascertained in each case that Ali'i and Faipule agreed. Approved and appointed by Administrator, who has personally received expressions of approval from the Ali'i and Faipule concerned in speeches made to him while on *malaga*, except in case of Seumanutafa, whose district has not been visited since his appointment.

Upolu.—Asi-Mama, 1924; Tafua, 1926; Fuamatu, 1926; Tupulua, 1927; Su'a Soloi, 1926: All recommended by Secretary for Native Affairs, who ascertained that Ali'i and Faipule agreed, except in case of Su'a Soloi who was appointed by Administrator without reference to the district, he having been their Acting-Faipule and sat in Fono for nearly two years. During the *malaga* of the Administrator in July last the Ali'i and Faipule of the district expressed to Administrator their approval and pleasure at the appointment of Su'a Soloi to represent them.

The first appointment I made was Suisala, of Fagamalo, on the 18th August, 1923. On this occasion I raised the question of procedure in appointing Faipules with the then Secretary for Native Affairs, who informed me what the previous custom had been—viz., for the Administrator to suggest or nominate one of the most important chiefs in the district, preferably one who had previous experience as a *pulemu'u* or other official—and to ascertain if his appointment would meet with the approval of the remaining Ali'i and Faipule. To appoint one that was not approved of in this way would cause trouble for the Native Department and the Administrator. I ascertained that Suisala was approved of by his people before I made the appointment. In every one of the remaining nine appointments made by me I have received an assurance from the Native Department that (1) the chief selected was the most suitable for the appointment; (2) that the Ali'i and Faipule approved of the appointment. With one exception, I have visited the districts of these Faipules since their appointment, and the Ali'i and Faipule have expressed to me personally approval of their representative. With a view to making a little progress towards the time when Samoans may be safely trusted to use modern methods for electing their own representatives, I have, since 1924, appointed Faipules for three-year periods, a system which the Faipule who had themselves previously received permanent appointments thoroughly approved of. I did not consider it advisable to make the new rule apply to those older Faipules who had been given to understand that their appointments were permanent so long as they carried out their duties satisfactorily. I have also taken a further step by endeavouring to get the Ali'i and Faipule (chiefs and orators) of districts to sign their names to a document accepting responsibility for nominating their Faipule when a vacancy occurs. This has not been entirely successful, as instances occur where chiefs apparently do not care to sign their names to a paper to give what they consider to be increased *pule*, or authority, to another chief, and in some cases I have not been able to get them to do so. In selecting a Faipule to fill a vacancy the method the Samoans have always hither-

to preferred is for the suggestion as to the nominee to come in the first place from the Administrator, and then for the Ali'i and Faipule to discuss and agree among themselves, after which one or more chiefs come in to the Native Office and notify their approval. The system of throwing the entire responsibility upon the Ali'i and Faipule to nominate their representatives has in one case caused a delay of eighteen months and a decision has not yet been reached, so that I anticipate having to revert to the former method and make the first suggestion myself. These progressive steps taken during my regime are in excess of what the law provides, but they are educational processes in the necessarily slow development of the Samoan people and merely mark a very little advance towards that goal to which the Natives are being directed—viz., to some day stand alone and play their full part in controlling their own affairs. That goal is far distant, and at the present time it is not only unsafe but dangerous to introduce modern electoral methods for this backward people. The Faipules are a thoroughly representative body, who know the wishes and needs of their people, whose welfare they do their best to promote. A Faipule is, in the first place, of high Samoan rank, which he has received from his people. An examination of status of the present Faipules will show that the great majority of them are of the highest rank in their district, while a number of them have had previous experience as officials or in other capacities. If there are cases where a Faipule is not of the highest rank, it does not necessarily follow that there are others more suited for the position. Samoa needs a nucleus of chiefs who can be educated to spread amongst their people the gospel of self-help; what is expected of them in order to promote their own welfare, and what the Government wishes them to do and is prepared to do for them. Faipules have endeavoured to conscientiously perform those functions; and, furthermore, in their *fonos* with me they never hesitate to express their individual opinion on any matters under discussion, and no restriction whatever is placed on them so doing. On the contrary, I invite and help them to think and speak for themselves. Since this political agitation started they have had a very difficult task; their work has been undermined, their good influence counteracted by the Mau organization, and their instructions and exhortations on behalf of their people disregarded by those who have allied themselves with the Mau movement.

9. "It is difficult for us to understand why the statement has been made that the Samoans do not wish to be represented in the Legislative Council. They should be represented by members of their own choosing in the same way as the European members."

This, no doubt, refers to a statement that has been made by me, and represents the views of the whole of the Faipules, to whom I have put the question on two occasions as to whether they would like to have two representatives on the Legislative Council, after explaining to them the system in the Crown Colony of Fiji, where the Governor selects and appoints two Fijian chiefs to sit on the Council for five years. On the first occasion I urged the Faipules to agree to two Samoans being on the Council, but they declined the proposal. On the second occasion I merely put the matter to them without pressing them to agree, as I had then learned their views, which they definitely expressed in their reply—viz., "Not at present. We prefer this Fono of Faipules to be the Assembly for all Native-Government matters; but let the matter be considered in a few years time." I entirely concur in their views. I have found that the Natives take very keen interest in the work of the Native Assembly of Faipules, where each district is represented, and where they deal with their own affairs in accordance with their Native custom, and where they are learning far better how to govern themselves than they would by having only two representatives on a European Council. Furthermore, no two Samoans could now be selected by me, much less elected, who would have the full confidence of the people and at the same time have the ability to discuss and debate policy matters of government in a European Council. Under existing conditions the interests of the Natives are safeguarded in the Legislative Council by the Administrator and the Secretary for Native Affairs, and no Native matters, other than the annual estimates, are dealt with in that Council without previous reference to the Faipules and obtaining their concurrence therein. This arrangement has been approved of by the Faipules themselves. The Samoans, with the exception of a few in Apia, were perfectly satisfied with their form of government prior to the 15th October last, and I am convinced that the proposal to add representatives in the Legislative Council at the present stage will do more harm than good, for no Council other than that in which every district is represented will satisfy them, while such a Council would be too unwieldy to be effective.

Cancellation of Licenses.—Early in the present year I became aware of the fact that a number of traders in out-districts were influencing the Natives on behalf of the Mau. On the 7th February Tapusoa Faipule reported to me that his district was being disaffected by agents from Apia, and that a trader named R. Allen had read circulars to his people and was endeavouring to get their signatures and support for the Mau. On the 19th February I received a report from the Resident Commissioner, Savai'i, that Mr. Allen had admitted circulating documents among the Natives, but that he was only doing this for his firm (Nelson and Co.). I asked the Resident Commissioner to caution him. The following is a copy of the circular referred to:—

NOTE.—Only those who are matais (chiefs or orators) and desirous of signing should sign their names to this petition. Each one should sign his own name; let no one sign the name of any one else, unless in the case of a chief not being able to write, in which case he himself should hold the pen while some one guides his hand as he signs his name.

Western Samoa.

This is a humble petition of chiefs of Western Samoa to the Government of New Zealand.

(1) We bow in faithful obedience to the Government of New Zealand, and our desire is for the happiness and prosperity of Samoa.

(2) We beg that district Faipules in Samoa be chosen by the chiefs of Samoa, and that the work of the Fono of Faipules be as laid down in the Constitution. At present the Faipules are the chief officers of the Administrator, but they are not true representatives of Samoa, because they are not appointed by the country.

(3) We beg that the authority of Ali'i and Faipule of each separate village (*i.e.*, an assembly of all chiefs in a village) be maintained and honoured according to the rights of Samoan custom; but let not that authority be broken down because of the Pono of Faipules appointed by the Administrator.

(4) We beg that the speech of Toelupe in which he gave away the sacred titles of the Samoan Government to New Zealand be taken no notice of.

(5) We plead for the repeal of all harsh laws imposed on Samoans, such as banishments, removal of titles, the medical levy, the prohibition of "fine mats," &c.

(6) We plead that the Government of New Zealand may receive and deal with all the matters already prepared by the committee for presentation to the Minister.

(7) We hereby attest our true belief and faith in all the work prepared by the committee, and we are persuaded that such is the true will of the Samoan people.

Names of Chiefs.	Village.	District.

Being satisfied from information supplied to me by Government officials that a number of traders were acting similarly to Mr. Allen, I formed a committee, consisting of the Collector of Customs, Inspector of Police, and the Crown Solicitor, to investigate the position and to communicate with all traders reported to be intriguing with the Natives. I was satisfied that if the numerous traders around the islands continued to interfere in Native politics against the Administration I could not hope to maintain peace and good order. During my *malaga* around Upolu in July, I personally saw that the Mau movement was practically an attempt at revolution against the Government and was preventing the Government from satisfactorily carrying out its obligations under the mandate. I therefore determined to act promptly against any trader known to be actively inciting or influencing the Natives on behalf of the movement, by cancelling their licenses. I satisfied myself that Ale Lui, of Safata, and Hunkin, of Falealili, had misused their positions as traders by actively encouraging the Natives in this revolutionary movement, and later I obtained written evidence which verified information in my possession in regard to Mr. Kruse, of Fa'asaleleaga, acting similarly. I therefore directed that their licenses be cancelled. I did not wish to disorganize the business of either Nelson and Co., or any other firm by further cancellation of traders' licenses, and I hoped that my action in regard to these three traders would deter others from further political intrigue with the Natives.

Proper constitutional methods have always been freely open to Natives and Europeans to place before me any matters with respect to which they require explanation or information, or complaints that require redress. If such methods had been followed in respect of the matters set out in the reports and petition it is certain that the doubts, misunderstandings, and criticisms referred to in those documents would have been removed, explained, or satisfied. This is particularly so in the case of the fears raised in the minds of the Natives in regard to the finances of the Territory. But in place of following the constitutional practice, and despite my warning, a general agitation of the Natives has been commenced by a combination of certain Europeans and Natives. Such a combination in respect of political affairs is unparalleled in the history of this Group, and if permitted to continue will make it impossible for any Administrator to carry out his functions as representative of the Mandatory.

Mr. Meredith.] The details as outlined in that statement, General, are, to the best of your knowledge, true?—Yes.

Mr. Baxter.] Your Excellency knew that Mr. Nelson had interviewed the Prime Minister before he arrived here in September. You got a report from Wellington to that effect?—I knew that he had seen the Prime Minister in September, 1926. In accordance with my request that he should, I gave him a letter of introduction.

Did you know what matters had been discussed?—I did not know.

Regarding the first meeting—the one on the 15th October—I think that went off without any trouble at all: it was quite an orderly meeting?—I know nothing to the contrary.

Between the first meeting and the second meeting you received no reports of any disturbance being caused through this meeting?—No.

And at the second meeting there was a very large force of police there, was there not?—I am not able to say.

If there was a big force there, it had nothing to do with any instructions from you?—No.

Was it in accordance with your instructions?—I will make an explanation. I did ask Mr. Braisby to be present and to give me a report of that meeting, which report I received, and it was duly forwarded to the Government.

That is the report which appears on page 18 of the Joint Samoan Inquiry?—I do not know if it appears there or not.

Mr. Meredith: It must be the one.

Mr. Baxter.] And we know that when Your Excellency sent the letter it was read out by the Acting-Secretary, Mr. McCarthy. Why was the letter sent in that way: why did you not send it to the chairman and leave the chairman to read it out?—I sent it that way so that not only the chairman but all concerned should know my views and that there should be no mistake about it whatsoever.

Do you not think that it would have been less calculated to create opposition if you had sent it to the chairman and asked the chairman to read it out?—No, I do not. This is Native territory, and it must be quite clear what are the views and wishes of the Administrator himself.

It was your policy at that time to keep the Europeans and the Samoans separate in political matters?—Yes. It was my policy that on no account should Europeans interfere with Native political matters. It was also my policy in the Fono of Faipule to see that they should not discuss European matters. Up to that time that rule had been observed.

Your idea, then, in sending this message was to try and persuade them from carrying-out that policy?—My idea was this: I foresaw what trouble would rise. I was satisfied that people holding a meeting of that kind—bringing Natives in with Europeans on these political matters—would disturb the Natives of this Territory, and I foresaw that there would be serious trouble. That is why I issued that warning; and what I then predicted has come true.

Any complaints that the Natives had you consider should have been sent through the Fono of Faipule?—They should have been sent through the proper channels. They have a Native Office. Any complaint a Native may have he should put to the Secretary for Native Affairs, which course is open to him at all times. The Secretary for Native Affairs is practically their father, and if he (the Native) is not satisfied with the decision or explanation that he gets from the Secretary for Native Affairs he is at liberty to have these matters put before me.

Those complaints, I suppose, in the first place should have been through the district Faipule?—They can put their complaints through the District Councils. They have their own District Councils; they can put them through those, and there presides the Faipule, who can bring up any important matters through the Fono of Faipules. Any matters that require my attention come to me in the way I have described—that is, through the Secretary for Native Affairs.

Did you expect the meeting to act in accordance with the warning you sent at the time—I am talking about the second meeting, the November public meeting, to which you sent that warning?—I did. I hoped they would, and I felt certain that had the chairman advised or the committee then advised that they should join in my opinion and support the Administrator we would not have had the trouble in Samoa that we have had since.

Did you consider that that result would be obtained through your influence—your personal influence—with the community, or on what grounds did you base your belief that your warning would be followed?—I knew at that time that I had great influence with the Natives right throughout the Territory. The Natives are, or were, accustomed to accept decisions from the Administrator and to abide by them, and had the example been set by the European committee that they should still take my advice and obey my instructions, and put their matters through the proper channels, I would have been able to have prevented this trouble that has occurred in Samoa.

Had you any reason to believe that the meeting was going to be seditious or in any way a breach of the law at that time?—No, I had no belief that it would break the law.

Did you not fear that at that time such a message delivered in such a way would be likely to be interpreted as an attempt to gag the public meeting?—None whatever. As I have already explained, in this Native country things have to be considered entirely differently. It was proper that the Natives should know in the most public manner, and should receive an example from those who were controlling that meeting. They were told in my address that there was no attempt to prevent freedom of speech, and therefore it could not be construed as an attempt to gag the meeting.

At the second meeting it was decided to send a delegation to New Zealand, was it not?—Yes.

And you opposed the delegation going to New Zealand on the grounds, or one of the grounds, that you were not satisfied that the Samoans were fully representative of Samoan opinion in this country?—That was one reason, and the other reason was that they had never asked for a full explanation from any proper authority in regard to the matters they were going to put before the Government of New Zealand; and I knew in my own mind that if they submitted the matters before the Parliament of New Zealand they would be entirely misrepresented. Moreover, it was impossible in New Zealand to hold any inquiry or to receive representations on Native matters without an expert, such as the Secretary for Native Affairs, to explain the position. In those circumstances I opposed their going, realizing that they would not be able to give a satisfactory explanation of the matters that they were going to represent.

I think also another ground, if I am not mistaken, was that you considered that their complaints should go through the Fono of Faipules, whom you regarded as the leaders of the Samoan race?—One of my grounds was that any matters that were going to be put before the New Zealand Government should be first thoroughly threshed out and discussed in the Fono of Faipule, where there are representatives of all districts, and where one can learn the truths and the merits of those matters, and submit the best aspects of the case from the Native point of view before the Government.

Concerning these Faipules, we know that you have sought the opinion of the districts for the appointing of any of the Faipules whom you yourself have appointed; but from the evidence it would appear that the Faipule appointed before your term of office were not in every case the selection of the district, but due to nomination?—I know nothing about it.

The Chairman: The cases were very rare, according to the evidence.

Mr. Baxter: Yes, according to the evidence.

The Chairman: How many cases do you suggest there were.

Mr. Baxter: I have not got the number, but Fonoti was one.

The Chairman: I do not think there were more than three.

Mr. Baxter: I will look into the matter.

The Chairman: Very well, I do not wish the Administrator to be misled. They were the exception—at any rate, in my view of the evidence—rather than the rule.

Mr. Baxter:] Did Your Excellency make any inquiries as to how these Faipule had been appointed who were in office when you arrived?—In my statement I explained that it was quite a new matter to me. When it was brought to my notice, about four months after my arrival in the Territory, I went on a *malaga* to Savai'i, and the first case was that of Suisala.

Are you referring to the appointments made prior to your arrival?—Yes. This being an entirely new question to me, I asked Mr. Griffen. Having more or less European ideas myself about representation, I asked Mr. Griffen about the custom, and the answer is given in my statement.

Yes, I remember it. The point I wish to get at is this: did you make an inquiry about each individual Faipule?—No; I only satisfied myself on my *malaga* around the island that all the other Faipule, according to statements made by the Ali'i and Faipule in their districts were thoroughly approved of by their people, and no statements to the contrary were made.

You considered that it was necessary to show the people of Samoa that the Faipule had the support of the Government in any opposition that was raised to them?—I cannot say that I considered it necessary. It was common knowledge that they had the support of the Government. They had every reason to believe that they had my support, they being the only properly constituted authority.

You sent out a circular letter on the 22nd November, 1926, which is referred to in the Joint Samoan Report [circular put in: Exhibit No. 64]?—I did send circular letters, but I cannot remember whether I sent the one referred to. No doubt I did send it. I do not know who translated it, but I do not think it is my translation; I think it is the translation of my office.

You are quite entitled to object, and I will satisfy Mr. Meredith. There is just one passage that I would like to refer to, which is contained on page 36 of the Joint Samoan Report. It reads: "I wish you to send in a list of every Samoan from your village who is concerned in this matter, also those who made speeches that night, as they will have to come before the Faipule"?—I remember that I sent that. I wanted them to come in and hear an address at the Fono of Faipule in which I intended to explain to them, so that there would be no mistake as to what they had been told.

Right at the bottom of page 36 there is a circular to every village in Samoa, is there not [put in: Exhibit No. 65]?—I am not absolutely certain, but I am inclined to believe it is correct.

And in that circular there appears a statement which reads: "I am directed by the New Zealand Government to inform you that no other authority than the Fono of Faipule is authorized to confer with New Zealand on Samoan affairs"?—Yes, that was probably my way of putting it to them. I wanted to put matters to the Samoans in a very simple way, and I wanted them to understand that if there were to be any representations to the New Zealand Government on Native matters they must, in the first place, all go through the Fono of Faipules. That was the impression I wished to give—that was, as matters were to be discussed with the Fono of Faipule, together with myself.

Did you know at that time that some of the complaints—I do not say whether they were sound complaints or not—of the Natives were against the Faipule themselves?—I did not hear of any.

Had you known that some of the complaints were against the Faipule and the Fono of Faipule themselves, I conclude you would not have wished to convey the impression that their complaints must come through the Fono of Faipule?—No. The Natives have always known that if they want to make complaints against any of their Faipules they are quite at liberty to do so, and during my regime I have not hesitated to get rid of any of the Faipules if they are not competent or complaints are made against them which have been proved to be correct. A Native would not hesitate, if he had any complaint against a Faipule, to come straight into my office and lay his complaint.

At the December Fono of Faipules you called the Native committee men before it, did you not?—Yes, I asked them to come down.

I suppose you did not know then either that they were in opposition to the Faipule?—I knew that they were working against the Government.

In what way do you suggest that they were working against the Government?—Because of the propaganda that had been passed around to the effect that they were going to put many matters before the New Zealand Government—that is, matters which I have dealt with this morning and which have been explained.

This propaganda that you have just mentioned would be Native letters that were passing around—that circular, I suppose, that was sent to Savai'i?—It was something more than Native letters, in that it reached seditious stories and disrespectful statements about the Government of New Zealand and disrespectful statements about myself. I will not say from where they emanated, but they were all part and parcel of the movement.

Were these verbal stories or were they in writing?—I should say that they were verbal stories which were passed around by the Natives.

Did Your Excellency at any time get the Native members of the committee to come and see you personally?—They had the opportunity of seeing me when I brought them down to the Fono of Faipule, where I addressed them, and there I gave them the opportunity of putting all their matters before the Faipule themselves. I have never stopped them coming before me until my *malaga* in July of this year, when I certainly would not see them as a body. One or two of that committee had frequently come to see me on matters from time to time, and they knew they could see me personally. Faumuina is one, and he knew that he could come and talk to me at any time, but he refrained from doing so.

Did Your Excellency send for them at any time?—No. I certainly would not send for them as a united body to speak to me on the matters, because in the first circular they sent around they had assumed the authority to represent Samoa.

Did Your Excellency send for them individually?—No. It appears in my statement here where I sent for them and talked to them and gave them a warning. The second time I sent for them was to send them away to their different districts; so that they have appeared before me on two occasions—the first as a warning, and the second when I asked them to come for the purpose of sending them back to their homes.

Do you mean seeing them in your office or in front of the Fono of Faipule?—I saw them myself with the Secretary for Native Affairs, Mr. Griffin, the first time, and the second time with Mr. Lewis, and the third time three members of the committee—namely, Papali'i-Ulu, Karauna-Mata'u, and Ainu'u—were present.

This time that Your Excellency saw them and warned them—was that before or after this time when you had them in the presence of the Fono of Faipule?—I am pretty certain it was after.

At this interview they had with you in the presence of the Fono of Faipule were they given an opportunity to reply to Your Excellency, or did you say to them that you did not think it was necessary for them to answer?—No. On that occasion I addressed them, and I said to them, "If there are any matters about which you wish to talk to the Faipule you will be able to express yourselves to them quite freely. I do not want to preach to you in any way or to hamper you." I thought it would be far better for them to have an open discussion with all the Faipule there assembled. I did not want to hamper them in any way. Really, in my mind I thought that it would be better for them and they would speak more freely if I were not present. I said to them, "I am going to leave you now, and you can discuss freely with the Faipule any matters of complaint. Let us find out what is wrong, and then we will let you know what can be done for you."

At any interview did you tell them that you did not wish them to reply?—Yes, when Faumuina and Lago Lago were there. I was so sorry for them because they appeared to be so utterly ashamed of themselves coming before me. After addressing them, I said, "Well, now you can make any statement you like now, if you wish to. I can see that you are feeling your position most keenly, and therefore if you care not to do so you need not say anything now, but you may put the matter to me in writing in three days' time." They had full opportunity, and that is what they did—they put the matter in writing. The other three members of the committee—namely, Ainu'u, Papali'i-Ulu, and Karauna Matau—were examined by me in the Native Office and they were given an opportunity to say anything they wished. As I told you in my statement, one of them was so insolent as to almost cause me to be annoyed, thinking he should be so insulting as to call one of my officials "only a rat-catcher."

It was about the 7th December, while this Fono was sitting, was it not, that you received the reports from the Citizens Committee?—Most of those reports, I know, were coming through about November or December, although I had not got them. Those reports were for transmission to the Hon. the Minister of External Affairs.

They were forwarded in time for you to refer them to any portion of the Fono of Faipule that you saw fit?—The reason for that was that at first I saw an organization set up which was dealing direct with the Minister and sending their radios through my office as if my office was merely a post-office and not dealing with me direct. To this I took exception, and I wrote to the Minister of External Affairs and said, "Please instruct this organization here to deal direct with me and send their matters through me, and in the case of the Native affairs to see that they are first of all thoroughly considered by the Fono of Faipule." I might say that only by discussion by representatives of all the different districts in the Fono can these Native matters be thoroughly sifted out and a true appreciation obtained as to their value, and that was my reason for considering that they should be thoroughly considered before being sent.

When these reports came before you, did you refer any portion of them to the Fono of Faipules or not?—I did discuss them. I am not quite sure at that time whether we got the whole thing through the December Fono, but I can tell you that I have discussed them with them at some time or other, but I cannot say when.

Do you remember which reports you did discuss with them?—I discussed the Samoan report, and also discussed the question of the finance and loan, which was fully explained.

I conclude that you read these reports when you received them in December?—Yes.

And you were bound to have noticed that reference to the £100,000 loan and the alleged foreclosure of mortgage?—Yes.

And I have no doubt that it perturbed you to think such a report was getting before the Natives?—It perturbed me very much indeed, because I had heard the story from T'iga and others, of how suspicious the Natives were on money matters; and I had had experience of that in Fagamalo, in Falelatai, and in other places, where the Natives were perturbed over this money question with New Zealand, and had really spread round the story that they would not be able to pay the loan and that New Zealand would take their land in payment thereof. That was the story that was going round.

Why did you not write to the committee at once and require that they should correct their reports?—As I have already explained to you, the committee were dealing direct with the Minister. They had set up an authority to deal with these matters, and I merely forwarded them to the Minister. I had a feeling at the time and I had good reason to believe that almost anything I said would be criticized by this committee as being incorrect.

But this was a specific case. You said that it was perturbing you because it would disturb the Natives: do you not think that in the interests of the country it should have been corrected at once?—I did correct it through the Natives themselves; but the Mau movement was at the time working the Natives against the Government, and while probably my remarks at the time did a certain amount of good, those still supporting the Mau were suggesting that they were correct and that the Government was wrong.

Did you consider at all whether or not you should advise the Citizens Committee?—No; it was their duty to come to me and discuss this matter with me. All the three elected members knew that from the very outset of my appointment I have told them that they had *entrée* to me at any time on any matters or complaints which they wished to make, and they could see me and discuss matters personally with me. It was certainly their duty to come and see me.

This is slightly different. This was probably an error, and a dangerous error?—I consider it a deliberate error.

Now, you made no inquiries to find out—

The Chairman: He said that he merely transmitted the report to New Zealand, and that was his duty.

Mr. Baxter: I just wanted to make sure why this £100,000 rumour was not corrected at once. (To witness :) It was not mentioned to the committee until the receipt of the Minister's letter in reply, which was dated some time in July?—I do not know anything about what was done.

All the communications passed through your office?—Yes. They were all communications between the Mau and the Minister, and I took no steps to interfere with them.

I think the question was discussed at that Fono with respect to the Government scheme for advancing against Native copra of good quality?—That was in the December Fono.

Was there any special reason why this scheme should have come up at this particular Fono?—None whatever other than for three years we have been gradually building and working up an improved grade of copra without the Natives themselves getting any recompense therefor, and they had become impatient and in some districts they complained to me: "It is no use our trying to make better copra; we get no more for it than the man who puts the bad copra into the store." My efforts had reached the stage where we were able to produce a fair quality of copra, and we were anxious to prove to everybody in the South Seas and those who were concerned in this copra trade and the local community that if the Natives would make better copra we could actually get a better price for it. I think you will remember that I showed you a letter that was being forwarded to New Zealand in connection with this matter. That was long before the December Fono; and I can assure you that there was no special reason other than that the time had arrived when it was necessary to take action and help these people, or the whole copra scheme was going to fail. I might add further that the Natives had actually a promise from me as far back as two years ago, I think, that if they would make better copra I would see that they got a better price for it. You yourself have seen a letter from me on the subject.

I remember that letter. Why did you not discuss the matter with the merchants to see whether anything could be done?—I think if you look at the official files you will find that I discussed this matter a lot with the merchants and the traders, and they made no headway. I can quote you a letter asking them a second time if they would help me to help the Natives concerning even the currency, and I am still waiting for a reply to that letter. The letter was as follows:—

Apia, 30th October, 1926.

The President, Chamber of Commerce, Apia.

DEAR SIR,—

Re Copra Currency.

I am directed by His Excellency the Administrator to write you herein, and suggest that the practice of using the American currency term in buying copra in Samoa be changed to English. From time to time requests have been received by the Administrator from the Natives to make this change, and, as the pressure in this direction continues, it is suggested that your committee take the matter up for discussion. American currency is not in use in the Territory except in name, and there does not appear to be any real reason why the change should not be made, and, providing the Chamber of Commerce and the Administration are in agreement, no legislation should be required to bring about the alteration.

The favour of an early reply would be appreciated.

Yours faithfully,

A. MCCARTHY, Acting-Secretary.

Regarding the question of the amount to be paid for the copra, you did not call a meeting of the merchants or discuss the position with them to see whether it was possible to pay more?—I have not discussed the matter, except privately, and I tell you that only privately have I mentioned it to one or two. I mentioned the matter to Mr. Brady and also to Sir Maynard Hedstrom, and said, "You people can solve this question of copra to-morrow if you will give the Natives more for their pure, white, dried copra; but it is no use going on like this, because the New Zealand Government cannot hold the confidence of the Natives in this Territory, where the merchants are giving them £8, £9, and £10 per ton, while the people under the American flag are receiving £19 and £20 per ton, and therefore the Government has got to do something.

But you did not go into their figures with them, or consider their position?—No.

At this Fono, when the copra question was discussed, were there any speeches to the effect that the merchants were robbing the Natives?—From whom?

From the members of the Fono?—I have never heard of any speeches *re* the merchants robbing the Natives, but I have had many speeches made to me to the effect that the merchants were not paying enough for the copra but were charging them too much for their goods. I have been placed in an awkward position through my desire to help them in these matters and my inability to do so.

I think, on the 22nd March, 1927, there was forwarded to you the objects of the Samoan League, which is referred to at the foot of page 37 of the Joint Committee report [Exhibit No. 56]?—Yes.

When you saw that, did that not satisfy you that the League was quite innocuous?—No, I was not satisfied. What I had in my mind was that that letter provided for Europeans and Natives working together for political purposes, and that is the part I did not like about it.

But it was in no way against the law?—None whatever.

Then, in March, also, I think, was introduced the Maintenance of Native Authority Ordinance, was it not?—Yes.

And section 3 of that Ordinance provides, "Every person is guilty of an offence, and liable on conviction to a fine not exceeding £100 or to imprisonment for a term not exceeding one year, who

speaks any words or does any act calculated or likely to undermine the authority of or to excite disaffection against any Native authority." You remember that Ordinance going through the Legislative Council, do you not?—Yes.

I think that Ordinance was drawn up by the Chief Judge, was it not?—He would certainly be one of the persons who drew it up.

And I think it was introduced into the Council by the Chief Judge?—Yes.

He was the member who had the handling of the Ordinance and who was the chief supporter of it?—Yes.

His handling of the Ordinance was done with your knowledge and consent?—Yes; and the reason for it is this: in this small Territory it is impossible to have always present in the Council all the officials and members of that Council, and it is most essential I should have a legal advisor or one legal man always on that Council. If the Crown Solicitor, who is the other member of the Council, is absent, then the Chief Judge, and then only, takes a seat on the Council in order to help me on legal matters; but when we are able to have a majority in the Legislative Council without the presence of the Chief Judge we always do so.

Without discussing the terms of the Ordinance at all, it was an Ordinance which it was quite possible could be used, otherwise you would not have passed it?—It was an Ordinance similar to the laws in other Native territories.

I am not criticizing the Ordinance itself. It was an Ordinance that was quite possible of being invoked at that time, otherwise it would not have been passed?—Yes.

And any person who was prosecuted under that Ordinance would have to come before the Chief Judge for his trial?—I presume so.

Did you not consider it was an unwise policy, from a political point of view, to allow the Chief Judge to introduce that Ordinance into the Council?—It is undesirable, but under the circumstances, as I have already explained, it is impossible in this small Territory—I personally as Administrator will not go into the Legislative Council unless I have a legal advisor or one of the legal members present—to have always present in the Council all the official members of the Council. It is helpful, and is good for Samoa and good for the law, and although it is undesirable that the Chief Judge should be a member of the Council I consider that it is necessary solely for the purpose of explaining matters. I know him well, and I feel quite certain that it will not prejudice any future action whatever in the administration of justice on his part.

My personal opinion of the Chief Judge is exactly the same as Your Excellency's opinion, and I want to make that clear. Do you not think it would have been more advisable if some other member had introduced it?—It would have been more advisable if Mr. McCarthy could have done it, but, unfortunately, he was absent.

Somebody else could have introduced the Ordinance: it need not necessarily have been the Chief Judge?—It could not have been introduced so satisfactorily and such good explanations made by any one else than the Chief Judge on that particular occasion.

Did you consider what effect it would have on the public?—Yes, I did. I am certain it would have no effect whatever in the prosecution of the justice of the country.

Then, Your Excellency, on the 26th March there was issued a circular to the Faipule?—What you have there I am not going to accept the translation of.

We will take them as they stand, and if they are incorrect, then we can make the necessary alteration later. At page 38 of the Joint Committee report there is a word there in the circular to the Faipule [put in: Exhibit No. 66]—namely, "rebellious"—which refers to Mr. Meredith?—I have not read that at all.

Take the word as it stands: do you think that is a fair and proper way to describe that pamphlet of Mr. Meredith's?—I do not think that I ever wrote a circular to be translated in that way. I would like to know first of all whether that is a true translation.

Mr. Meredith: The witness objects to this translation, and wishes to deal with the actual circular that was issued in Samoan.

Mr. Baxter: I am following exactly the same course as was followed with our circular.

The Chairman: That is quite true. Even in your case, Mr. Meredith, witnesses were asked to assume the correctness, and I think we had better carry out the same procedure.

Mr. Baxter: I am asking you to assume that it is correct. There is a phrase here which reads: "You will make this matter quite plain to your chiefs and orators of your district, and you will forward to me the names of the traders in your district who have tried to induce your district to defy their Government in the past months. Send me a letter containing this information, and address the envelope directly to me." Did you write that?—Very likely I did; I will not deny it.

The Chairman: Who has the original circular?

Mr. Baxter: I do not know, sir.

The Chairman: Where is the circular?

Mr. Meredith: I have not made any inquiries.

The Chairman: You can see from the context that the term "rebellious" is not an appropriate term, as my learned colleague says. Cannot we get that circular?

Mr. Meredith: I am getting it, sir.

Witness: I take it that this translation has been made by some of the Mau interpreters, and is not a literal interpretation.

The Chairman: That is very likely so; but, as Mr. Baxter very rightly says, he is entitled to assume for the time being that the translation is correct. Mr. Baxter is quite right in the position he assumes, because that was the course which was forced on him in connection with other documents.

[Mr. Meredith here handed the original circular, with the English, to the Chairman to read.]

The Chairman : That is exactly what I thought : it is only a question of the English. The word used is "seditious," not "rebellious."

Mr. Baxter : Yes, sir, that is all. (To witness :) What was Your Excellency's idea in having the envelopes addressed directly to you?—Because I had instances of a number of letters not arriving at the Native Office. I thought that if they were addressed direct to me they would probably reach me all right.

That was your reason—that you thought that correspondence was not coming properly through the Native Office?—No.

Then, I think, sir, that the committee wrote you on the 14th April, 1927, or somewhere about then, requesting that an interview should be arranged with the Minister when he arrived?—I do not deny that, but I do not remember it. It was assumed, in any case, that they would have an interview.

Did you reply to that letter—if there was such a letter—to the effect that the matter had to wait until the Minister arrived?—I know what was in my mind at the time. What month was that?

It was April?—In my mind was the idea that the Minister might like to have the committee meet him either at once or a few days after he arrived and learned what the conditions were in the country, and it was a matter which should be left entirely to him as to time and place after his arrival.

You did not take any steps to find out then?—I do not remember very well.

The Chairman.] The Minister was cabled to in May?—Yes. It was most difficult to communicate with him.

Mr. Baxter.] Now, coming to the Minister's visit, I just want to touch lightly on that : there were no disturbances reported to you, sir, by your officials during the visit of the Minister?—No.

After the visit of the Minister—just after he left, or about the day he left—two letters were forwarded through Your Excellency to the committee advising of an alteration in the law—Immigration Order—and ordering them to have nothing further to do with the Natives?—Yes.

Then after that there was further correspondence between you and the committee, I think?—I do not remember.

You remember that they wrote to you and asked for specific details of the allegations of sedition against them?—I do not remember that.

Mr. Baxter : I think that those letters are in.

The Chairman : Yes, they are. They were handed in by Mr. Nelson. We have never seen that Immigration Order at all.

Mr. Baxter : It is an Order in Council, sir.

The Chairman : Yes, but we have never seen it. We ought to know something about it.

Mr. Baxter.] The correspondence which I have mentioned, sir [see Exhibit No. 51], is dated the 20th June, 1927—letter from Your Excellency to the chairman of the committee, and a further letter of the same date from Your Excellency to the chairman of the committee—and two replies dated the 22nd June, 1927. [Letters handed to the witness for his perusal.] In these letters they asked you to give them definite specific charges of the sedition, in order that they might be able to meet the allegations : do you remember that?—That is in the letter. I admit it.

What were your reasons for not sending the charges to them?—Well, this was the position at the time : I was receiving information from Natives who had heard Mr. Nelson's speeches and heard other speeches and heard the Mau talking immediately after the Minister's visit, and the statements were so hostile at the time that it indicated very serious action ; so that I was satisfied that, whilst no specific charge of sedition could be made against any one individual in the Mau movement, their action in not telling the Natives to do what was right, and to go back and carry out their duties to the Administration, was having a very bad effect. But I had no specific case against any one individual.

Did you not think that it would have been advisable to hear their side of the story, too?—They were quite free to put it in a letter to me.

They were in this position, were they not : that they did not know what charges to meet?—I am pretty certain that they knew that what they were doing was not in the interests of the Natives and not in the interests of this Territory, and that they were not supporting me, and that they, as Legislative Councillors, had a duty to me. I really could not put up a specific charge which would justify their being brought up before the Court under that Ordinance.

Then, as regards these matters that were doubtful, why did you not let them know of these, to give them a chance to explain them at least?—There was no necessity for me to let them know. At that time they had been working about nine months and knew my views, and knew that it was wrong, and they did not help me to put matters right.

You were not prepared then—and you still think it was the right course—to tell them of what charges had been made and give them a chance of explaining?—It was quite fair. If they had come to me in a proper spirit and in a loyal attitude, and discussed the whole matter in order to do what was right, things would have been satisfactory ; but things were getting worse.

Did they not write to you and tell you that they had gone to Lepea and done their level best to persuade the Natives to go back?—I did receive a letter and I also received an intimation from one who was at Lepea, and the two were not reconcilable.

Why did you not bring the two together?—I knew that it was not any use bringing any matters before the Mau committee at all. They had told them that Mr. Nelson was going to get a victory and take the matter to New Zealand.

Then, in one of your letters you say that you had documentary evidence?—I had.

Evidence to establish this position. To which documents do you refer—that letter of Anapu?—I am not quite sure whether it was Anapu. At that time I was getting a good number of documents

over the statements that had been circulated round the island. The only one I put in was that of Anapu.

Then, you remember Mr. Nelson and Mr. Smyth obtaining a passport to go to New Zealand?—Yes.

And you will remember writing the letters contained on page 40 of the Samoan Joint Committee report?—Yes.

What was Your Excellency's object in writing such letters as those when these two gentlemen were going away?—Because I was perfectly satisfied in my mind that these two gentlemen, together with others, were responsible for bringing about the position that had been brought about in Samoa at that time, and that therefore they would probably bring themselves under the provision of what I then thought was the law on deportation—namely, the Samoan Immigration Order.

At that time they were going away; they could not do anything then, could they, which could bring them within the scope of that Order?—Yes, and they did do a lot. They went away and they got hold of the press and circulated stories which were not true about Samoa, and some of those articles were afterwards translated and spread amongst the Natives of this country, and they did an enormous amount of harm.

So that you suggest that because certain reports appear in certain newspapers, that would be a perfectly good ground for preventing those gentlemen from landing?—No, I would not say that, but because of what they did, and because of what I knew was going to be the outcome of it. This thing was going to keep on growing and growing through the subsequent action of a petition in New Zealand for which they and other members of the committee had been primarily responsible.

Did these letters refer to what had already happened, or to what you anticipated might happen in New Zealand?—Both. The effect of that first meeting was not then over, and it is not over to-day.

But the matters, you say, happened before these letters. You had no evidence; you were only suspicious; was not that the position?—The evidence to me was the condition of things existing in Samoa and the condition of things we have to-day. That, in my opinion, was sufficient to justify me in writing letters like that.

You could not have had anything in your possession, or you would have acted on it, would you not?—No.

Did you have anything in your possession?—I have already said that I had documents showing what had been spread around the island—evidence of things around the island, which were then not quite so bad as subsequently.

Did you consider the possibility of such letters as those being regarded by the public here as an attempt to gag these two gentlemen in New Zealand?—Not the slightest. I have never had any idea of gagging anybody.

I do not say that, sir. I said, did you consider the possibility of others considering the matter in that light?—No. I will say that I considered that it might act as a deterrent to others continuing in the movement.

I wish to refer to what we might call the political banishments—this big batch of banishments shortly after the Minister left: Your Excellency knows to which I refer?—Yes.

The Chairman: We have got no list of the banishments, or the so-called banishments, to which Mr. Baxter has referred.

Mr. Meredith: They are already in in the original complaints, sir.

The Chairman: It would be very convenient for us to have a list of them.

Mr. Meredith: Yes, sir. Mr. Slipper put them in, if you remember. I will get you a list.

Mr. Baxter.] In these instances, I think, sir, that there was no inquiry at all by the Faipule?—I wish to explain with regard to political banishments that from the very commencement of this agitation there was an attack made on the Faipule, one of the grounds being that they have wrongly used their authority in connection with banishments—a matter which I have dealt with in my statement. This story spread, and the Faipules' authority was undermined and they were having a most difficult task, and I determined, out of sympathy for these Faipule, that, through or during the political agitation, I would not set up a Faipule committee, but to save them I would take the onus and responsibility myself; and that is the reason that during the political banishments or expulsions I have dealt with matters personally.

Was there any inquiry at all held as regards this big batch who received notices to return home?—No, there was no inquiry held, and there was no necessity for one. The general state of affairs was known by me to be so bad that it necessitated my taking immediate action, and that is why I ordered them back to their villages; and an Administrator who, under such circumstances, has not the power or has not the authority to send a Native back to his village if he is causing political disturbance, such as they were doing, cannot possibly do his work in this Territory.

Well, the issue of banishment orders did not have a very desirable effect, did it, at this time? It did not tend to settle the country down?—No, it did not settle the country, nor would anything else settle the country at that time.

In regard to that time, it was a time of strenuous excitement?—Yes, excitement caused principally by the activities of the Lepea Village; and the demonstrations in front of the Minister had a tremendous effect on the people of Samoa, because it gave them two courses—to belong either to the Mau or to the Malo. Children at school divided themselves into groups; they would say, "You belong to the Mau, and I will belong to the Malo."

This period I am talking about—this period was about the worst period as regards excitement?—Yes. It was just after this particular demonstration, and that is why it was worse.

I suggest to you, sir, that what caused the excitement was the issuing of so many banishments?—No.

In the case of Fa'asiu, I think it was, the Acting-Secretary, Judge Woodward, went round and interviewed him?—After I came back from my *malaga*, yes.

Yes; the Acting-Secretary, Judge Woodward, said that he did not think that there would be any more banishments issued, or words to that effect?—I do not know what he said.

Did you receive any report from him after he had seen Fa'asiu?—Yes. You are referring to the occasion when he went and saw some of the Samoans up at the back there?

Yes?—I will tell you the story. After my *malaga* this committee was still remaining in Apia.

That would be the July *malaga*?—Yes.

And the committee referred to would be the Native sub-committee?—Yes. I had already seen evidence of their messages and information which had been passed to their districts while I was on *malaga*. I further saw that it was absolutely necessary to remove this committee or these committee-men and send them back to their villages. They had disobeyed my orders; therefore there was nothing left but for me to order their arrest and have them taken back to their villages under arrest. The police, I believe, arrested only one; I am not sure whether it was one or two, but we will say one. They were unable to arrest any more. The police could not function without causing serious trouble, and it has been my aim to avoid fighting and trouble in this matter right through. Therefore, on the Judge's own suggestion to me, which he made in order to help me—and I wish some of the Legislative Councillors had done the same thing—he went down and held a *fono* with these men, when he tried to explain the seriousness of their disobeying orders and resisting arrest. He informed me that he had got them into a cheerful mood, and they had agreed to send delegates to him, as the Judge, and to lay their complaints or grievances before him. I was hopeful that that would settle this committee in Apia, and I waited for those delegates to approach the Judge. A few days afterwards the police reported that a European member of the Mau committee

Mr. Baxter.] You had better give his name?—Mr. Gurr. The police reported to me that Mr. Gurr had told these Samoans not to send any delegates before the Judge, and there the matter stood. I took no further action. They have not returned to their homes, neither have they sent delegates to discuss matters either with me or with the Chief Judge.

Did the Chief Judge in his report make any reference to banishment orders, or any recommendation that no further banishment orders should be issued?—I cannot say. I cannot quite remember. I might be quite candid with you and say that at that time I myself did not desire to issue any more banishment orders; I wanted to minimize it as much as possible. All through I tried to avoid banishments, but it has been the only way to uphold the flag and the Government, and only then have I resorted to banishments.

There were no further banishments issued after that time, and no more enforced?—I do not think that any more have been issued. Some of these people themselves have applied for these banishments to be given effect to in some cases. I have deliberately asked that they be put off.

I think, since then, things have been much quieter in the country. I do not say that they have gone back to what they were before, but they have been quieter?—There are some Natives who are speaking in a very nasty manner. There are some Natives who are threatening that if they do not get what they want they will cause trouble. Things are not as they ought to be.

No, not as they ought to be; but they have not been as bad as they were?—I would say that they are worse, because to-day the Faipule, the officials, and others are deliberately trying to keep things quiet by not functioning. I would say that things are very much worse; they are not functioning, and if they attempted to carry out their duties there would be trouble.

There is an article here—perhaps Your Excellency will know something of it—it appears in the *Savali* of July, 1927, starting on page 4 to page 5?—Yes, that is right. I think you had better have my translation of it. I know all about it.

I just wanted to ask you. The third paragraph there says, "In the month of October last the lying prophet suddenly appeared in Samoa." Now, to whom does that refer? I have not mentioned any name, but I will be perfectly candid with you and say that in my mind I have Mr. Nelson.

Lower down it says, "The disciples and priests were brought to Apia from the back districts in motor-boats without paying fares, and were assembled at the synagogue of the lying prophet in Apia"?—By that time it should have been in the plural. I looked upon the Mau and the whole thing as a false prophet, and I tried to give a Scriptural description.

What did you refer to there as the "synagogue" of the lying prophet?—I referred to Lépea.

Further down in the same paragraph: "Instead, these moneys were expended for the support of the synagogue"?—That is, the support of the Mau.

It is not intended to be an insinuation that Mr. Nelson was using these collections?—Not in the slightest.

There was a review written by Your Excellency and forwarded to the Hon. the Minister of External Affairs, dated the 25th July, 1927, and in that you make this statement: "One person, with one object only, was the originator of the present trouble—namely, Mr. Nelson, the wealthy half-caste merchant, whose aim was apparently to increase his power and influence, particularly in Native matters, and so materially enhance his commercial interests." Do you remember that statement?—Yes.

On what grounds did you base your assumption that the movement was started purely by Mr. Nelson for commercial gain?—I am convinced that what I said then was true. I was quite satisfied in my mind that it was true, and I have since seen no reason to change my mind.

On what grounds do you form your opinion?—What is the specific point?

In the first place, it was started by one person, Mr. Nelson: why did you blame him purely and simply?—Because prior to the 15th October the Natives themselves informed me that they had

received communication to go to Mr. Nelson and talk to him about matters, out of which this trouble has arisen.

Did those Natives say from whom they had received those communications?—I will tell you one specific case. On the 14th October, 1926, I was coming up the coast with Mr. Griffin. When at Leulumoega, Aiono himself stated that a letter had gone down the coast there, calling upon his officials to go and discuss political matters with Mr. Nelson. From that and from other information at my disposal I formed the opinion that he was personally the originator of the movement.

This information that came to you—it came from Faipule and other Natives—you got nothing direct from Mr. Nelson himself?—He never came near me.

You had nothing to show in direct evidence that Mr. Nelson had ever sent out such messages, that they were to come and see him?—No, except the statements themselves. I personally have no direct evidence.

Then on what grounds did you base your statement: “One person, with one object”; also, “and so materially enhance his commercial interests”?—I believe that. I believe that he did this in order to get big power with the Natives and so get copra and so enhance his commercial gain. I had that opinion then and now.

Then there is this: “In order to add weight to his movement, Mr. Nelson adopted an unprecedented plan, which appealed to the vanity of certain chiefs, by forming a combined committee of Europeans and Natives to work together for political objects.” That committee was elected at a public meeting, was it not?—Probably it had been formally elected. I had received information from some that they did not know what was happening at the meeting—they did not know of the things that were put before them. The committee may have been formally elected, but I felt confident in my own mind that the members of the committee were prearranged and the election was prearranged.

Do you suggest that the meeting was packed, sir?—I do not know.

Anyhow, there was an election at a public meeting?—It is in the report that the election was there.

Before you wrote that paragraph, sir, what inquiries did you make from the Inspector of Police as regards those matters?—I merely asked the Inspector of Police to put in a report.

You state here that Mr. Nelson formed the meeting, and now you do not seem to be sure whether there was a public meeting or not?—That would be on record.

It is on record in the police record, but I want to know what inquiries you made before you wrote that particular paragraph?—I had each Inspector in before me.

Why did you not make it clear that the committee had been elected at a public meeting? Why did you put the whole responsibility on Mr. Nelson?—I have already explained that I believed then that it was true that the committee largely were nominated and fixed up before the meeting. That was my opinion then and it is at the present time.

Why, then, did you not put the true facts before the Minister: why did you not mention the fact of the election of the committee at a public meeting?—I think that that is explained in the police report. When one is writing a letter, one does not generally go into details. I was just giving a general view of the situation. It was an ordinary confidential departmental report or letter sent in in the usual manner once a month, and I did not go into details.

I conclude, however, that you endeavour to be correct?—Yes, and it is correct. I may have omitted certain details.

Then the next paragraph: “Apart from Mr. Nelson, the European section of this committee was composed of men whose only intention was apparently to increase either their political or commercial interests”?—That I still say is correct.

There was no specific grounds?—No.

Again: “I therefore warned them to cease their activities in regard to the Natives, but they unfortunately refused to do so and subsequently found themselves forced into a position of supporting Mr. Nelson in his strenuous efforts to disturb the Natives.” First of all, let us take the idea that they found themselves dragged into this position: had you any grounds for that?—Yes; I heard it both from Natives and whites—not first hand, because the members of the committee have kept away from me, but I am certain in my own mind that they got into a position they could not get out of.

You are referring to the European members?—Yes, and Natives, too.

The reason I mentioned the Europeans was because this is on European matters. To what “strenuous efforts” do you refer when you say that Mr. Nelson’s strenuous efforts have disturbed the Natives?—By the organization of the traders throughout the Territory: the traders getting messages and propaganda and giving *fono* meetings so frequently.

This was long after the Minister had left, you know?—Yes; but that is the story dealing with the situation right through: that does not refer to immediately after the Minister had left.

When did you suggest that these other European members started to find themselves in this unfortunate position of being dragged in to support?—I think, probably about a month or two afterwards, when they saw the Native trouble, and after seeing the attitude which the planters had taken up.

I see; this really refers to about that time?—Yes.

And what propaganda and circulars were you referring to when you say “strenuous efforts”? You say that there was propaganda and circulars: to which do you refer?—The stuff that was getting into the hands of the Native Department, and the batch of circulars I have already put in with my evidence.

That type of stuff? I just want to make it clear?—There was wild propaganda of all sorts. I do not say that Mr. Nelson was personally responsible for some of the wild stories that went around, but rumour seemed to suggest that this was the case.

I quite appreciate the position. Later on you say: "Mr. Nelson's committee, through his traders and certain Natives in receipt of material benefits." Who would that be?—I believed at the time that was correct, and I believed that the committee that was in Apia were receiving benefits, and I think Karauna's story of what was going on pretty well confirms that.

What sort of benefits do you suggest?—Food and that sort of thing.

You are suggesting that that was coming from Mr. Nelson personally?—No, I do not say it came from Mr. Nelson personally.

But you refer to Mr. Nelson?—He was the prime mover of the whole thing, and if it were not for Mr. Nelson the whole thing would go "phut."

Does Your Excellency mean there that you are referring to this food that the villages are sending into the delegates?—No; but it would help them a little. A Samoan who imagined he was a member of the big committee in Apia, where food was brought to him from the different out-districts, became very interested in his job and wanted to keep going.

Those were the material benefits that you suggest they were getting?—Yes; and they got cheaper rides on motor-launches.

And then later on you say, "I anticipated that my annual *malaga* around the islands, commencing in July, would end the trouble; but the demonstration of Natives organized by Mr. Nelson and his colleagues for the purpose of impressing the Minister on the day of his interview with the committees, followed by Mr. Nelson's speeches." What speeches are you referring to there?—That is the information in my possession.

Which speeches?—The speeches given in Lepea afterwards.

On what date were the speeches made?—I cannot say, but it would be after the general demonstration.

On the same day as the demonstration?—I cannot remember.

Did you get the information in detail from the police?—In detail. I cannot say that I got a detailed written report about it, but I got a general statement of what was happening. If you want to verify this you can get particulars from the police.

I was just wanting to obtain information as to the ground on which you got this information?—I would not have mentioned it there unless I thought it was true.

I do not suggest for one moment, Your Excellency, that you did not believe it, and all I wished to obtain was your ground for the belief. Then later on you say, "The agitation consequently spread rapidly after the Hon. the Minister's visit, and the European members of the committee now thought they would cease from further Native activities and safely allow the Native members of their committee to carry on the campaign alone." Did not the European members of the committee receive a letter from the Hon. the Minister telling them they were to have nothing further to do with the matter, and they advised you, in accordance with the Minister's request, that they were not going to have anything further to do with the matter?—We got that advice. I had information to the effect that certain European members did continue to supply the Natives with information to keep the pot boiling. They could have stopped the whole thing at that time if they had turned round and said, "Look here, stop all this trouble. Go back and obey your orders, and carry out the instructions of your *pulemu'us* and Faipule; stick rigidly to constituted authority and leave these matters in our hands, and obey the law and be loyal as you were before."

Then the reports you received from the police: did you not receive a report that they attended at Lepea and did that very thing, and advised them to go back and obey the law?—I did receive a report that they said to them, "Obey the law."

And you say that they still kept on?—Yes.

If they still kept on, why did you make a statement like this: "and the European members of the committee now thought they could cease from further Native activities and safely allow the Native members of their committee to carry on the campaign alone." That certainly conveys the impression that they had ceased, and you say that they had not. That being so, why did you write a sentence here which would convey the impression that they had ceased?—I believed at the time, with the information I had, that certain European members had said that all the Natives could carry on in their own way. That is what gave rise to that statement.

I think it is only fair to all the members of the European committee if you tell the Commission the names of those who were keeping the pot boiling, as you say?—Mr. Gurr has been keeping it boiling particularly well through the *Samoa Guardian*. I will leave it at that.

Proceeding with this report, there is a statement here defining the attitude of the Samoan members of the committee. To which committee do you refer: it would mean the Native sub-committee, would it not. When I say "the Citizens Committee" I mean the committee of Europeans and Samoans elected at the first meeting, on the 5th October?—They all appeared to be one to me. I do not know whether it was the sub-committee or the main committee.

Farther down we come to a reference to Fuaataga and Tagaloa, where you proceed: "In order further to delay matters, the lawyer defending the case applied for an appeal to the Supreme Court in New Zealand, but the Judge, fortunately, did not allow this to interfere with the execution of the sentence. This appeal is really only a scheme on the part of the lawyer (Mr. Slipper), who is a new arrival here and does not understand Native problems. His attitude is helping the agitation, and he knows that such an appeal will not be upheld, but that the delay will give the Natives confidence in him." On what grounds did Your Excellency put that statement in that report?—I believed it to be absolutely true. At that time the Samoans were talking very freely about Mr. Slipper. Stories reached me in the usual way—

The Chairman : What is the value of all this ? What is the value of your question ? I do not see why you should invite any discussion about Mr. Slipper ?

Mr. Baxter : I wish the point to be cleared up.

The Chairman : I am not stopping you ; it is only a helpful statement that I am making to you.

Mr. Baxter.] Your Excellency knows, I presume, that a statement was made in Court here by Mr. Slipper, and that a letter was produced showing that the appeal was recommended by Sir John Findlay ?—I did not know that the appeal had been recommended by Sir John Findlay. I only knew that the Samoans said that their lawyer was going to get Fuataga and Tagaloa off, and that he was going to get Faumuina and Lago off Apolima, and making such statements, which created in their minds that all they had to do was to obey the instructions of their lawyer and never mind the orders of the Administrator : they were to take orders from Mr. Slipper. I assure you that that is what was in their minds at that time. I was so anxious that the European community should uphold their prestige that it caused me to ask Mr. McCarthy to speak quietly to Mr. Slipper and tell him that stories were being spread round about him. I further investigated Mr. Slipper's attitude towards the Samoans at that time, and I am sorry to say that he was talking too freely. I inquired into the case, and was informed that he was practically asking the Samoans to take the law into their own hands : " If the *papalagi* troubled them, then chuck them out." Here is the affidavit. Being exercised in my mind at the time, I made more inquiries, and satisfied myself that Mr. Slipper was—

Mr. Baxter.] This is not an affidavit ; it is only a statement made in the presence of the Crown Solicitor ?—Yes, made in the presence of the Crown Solicitor. My point is that I was satisfied that Mr. Slipper was making these statements, and I knew—

The Chairman : I cannot help thinking, as I told you before, Mr. Baxter, that the criticism of this statement and the grounds that the Administrator had for making it are of no value to us at all. How can it affect our judgment upon matters submitted to us.

Mr. Baxter : I am desirous of showing that there have been a number of statements made which tend to show that the operations carried on by this committee right through were of a seditious nature. These are denied. They are set out here, and my business—

The Chairman : Is it not enough for you to try to establish that the charges are not true ?

Mr. Baxter : It is, sir. But there is this aspect : this was a confidential statement that has got out, and I must show that it was not based on first-hand evidence, but on rumours.

The Chairman : I am not going to stop you. My suggestion was one which occurred to me from my old practice as a counsel, and as a cross-examining counsel. You quite understand that the Administrator said that this was a confidential document, intended only for the eyes of the Minister or the Minister's immediate advisers ; it was not intended for publication.

Mr. Baxter : But it got out, sir ; that is the trouble.

The Chairman : We are not concerned with that.

Mr. Baxter (to witness).] I would just like to ask you whether this next thing was based on rumour or not : " It revealed the seriousness of the treasonable plot being worked up by Mr. Nelson's committee, as I found that in nearly every district of this island there was one or more villages where the Natives had received instructions to passively resist their own authorities " ?—That was quite clearly given to me, that the whole scheme was not to obey the Government. It was more than sedition. It was more to create direct opposition to the Government.

The Chairman : I do not think this document should be put in. It is quite useless to us. It bears specifically upon Mr. Slipper, and might be unfounded.

Mr. Baxter.] I just want to know whether that was based on what you had heard from the Natives ?—What I heard and what I saw of the position in the country at the time. It was the direct result of the Mau committee, this disobedience of laws and orders.

You knew of no definite instructions coming direct from the Citizens Committee ?—Certainly not.

There is one point here—that is, in which you refer to certain men who were banished as being punished ?—That is only a question of phrasing. All banishments are made for the purpose of removing danger to the peace, order, and good government of the country or village.

There is a further report, dated the 25th July, 1927, regarding the disloyal attitude of the Natives ?—This will really be no hardship, as it is a mild form of punishment, providing it is not associated with banishment from the village, a form of punishment I wish to avoid unless absolutely necessary. I am, however, forced to award some punishment in such cases in order to uphold authority in the eyes of the Natives.

Were you regarding them as banishments or not ?—Yes, I was regarding them as necessary steps to ensure the peace, order, and good government of the Territory, which could not be restored unless I shifted them. I admit it is a punishment to them.

The Act of 1923—the amendment : it was intended that the local residents shall take some part in local legislation ?—Yes.

What steps were taken to assure that local residents elected would have some effective part ?—Do you mean what steps were taken to get representatives appointed to the Council ?

No ; when elected, did the Administrator take any steps to assure that they would have an effective say in the government of the country ?—The first step, I addressed them and asked these representatives to see me at any time on any matters for the welfare of the people they represented. I went further : I occasionally wrote letters to them on matters I wanted advice on, and was astonished to find after sending two or three letters—to receive replies that they did not like those methods, and those were matters outside legislative matters, but they concerned the welfare of Apia. They suggested that I should let them know if there were any matters that I wanted advice upon, and call a meeting of the Legislative Council. They seemed to misunderstand the function of the Legislative Council. Those were the two steps taken. The third step taken was by having a Legislative Council

meeting. They were notified from time to time of matters to be brought before that meeting, and asked if they had any matters to bring before it, or any motions that they wished to make.

Prior to a Legislative Council meeting do you generally discuss the position with the official members? Not always; I generally do, but it is not always done.

And at these discussions I conclude that it is decided who speaks?—At these discussions it is only procedure that is arranged, but they are told that they need only take certain action if the elected members remain silent. We prefer the elected members to have a full say.

And I suppose that they are directed how to vote on questions of Government policy?—I do not direct them how to vote. They fully recognize, that as Government members, it is their duty to uphold the Government's policy, and if they cannot uphold it, it is their duty to notify me.

If a matter crops up in the Legislative Council and it were a matter of policy, how would you indicate it?—I take it all matters brought up are matters of policy. All matters submitted by the Administration are matters of policy.

The Legislative Council Standing Orders—were they adopted by the Council themselves?—Yes.

At the first meeting, I think?—I do not remember.

Anyway, at the beginning of the Council?—Yes.

And they are abided by quite strictly in the Legislative Council work, are they not?—They are adhered to as far as possible.

The question of Natives on the Council has been raised: I think that at one time you were quite in favour of that?—Before putting the matter to the Faipule, until I got to understand the Samoans properly and got to know their viewpoint.

As a matter of fact, in a speech made in the Legislative Council in 1925 you expressed your regret quite considerably that the Fono of Faipule were not in agreement with your advice. You said that they considered this matter and it was freely discussed, and you hoped to get an affirmative reply, but it was in the negative?—As I explained before, the position has changed very much since then. Whatever my views were then, I have since found that I was wrong. The Natives would neither make suitable representatives on the Council nor do they want it. I have changed my views completely, and they are what I stated before in my statement.

Did not the Fono of Faipule pass a resolution in the June, 1923, Fono requesting you to place two Natives on the Council?—I do not think so. I do not remember that. June, 1923, would be my first Fono. I remember very little about it. I had just arrived here and held those views, but they were not what I said in 1925. I am sure now they will not apply. I think those views were just what I put into their heads. They were my idea. I had studied the position in Fiji, and, although I regret to say it, I believe that in these Native territories where they have Native representatives they are only dummies. They do very much better work in their own Native Councils. But I still thought that, as Fiji had Native representatives, it would be a good thing to try them out here. I confess that I put the ideas in the Faipules' heads myself. They do not want it, and it is a washout.

In 1925 you evidently had the same idea. Can you give any reason why the Natives should have changed their views from the expression of their views in 1923?—No.

After 1925 the Fono was doing more work, passing more resolutions: do you think that was satisfying them—that and the District Councils?—I think that after 1924 the Faipule studied governmental methods much more and got to learn their work—how their work fitted in better—because in 1923 I found the Fono of Faipule not functioning anything like it is to-day.

Do you think that the better functioning of the Fono and the type of resolution they are now passing is satisfying them, and they do not wish to go on the Legislative Council?—Yes, most probably.

It was decided at the Fono held at the beginning of this year that it would be a better idea of taxation to repeal the medical tax and increase the personal tax?—Yes; to consolidate them.

And that did not come before the Legislative Council to be enacted as an Ordinance until some time later?—No; we have not collected the tax yet.

I just wanted to know why it did not come before the Legislative Council in March?—There was no hurry. The tax is collected towards the end of the year, and it is not binding on me to hurry an Ordinance through. I was going away on a Commission to the New Hebrides, and I tried to shorten that meeting as much as possible, bringing up only such Ordinances as were necessary. This Ordinance has been put before the Legislative Council, and some months before the tax was due, so that the correct procedure has been carried out.

It was not, then, as some people consider, that, being passed by the Fono of Faipule, it was sufficient?—So far as the Natives are concerned, practically yes; because if the Faipule pass it and agree to it, and it is in the interests of the whole Native race, it is my duty as Administrator to see that it is pushed through. I am responsible for the peace, order, and good government of the Natives, and in the Legislative Council what is in their interests I must force through regardless of the views of the elected members.

That is one of the reasons of the majority in the Legislative Council?—Yes; to protect the Natives.

Turning to the Native Regulations, Order 4B, what I wish to know is this: are there any regulations to control the Faipule in the nomination of the chiefs?—No; I think that the chiefs control the Faipule themselves. The Faipule certainly—you refer to the limitation of numbers?

Yes?—I have myself noticed that these District Council meetings are very large, and nearly all the Ali'i and Faipule attend. Certainly no Faipule limits them.

There is no arrangement regarding the number of chiefs on the District Council?—Yes; as I have already explained, the Faipule cannot act on his own. If the chiefs wished to be on the District Council the Faipule would not refuse them. He would take them all.

Clause 10: In what way do you assure yourself that the Fono of Faipule is sufficiently representative of the District Councils?—I cannot say that I ask them to define the number of Village

Committees or village chiefs on the District Council. I leave it entirely to them. The Village Committees are organizations that I have set up for themselves. I have tried to lay a foundation for them to work on and to look after their own Samoan affairs; but I know that for some years they will not function perfectly, and that we cannot limit them to any definite number. That is why the Village and District Councils include all the Ali'i and Faipule.

I do not think that I made myself quite clear. This section refers to your approval of the by-laws. You satisfy yourself that—?—When the by-laws are sent in they are signed either by the Secretary of the Council, or by the whole Council. They are read by the Secretary for Native Affairs, and passed on to me. Anything involving money fines is not adopted without my approval.

They would all have to get your approval?—Yes; but I particularly note anything about finance.

Section 10 specifically provides that you should satisfy yourself that the meeting that passes by-laws is a sufficiently representative one?—I leave that entirely to my Secretary for Native Affairs, who, as I said before, can be absolutely trusted to watch the Natives' interests. I cannot personally look into every detail.

Does the same apply to this other requirement—that the subject of a resolution of a Fono be carried in accordance with the usages of Samoans in *fono*?—Well, one can rest assured that all those are done in accordance with their own usage. That is one advantage of the District Council—that they make resolutions in their own way.

When by-laws come forward do you make any inquiry?—I leave it to the Secretary for Native Affairs.

Turn to clause 14, Village Committees: "The Administrator may for the more convenient government of the villages in any district appoint Village Committees with such constitution as he thinks fit, and may, in addition to the executive powers conferred on such committees by these regulations, confer on them from time to time such further executive powers as he thinks fit. Such constitution and further executive powers shall be such as may be notified from time to time in the *Savali*." We have been told that there are Village Committees operating, and I wonder whether you can tell us the date of the *Savali* in which you set up the constitution?—No; I have not been to any one Village Committee. All I know is this: that about two years ago I went round on *malaga* and I asked the various villages what was the chief cause of their progress or contentment, and they nearly all told me it was the Village Committees, who were working together on the instructions that had appeared in the *Savali*. I have not appointed any individual members of a Village Committee. I allow them to appoint members in accordance with their own custom, but I define their duties.

Have you established any constitution?—No, no constitution. There is no fixed number, except the Ali'i and Faipule of the village.

Are the *puleni'us* elected by the people or nominated?—They are selected by the people.

Do you remember that in 1923 you reduced the number of *puleni'us* considerably by amalgamating the duties of various *puleni'us*?—I remember having done something of that kind in a few villages.

In those cases you retired some of the *puleni'us* and their duties were handed over to others?—Yes, their duties were handed to the *puleni'us* of the village alongside.

In those cases the people of the village whose *puleni'u* had been retired had not any real say as regards who would be the new *puleni'u*?—No, they could not very well. I might say that those were places where there were scarcely enough people to warrant a *puleni'u*.

You did not give them the option of deciding?—I cannot remember what was done. I left that to the Secretary for Native Affairs.

It would be as reported in the *Savali*?—Yes.

Regarding the Fono of Faipules and its work: do they merely pass resolutions, or do they pass regulations?—They pass resolutions. I will tell you the system. About a month before the Fono meets, the Secretary for Native Affairs sends out to the Faipule and asks them to hold District Council meetings, and asks them to submit matters for discussion at the Fono. These matters come in a tabulated schedule and are submitted to the Fono. The Fono will decide whether those matters will be agreed to or not as resolutions; and where there is any doubt I always say, "This matter has not been agreed upon. I wish you all to meet together in committee to-night and discuss this matter very carefully, and be prepared to-morrow or the following day to give me your definite resolution on these matters." And that is how the Faipule discuss these matters that come in from the various districts. They are considered most fully, without any influence from me. I usually aid them by exhortation, but beyond exhortation leave the matter to them.

Then they pass only resolutions, not regulations?—No. Those resolutions are then handed in to me. I give them to the Chief Judge. Some of them do not want coding as laws, because there is no penalty clause; they are mere exhortations. Others are sent, after the Judge has gone through them, to be coded as Orders in Council in New Zealand. There is quite a large number there now, but they have been held up on account of this trouble.

A number have come out by Order in Council?—Yes, I think so.

My reason for asking this is that in the Mandatory Report for 1926, page 9, under the heading "Native Legislation," it is stated "The Faipules assembled on two occasions during the year and passed Native regulations"?—That is a phraseology which the outside world would understand. If I went into details such as I have just given you the outside world would not understand.

On page 19, under the heading, "Administration of Justice," it refers to divorce as the result of legislation passed by the Fono of Faipules. It refers to *fa'a-Samoa* marriages?—That is phraseology for the outside world.

Do you not think that the outside world would be more likely to understand them as regulations, seeing that the word "regulation" is used?—No.

And then again in a report written by Your Excellency, in a memorandum for the Minister of External Affairs dated the 19th November, 1926, in the Joint Committee report, the first line, page 10: "The following is a summary of the regulations made by the Fono of Faipule"—They are really made by them. They are regulations passed by them, and only want the signature of the Governor-General. There is very little likelihood that they would be rejected.

Your Excellency will remember those small books that were published; these are the ones?—Yes.

The cover says, I think, "The Laws of Western Samoa"—That is true. Now I am going to explain. When I came here, in 1923, there was no guide for the Samoans. There was only a small book in which the duties of the *pulemi'u* and a few of the officials were set out, and they were obsolete. Therefore I set to work to have all these regulations and exhortations, affecting Natives, put together in the form of a *tulafono*, or law-book, which is their book and which they read, and to put in it a precis of the Samoa Act, particularly a precis of those sections affecting Native life; and that is the reason for those *tulafono* books. They are most useful and helpful.

Was this other phrase, "Approved of or assented to by the Administrator," in accordance with the wishes of the Fono of Faipule?—That is how the Samoans would read it. That is how they ought to be able to read everything. They appreciate being able to regard the Administrator as the man who controls everything.

Do you not think that having been called "Laws of Samoa," and having been approved of by Your Excellency in accordance with the wishes of the Fono, that it was quite likely that the Samoans would get the idea that the Fono was legislating and passing laws?—The Samoans would be delighted to think that it was so. The Samoans would love to feel that their own representatives actually made the laws, and if they did get those ideas it would not make any difference.

It would be quite reasonable for the Samoans to consider those regulations as legislation on the part of the Fono?—Quite reasonable.

A translation of one of these books here—

The Chairman: What is the purpose of all this?

Mr. Baxter: This is in accordance with our case. It has been claimed that the Fono of Faipule has been legislating.

The Chairman: What is the purpose of this lengthy document. I have been wondering what the cost to the country of printing will be?

Mr. Baxter.] On page 1, 7 (3), Your Excellency, you notice the word used there is "law." That would convey the impression that they have the power to legislate, would it not?—Yes; and I would be very pleased if it did convey that impression. The Faipules know that laws must be signed by the Governor-General in Council. I want to uphold the prestige of the Faipules as much as possible.

Turn to page 2, No. 5: "All complaints from a district to the Government must be through the Faipule, and the Faipule will have to forward same in a letter with his opinion as to the subject. It has then to be sent to the Secretary for Native Affairs; but all complaints in Savai'i must go through the Resident Commissioner in Fagamalo." Is there any other provision for complaints not forwarded by the Faipule?—I drew that regulation myself in order to try and decentralize the enormous amount of work of the Secretary for Native Affairs. I believe that the vast amount of work was responsible for Mr. Griffin's death. These regulations were made for the purpose of decentralizing the work, and if we could get many of the complaints put through the Faipules it would relieve the Secretary for Native Affairs and myself of a considerable amount of work. They still not only come to the Native Office with their complaints, but I find them on my steps at Vailima at 7 o'clock in the morning. There can be no question as to whether they have any chance of bringing up their grievances if they have any.

Referring, Your Excellency, to page 5, No. 4, under the heading "Cleaning of Villages," there is a fine fixed there: did the Fono fix that fine? And on page 6, under "Cemeteries and Burials of Deaths": were those regulations made by the Fono of Faipule?—They were passed as resolutions.

You will notice another fine fixed on page 9. Why were these passed by the Fono of Faipule, instead of the District Council?—The District Councils had not been set up then, and they looked to the Kovana and the Fono of Faipule for all regulations under which to work.

And that answer applies, I suppose, to all these?—Those resolutions were of the greatest value to the Samoan people. They have been a lead and a guide to them in village matters, and in general sanitary and other matters.

On page 10, Part 1, on the question of fines: those were, I conclude, fixed by the Fono of Faipule?—Yes, the Fono of Faipule fixed them. Prior to that all fines were paid to the Government. I arranged that three-quarters of the amount should go back to them, to the village funds.

Law 36 in the other volume, "Division of Land": It appears to be permissive, except when we come to law 10, which reads, "When a young man marries there shall be given to him one-eighth of an acre in the village upon which to build his house. That section of land shall be controlled by the Village Committee, and no rent shall be paid for it." As the whole of the village lands belong to—?—This is merely an exhortation and an instruction to endeavour to gradually educate and improve these people. We wish to get them to divide up the land among the *taulelea*. When a *taulelea* gets married he must have village land. We are endeavouring to make all land actually in the village village land, and not individual land. Every Samoan wants his bit of land in the village, and this is put there to help.

It says most definitely that every young man shall be entitled to it?—So he should be.

Then where the village land belongs to various families—?—Where it belongs to Samoan families, nothing is done unless they all agree. We have had several villages where the Ali'i and Faipule have agreed to do away with the family land in the village and make it communal.

Is not the purport of that to give the young man the right to expect to get it: it says he shall have it?—I expect he does. He expects to get land. I am telling you that this is practically an exhortation.

The Chairman.] The mistake seems to be that you have been including in this publication what is merely meant to be advisory, in addition to resolutions of the Fono of Faipules. That is all that can be said about it. No more can be said. Probably no concrete harm has been done at all?—It was only done for convenience.

Mr. Baxter.] I just wish to draw your attention to another typical example. Take resolution 40, referring to dogs and fines: that is merely a reiteration of the Ordinance?—Yes, but it is more convenient to them to have it in their *tulafono*.

But it has not been shown that these are not the same as the others—that they are not the laws of the Fono of Faipules?—It is not necessary to show it. All men want to know is what the laws are, and they are put in here for convenience. They happen to be the laws of the country.

The Chairman.] Mr. Baxter's objection is that you have included laws of the land which are enforceable, and also included with them something which is not the law of the land, which is only a recommendation from the Fono of Faipule. Had these been enforced, Mr. Baxter's case would have been complete?—It has been done for convenience in one book.

Mr. Baxter.] Do you not think, your Excellency, that by placing these laws together in one book without showing they are different the Samoans would be confused?—No, I do not think they are confused at all. It is a simple book, put in a simple way. They get confused with the Samoa Act.

Some of them are enforceable, and some are not?—It is stated where a penal clause is put in.

Mr. Slipper.] Have you, Your Excellency, made it a practice to inquire personally into the matters of banishments or not?—What do you mean: to deal with banishments personally?

Do you make it a practice of inquiring personally into banishments?—All banishments are brought before me by the Secretary for Native Affairs and I make myself cognizant of all the details, because I have always tried to be very lenient in these matters.

The Chairman.: You are at a disadvantage, Mr. Slipper, because when His Excellency gave his evidence this morning you were not here. He told us exactly the practice as regards these banishments. He said that he had adopted the system of having all suggested banishments inquired into separately by Faipules of different districts, and then considering their report and making up his own mind as to what his decision should be.

Mr. Slipper.] Can you explain how it comes about that in so many cases the Boards of Inquiry consisted of Toelupe, Asi-Mama, Aiono, and Fonoti?—We do not necessarily keep to those four. We prefer to use Faipules along this coast, extending from Mulifanua to Falefa, because they are easy to get at.

It is just a question of facility?—To some extent. They belong to different districts, and will not be prejudiced.

I have a list of the various banishments that have taken place prior to the visit of the Minister of External Affairs in June. I find there were fifty-four from 1922. Looking through the list, Your Excellency, I find this sort of thing: a man is charged with conduct provoking a breach of the peace; another is charged with petitioning against a Government official. Can you give any reason why these cases should not have been dealt with by the ordinary British Court?—Many of them are *fa'a-Samoa* offences.

Is that your only reason, sir?—I would say that that is the main reason. They were Samoan offences; and, furthermore, the Samoans are so accustomed to this form of punishment that you will find that if a light punishment is given—normally a month's imprisonment would be given for disturbing the peace, order, and good government—and the man went back again he would have a terrible time. The only way of settling it is by a temporary banishment until the parties become reconciled. I try to avoid it as much as possible.

I have before me one case, "Puipuia; conduct likely to provoke a breach of the peace, to wit, discussed and disclosed family genealogies"?—I would like to point out, Mr. Slipper, that I do not remember the details of these cases.

The Chairman.: Discussing and disclosing family genealogies, &c.: that is a *fa'a-Samoa* offence.

Mr. Slipper.: Can you give me any reason why the ordinary procedure of the British Courts should not have been acted on?

The Chairman.: The only cognizance the British Court takes in such a case is to obtain sureties of the peace, as you know. Why bother about the British Courts?

Mr. Slipper.] In the case of banishments, Your Excellency, you have stated that the conduct in question was likely to disturb the peace and order of the Territory: is that correct?—Yes.

Can you say whether these banishments have been successful in keeping order?—No.

They have resulted the other way, have they not?—No, they have not resulted the other way; but you will never get peace, order, and good government in Samoa while you have a Mau committee in Apia.

The Chairman.] Your Excellency is forgetting the fact that Mr. Slipper is directing his question to banishments prior to the Mau?—I would say that in every case, from what I know, banishments have been in the interests of peace, order, and good government of the villages or districts concerned. Unless prompt action was taken in some of these places, I believe there would have been feuds between the villages, and they might spread to the districts. The absence of feuds can be attributed to prompt action with regard to banishments.

Mr. Slipper.] Prior to the visit of the Minister here a number of these banishments had, in fact, brought about ill feeling and dissatisfaction in the Natives' minds?—Are you referring to banishments of some people made before—

I am referring to banishments since Your Excellency took over your duties here and up to June of this year?—I would say that up to the first public meeting that was not the case, Mr. Slipper.

You were, then, not aware of any unrest or grumbings on the part of the people?—I believe Lago Lago was the only one I knew of, and I was just about to arrange for his title to be given back to him, but when the trouble started I was holding it up temporarily pending an inquiry that Natives all around the country has asked for into the affairs of a company of which Lago Lago had been a director; otherwise he would have got back his title and there would have been no murmurings from him.

Your answer is that this is the only one you know of?—Yes, Lago Lago was the only one I knew of.

Your Excellency will remember that after the Tagaloo and Fuataga cases were heard the banishments were followed up by peremptory arrest outside the Court's functions altogether: is that correct?—They were followed up by arrest only after their failure to obey my order to go back to their villages. I think "banishment" is the wrong term to use. In nearly all cases since June these were merely ordering people to go back to their own villages. Before the meeting of the 15th October they would have obeyed my order: but now they would not obey my orders and did not respect my authority, and it was therefore necessary to arrest them and enforce my authority. There were not many arrested.

But there were some that were real banishments: Mata'u, Ainu'u, and Papali'i?—There were two or three. Ainu'u and Papali'i I dealt with in my statement this morning.

There is a provision in the Samoan Offenders Ordinance for dealing in the Courts with persons who do not obey Your Excellency's orders: why did you not bring these others into Court—Ainu'u, Papali'i and Mata'u?—I wanted to deal with them personally myself, and take all the blame and onus myself for all banishments since June. I did not want any one else to have any of the blame.

The question of Faipules arises in my mind as far as it concerns banishments. Are you satisfied that the Faipules use their position in considering banishments as it should be used?—What you mean is that they are quite impartial?

Yes?—I would say yes, absolutely, because from some of the reports I get I know how they try to bring about reconciliations.

May I ask you this; are the Faipules responsible to the people or to you—For what?

For their activities as Faipules?—They are responsible to the people and to me, and they have got obligations to serve their people and work for the good of their people, and if they do not carry out their instructions as laid down I dispense with their services. I tell them, "Remember you are the servants of the people. I am the servant of the people. You must work for your people." They all know that phrase.

Is there not a danger of the Faipule as a body, on the banishment question, being influenced by private, and personal, and village feuds?—That is hardly a fair question to put to me. There would be no more than with any other person. They may make mistakes, but from my knowledge I believe the Faipules act conscientiously and straight.

As far as Faipules are concerned, the one grave offence in Samoa is to say anything against the Faipule: is that correct or not?—Certainly not correct. The Samoan is too candid. He will speak up pretty freely. He is not afraid to bring his complaints forward.

Do you remember the question of the Faleapuna chiefs?—What do you refer to?

Judge MacCormick.] The case of Tialavea, was it not?—I do not remember the details of that.

Mr. Slipper.] One of the allegations was that one of these chiefs had told the Faipule that he was only the Administrator's child; and a further allegation was that the matter was brought before Mr. Griffin and they were asked to apologize and when they did not apologize they were banished?—I do not believe that is correct. It was dealt with by the Secretary for Native Affairs. From my knowledge that is not correct.

I suppose you know that in ancient times it was not the habit of any district or village authority to take away titles?—They banished them.

I am referring to titles, sir?—I am not quite sure of that. I cannot say that I know that definitely.

You cannot say that you are following any precedent?—Yes, they were taken away in Malietoa's time and in the time of the German Government.

The German Government is your precedent, then?—It is not new, but we have also got it in our laws.

Can you give me an example?—The German precedent is quite sufficient.

If you have not got it, you have not a precedent to act upon?—The German is sufficient.

You let it rest upon the German precedent, then?—We have got it in the law of 1900 in the German Ordinance.

Judge MacCormick: It is enacted by law in 1922.

The Chairman: That is good enough for us, is it not?

Mr. Slipper.] In your orders taking away titles you have not stated any definite periods?—No. I have not ordered any definite periods because I hope they will get their titles back quicker than they anticipated.

Your orders so far are orders taking away their titles for ever as they stand?—Yes, but that is not the intention.

That intention has not been expressed in the order, has it?—No.

Do you not admit that that would cause some dissatisfaction among the Samoans, that there was an indeterminate time for taking away titles?—No, I do not admit that. In cases where I took titles away—

But I am asking you whether the question of this written order being indeterminate as to the time would not cause a sense of uneasiness and injustice?—I do not think so. They have a pretty good idea that they will get their titles back, probably before a specified period of two years, say.

Have you ever given any utterance or published any document to give them that assurance?—No; I have made a statement that when the trouble was over I was quite prepared to pardon the Samoans, because I do not blame them for the trouble at all. I do not blame the Samoans for this trouble.

Do you admit that a Samoan's title is a very important matter to him?—Yes.

Do you think that the holding of his title affects his holding of land in any way?—It carries with it the land.

Is it not possible that where the title is taken away the family may appoint another man to the title?—I think it is possible, but it is not usual. I do not think that in cases like this, where they hope the trouble will terminate, that they will do this.

When you say that this is not usually done in these matters, you mean that they are so recent that we have not had enough experience to show what has been done?—Oh, no; the taking-away of titles has been going on since 1900—twenty-seven years ago—by law.

Mr. Meredith.] I wish to make it perfectly clear that the memorandum of the 25th July (see Exhibit No. 52A) was one of your usual confidential despatches to the Minister and was never intended by you to be published?—That is so.

In regard to the £100,000 loan, I think you have at various times after the original first political meeting explained the position to various assemblies of Natives?—That has been fully explained. A full explanation was given of that to the Fono of Faipules. At every Fono I have attended since—and they have been many—I have explained that £100,000 to them. I have received in reply expressions of appreciation for their understanding it. Furthermore, the Secretary to the Administration, Colonel Hutchen, took up this matter at the meeting of the Legislative Council in March last and made a full explanation.

And that full explanation was made in the presence of the three elected members?—Yes.

The Chairman.] Do you regard your official *malagas* as an important function of your administration?—Yes, the most important function of the year.

How often do you go?—I go round Upolu once and round Savai'i once, but I also make short periodical *malagas* to districts on important matters.

That enables you to keep in touch with the residents of Samoa?—Yes.

With their dispositions and complaints, if they have any?—When they air them very freely.

I want it put on record. We have not direct evidence on the point. About the time of the Minister's visit was there a large or small attendance of Samoans from outside Apia in Apia or in its vicinity?—There was a large attendance from outside of Apia in Apia itself.

Did you regard that as a danger to the community and contrary to the welfare of the community—remaining here, I mean?—I always do if they remain here. Their coming was in accordance with their usual custom of coming in to the boat-races on King's birthday, but a large number remained here.

Can you give me any idea of the number, from information received?—From information received, about five thousand outside Natives.

There was a very large number?—Yes.

Do you know that Colonel Tate had made a number of orders of banishment "during his pleasure"?—I did know.

You do not profess to be a lawyer?—No.

You have to act upon the advice of your advisers as to what your powers are?—Yes.

You know, of course, that the *matai* has the control of the family land?—Yes.

If the *matai's* title is taken away do the family lands still remain in the family?—In cases that have come under my notice the families have stayed behind and looked after the lands. In some cases they have gone away and been given land by their connections in their new village. What happens to the land in the village they have left I have never really been told.

We have been told by Mr. Lewis that the taking-away of the title does not involve forfeiture of the family land at all, and they just appoint a new head of the family?—I would suggest that the best evidence on that would come from the Samoans themselves.

I understand that all the officials of the Administration are appointed by the New Zealand Government?—Yes.

Mr. Baxter: I do not think His Excellency got your last question correctly, your Honour. I think His Excellency also has the power to appoint officials to the Administration.

The Chairman.] I suppose you have the power to appoint some officials?—Yes.

You are the representative of the New Zealand Government?—Yes. I have the power to make appointments, but they are referred to the Minister of External Affairs, except in the case of Natives.

TUESDAY, 25TH OCTOBER, 1927.

The Commission sat in Chambers at 8.15 a.m. to consider the application of Tuimaleali'ifano to give evidence before the Royal Commission. [See Appendix No. IV.]

The Chairman: Mr. Slipper, I notice that your letter does not comply with my request: you have evaded the most important conditions imposed in the letter. The conditions were that a written statement should be received from you showing the particular topic or topics within the purview of the Commission on which the applicant (Tuimaleali'ifano) desires to give evidence, and the nature of the direct evidence which he is able to give on the topics in question. We want facts and not opinions. You will also observe, Mr. Slipper, that the second ground of that paragraph is not dealt with in your letter. That is so, is it not?

Mr. Slipper : I am not able to quite agree with you, sir. What I apprehend is that there is no likelihood of any other Samoan desiring to give evidence. Your Honour mentioned recently about the question of the flood-gates being opened, and I quite appreciate it.

The Chairman : At the time the applicant made his application to give evidence I saw a Samoan in the room rising to make the same application and he was prevented from doing so by some of the other Samoans in attendance. I saw that with my own eyes.

Mr. Slipper : I was not aware of that, sir.

The Chairman : What do you say about the matter, Mr. Meredith ?

Mr. Meredith : I must say, sir, that I take strong exception to this man being brought in. The evidence which he could give could not in any way assist the Commission ; and, moreover, there have been opportunities over and over again by the various witnesses to give the same evidence, and the evidence which this man desires to bring forward is only a matter of repetition. If it were permissible to accept this evidence, then, of course, it would be open to others to do the same. There is a big feature with respect to this witness that has to be considered, and it is that he is one of the representatives of the two old kingly lines, and I say that if he is brought in, then Malietoa should be brought in, and that, no doubt, would revive the old bitter factions that existed in Samoa for years ; and that is the grave fear. If this man was able to give information that was substantially different from anybody else, and which would be of great assistance to the Commission, no objection would be raised ; but as he can give nothing fresh I must oppose the application to have this man brought in, particularly when it is realized that if he were brought in there is a great danger of Native political unrest. I can say with a full responsibility that I cannot see that this man can tender any evidence that has not already been given over and over again.

The Chairman : Do you say that there is a serious risk of old family or chiefly feuds being incited amongst the Samoans if either one of these two Samoans were to give evidence ?

Mr. Meredith : I take the responsibility of saying, after having made full inquiries, that that would be so. A new political split would probably arise, and that would probably bring a further cause of unrest in Samoa other than the one at present existing.

The Chairman : What have you to say to that, Mr. Slipper ?

Mr. Slipper : I am totally unaware of any facts upon which my friend can base that statement. Malietoa has a right to come here if the Commission will hear him. I have no knowledge of any political splits or faction fights that might result from this man being here. He expresses himself as a person who does not belong to the Mau, and has never had any association with the movement. As you are aware, he is one of the two Fautua. I can carry the matter no further, sir.

The Chairman : My colleague and I will confer now and later on we will deliver our judgment and opinions.

At this stage counsel withdrew.

On resuming at 9.5 a.m.,—

The Chairman : Mr. Slipper, with regard to paragraph (p) in your letter to me of the 24th instant, in respect to the ordered disinterment of the body of a Samoan boy at Tanugamanono, we would like to know whether that is a matter in which the applicant was personally concerned—that is, was he any relation ?

Mr. Slipper : That I cannot tell you, sir.

The Chairman : I must accept Mr. Slipper's statement that he does not know anything about it, and therefore I am content. We are of opinion that no good service can be done by admitting the applicant to give evidence at this very late stage of the inquiry. The Commission has been sitting now for some time, and it was only on Saturday last, or a day or so prior to that, that the applicant asked to have his evidence taken. It will be observed that Mr. Slipper has not given the Commission, as he was requested to do, a statement with respect to the direct evidence which the applicant was able to give upon topics within the purview of the Commission. Mr. Slipper has, however, referred to the topics, and we propose to deal with them seriatim. Paragraph 2 of his letter reads, " My client desires to record his views of the Mau and the growth of the Mau, and the relation of the Mau to the objections and complaints that have been made against the Administration." The Mau, the growth of the Mau, and the purpose of the Mau have been the subject of a vast volume of evidence which has been called, and, therefore, the views of the applicant as to the Mau can be of no assistance to the Commission. We want facts and not opinions, and we are satisfied that the applicant can add nothing further to our knowledge of the facts relating to the growth, purpose, and objects of the Mau. With regard to 3 (a), which relates to the meeting at Mr. Meredith's residence, I may say that the parties who have been before the Commission think that all the evidence relating to this meeting is before us and they have not desired to call the applicant. Indeed, only yesterday Mr. Baxter, the leading counsel for the petitioners, expressly dissociated himself from the applicant giving evidence. The evidence relating to the meeting at Mr. Meredith's house was intended to be used only for the purpose of showing that at that interview Mr. Nelson contemplated a joint meeting of the Europeans and Samoans at Apia. The matter seems to concern Mr. Nelson, and Mr. Nelson, by his counsel, does not desire that this witness should give evidence. We may add that we have all the information that we think is necessary to enable us to determine any question arising as to this meeting. The next paragraph (b) relates to the view of Mr. Slipper's client as to the attitude of Mr. Nelson in all these matters. That is a pure matter of opinion, which cannot be of any assistance to the Commission. In regard to paragraph (c), which reads, " Why my client signed a letter apparently expressing confidence in the Administrator." we presume that this refers to a letter, or to an address, presented to the Hon. Mr. Nosworthy dated the 1st June, 1927, on page 1 of the State parliamentary paper, A.-4B. This document has hardly been referred to at the hearing before the Commission, and we at once say that we do not propose to lay any stress whatever upon that document. It is, therefore, unnecessary to

receive explanations which the applicant may have for signing that address. Paragraph (*d*) of the letter reads, "The desire of my client's people to bring representations before His Excellency." We have had this matter over and over again. I do not know what the Commission has been doing if it has not been dealing with the representations which the Samoans desired should be brought before His Excellency and now before the Commission. Now, paragraph (*e*) reads, "The constitution of whatever examining Boards of Faipules may exist, and especially the Board of Faipules that sat in judgment on my client." That again relates purely to a matter of opinion. We have had ample evidence dealing with the constitution of the Board of Faipules, and I shall show presently we are not concerned with the Board of Faipules which sat in judgment, so it is said, on the applicant. With regard to paragraphs (*f*) and (*g*) I desire, first of all, to ask Mr. Slipper a question as to whether his client has any official duties to perform.

Mr. Slipper : Yes, sir, as Fautua.

The Chairman : That is not an answer to my question. What are his official duties as Fautua ?

Mr. Slipper : To advise His Excellency the Administrator.

The Chairman : Exactly, and when his advice is sought ?

Mr. Slipper : Yes.

The Chairman : Paragraphs (*f*), (*g*), and (*h*) read : "*(f)* Why my client's official position was suspended ; *(g)* My client's attitude as to his official position ; *(h)* The Administrator's attitude towards the Fautuas." These matters are not the subject of any complaint, nor was any evidence directed as to these matters. It is not clear that the Fautua nowadays has any definite duties to perform. As Mr. Slipper says, he only has the duty of advising the Administrator, and I presume that that advice is given when his opinion is sought. In our opinion, it can be of no service to the Commission nor of any service to the public to discuss the position of the Fautuas or to investigate any of the circumstances relating to what is suggested to have been a suspension of the applicant. We know nothing whatever about it. We are satisfied that no injury will be done to the public or to anybody by our abstention from dealing with these matters. Paragraph (*i*) reads, "Banishments and removal of titles." I do not know what we have been doing for the last few weeks if we have not been dealing in detail with the question of banishments and the removal of titles. Paragraph (*j*) reads, "The recent law providing for banishment to the Tokelaus for as much as two years" : What does that mean, Mr. Slipper ?

Mr. Slipper : You are aware of the provisions in the Act of this year ? [Copy of Act handed to the Chairman by Mr. Slipper.]

Judge MacCormick : The Samoan Amendment Act was passed by the New Zealand Parliament in 1927.

Mr. Slipper : Yes, sir.

Judge MacCormick : That means they can be sent to the Tokelaus as if they were part of Samoa.

Mr. Slipper : Yes.

The Chairman : This paragraph relates to the recent provisions of the amending Act of 1927. This Act was passed by the New Zealand Legislature, and it appears to us that the applicant can hardly give us any information to show the propriety or otherwise of that provision, if it be within the scope of the Commission. It is clear that any evidence which the applicant can give upon this point would be evidence of opinion and not of fact. Paragraph (*k*) relates to the abolition of Samoan customs. This has been the basis of most of the complaints which for the past five weeks have occupied the attention of the Commission, and any evidence upon this point would clearly be pure matter of opinion and not a matter of fact. The next paragraph (*l*) relates to the medical tax. Again, any evidence which the applicant would give must be a pure matter of opinion and not matter of fact. I may say that all the evidence so far relating to the medical tax has been pure matters of opinion, which, with Native witnesses, it was impossible to exclude once they were in the witness-box. Paragraph (*m*) reads, "The fact that the Faipules are not representatives of the people." This matter has been thoroughly discussed, and examination has been made as to the method and circumstances with respect to the appointment of each Faipule. It is clear that the applicant can add nothing to the information which has already been submitted to the Commission on this point. Paragraph (*n*) reads, "The number, in my client's opinion, of Government officials whose services are not warranted." Here again the matter must be one of pure opinion and not of fact.

Judge MacCormick : Mr. Slipper has been fair enough to say that it is a pure matter of opinion.

The Chairman : Mr. Slipper now says that this matter is put forward as a pure matter of opinion. Paragraph (*o*) reads, "The multiplicity of means for punishing Samoans." Again this is a pure matter of opinion and not one of fact. Paragraph (*p*) says, "The ordered disinterment of the body of a Samoan boy at Tanugamanono."

Mr. Slipper : Will you permit me to look up the details of this matter ?

The Chairman : We ought to be supplied with details. Mr. Slipper is unable to give any definite information as to precisely what the complaint is with regard to the disinterment of the boy in question. We have heard nothing of the matter before, and it can hardly be said to be an act of the Samoan Administration. We do not even know whether the applicant is a relative or is in any way concerned with that disinterment. It is perfectly clear that it would be impossible to expect the Commission to enter into an inquiry relative to such dispute. Paragraph (*q*) reads, "The desire of my client's people to have a share in their own Government." Again this is a pure matter of opinion, and it has been the subject of voluminous evidence. Paragraph (*r*) reads, "The indisposition of His Excellency to heed the suggestions of the two Fautuas." Again this is a pure matter of opinion. It would be almost improper for the Commission to put before the public the confidential communications on such matters, if any, which took place, between His Excellency the Administrator and his two official advisers. It is quite obvious that this is not a matter to which publicity should be given ;

and, moreover, it is clear that these communications are privileged at common law. I have felt that there is something unusual about this application, and what it is I have been unable to determine; but the circumstances are, as I have said, unusual. Why is that it this man did not come forward before? He had the opportunity of coming before the Commission, and he absolutely abstained until just recently from intimating that he wished to give evidence. Mr. Meredith, speaking with a full sense of responsibility, intimates that there is a possibility, if one Fautua is called, of factional disputes being raised in Samoa. We do not know whether that is so or not. It is, however, sufficient reason for us to exercise great caution in acceding to the application, and only to grant the application if we are clearly satisfied that the applicant can give evidence which will be of assistance to the Commission. On these grounds we decline, after the close of the case, to receive this evidence.

Mr. Slipper: May I be permitted to observe, sir, that while the activities of the Commission have practically resolved into the hearing of plaintiff and defendant—Mr. Meredith and Mr. Baxter are agreed in this—the fact is that under the order of reference any person can come in and give evidence.

The Chairman: No; surely you are talking without the book.

Mr. Slipper: I am talking with His Excellency the Administrator's direction in front of me, which says, "All persons desirous of bringing any matter or complaint before the Commission should either attend a sitting of the Commission or communicate with the Secretary."

The Chairman: That is an advertisement. It does not mean that every one who desires to give evidence can do so. The duty of any one who desires to give evidence is to interview the Secretary and give him information as to the character of his or their evidence, and then the Secretary submits the information to the Commission and we say whether it is relevant or not.

Mr. Slipper: Very properly.

The Chairman: You are incorrect in saying that this inquiry resolved itself into a procedure between plaintiff and defendant. Mr. Baxter and yourself have very properly taken upon yourselves to represent the discontented people in Samoa; is that not so?

Mr. Slipper: I am afraid I cannot quite agree with you, sir. It is the Mau.

The Chairman: Very well, the Mau. Outside the Mau this is the only person who wants to give evidence on his own initiative.

Mr. Slipper: So far as I know, sir.

The Chairman: I do not think that we need add anything further, Mr. Slipper.

EDWARD VICTOR TIBBO sworn and examined.

Mr. Slipper.] You are a marine engineer, are you not?—Yes, and a carting contractor.

You have an objection against the Administration as regards their controlling the engineering and transport work in Samoa?—Yes.

Is this work that you complain about under the control of the Administration, or is it a part of the reparation business of New Zealand?—That is the nature of the complaint. What I am anxious to find out is which is the Administration and which is the Reparation Estates. About four years ago the Engineering Department of the Public Works was different from the Crown Estates—they were two separate Departments. I was running one Department for the Public Works, and the other was the Crown Estates, controlled by another man. The accounts for the two Departments were separate matters. On the arrival of General Richardson the two Departments were merged and formed what is known as the Engineering and Transport Department, and this is classed as the Reparation Estates. What has become of the assets of the Public Works I have not been able to find out, and it affects me, because the Reparation Estates are controlling the Administration Engineering Department, inasmuch as no person or any official of the Administration can obtain transport or get any engineering-work done unless they get the sanction of the Engineer in charge of the Reparation Estates.

Do you know of any circular or publication from the Administration with respect to this?—There was a circular issued by the Administration to the effect that all transport in future for the Administration must be got from the Reparation Estates.

What effect has this upon private business?—The effect is that several lorry-owners and engineers are deprived to a certain extent of their existence—that is, there is no work for them, and there is no competition. They are not given an opportunity to tender for work from the Administration. They were up to twelve months ago, but now it is stopped.

Does that cover what you wish to say?—Yes, that is about the gist of it.

Mr. McCarthy.] Is it not a fact that tenders are frequently asked for?—I would not say "frequently."

Have you not tendered for any work?—Up to twelve months ago, yes.

Have you not had work?—Yes, I have had work from the Administration.

Has not the Public Works Department employed you?—Yes, several times previous to the merging. That is my complaint.

Even since?—No, I would not say that.

I mean ever since the Engineering Department has been taken over by the Reparation Estates?—There is no work done except by the Transport Department.

Is it not a fact that that "transport" refers to officials who use their cars on official business?—I am speaking with regard to trucking. The truck-owners are complaining, there being about six or eight of them.

Who are making the complaint?—Mr. Berking, Mr. Betham, Ah Mu, Hall and Campbell. Hall and Campbell complain that their engineering-work has been taken away.

Is it not a fact that the Reparation Estates do not undertake private engineering-work?—I admit that it is not their duty. The Reparation Estates have their own Engineering Department; but the Administration is controlled by the Reparation Estates, and no outsider gets a chance.

I do not think that is right?—Up to twelve months ago it was all right, but since the merging things have changed.

Is it not a fact that the whole of the Engineering and Transport Department is under the control of the New Zealand Reparation Estates?—Yes, it is the property of the Reparation Estates entirely.

And they do the repair work for the Administration?—For the Administration, yes.

And the officials' cars?—They are not quite at liberty to do that.

What private people do they do repairs for?—I have noticed Mr. Klinkmueller's car and Mr. Hufnagel-Betham's car there.

Mr. Hufnagel-Betham's car is used on official business?—Possibly, but it is his own private car.

How many times have you known Mr. Klinkmueller's car to be there?—About two or three times.

Is it not a fact that he took his car there because other people could not fix it up for him?—That is not the point, Mr. McCarthy. The point I am making is that they should not be allowed in. It is the principle of the thing that I am attacking.

Do you know of any others?—I cannot think of any others for the moment. I would not make that a plank.

Mr. Klinkmueller's car is really the only private one that you know has gone in there?—No.

What others?—I noticed Mologa Ah Mu's car there.

Was he not employed in the Engineering Department?—Possibly he was.

He is not employed there now?—No.

He was employed there for a considerable time, was he not?—Well, for two or three months.

Can you remember any other private work that was done there?—I have seen Mr. Wild's car there, and practically every one in the Administration who owns a car.

Is not Mr. Wild's car used on official business?—Perhaps. The point I wish to bring forward is that practically every one in the Administration has had his car fixed up in the Engineering and Transport Department, and that has been the subject of charges against the Administration.

Outside the officials, the only man you can mention is Mr. Klinkmueller?—I will say that.

Mr. Slipper.] These cars driven by officials like Mr. Hufnagel-Betham: can you tell the Commission whether those cars belong to the Administration or the individuals who drive them?—In the majority of cases they belong to the individuals who drive them. They are used on official business, and I believe a certain sum is given them each year as a transport allowance.

With regard to the management of the Reparation Estate in Samoa, who is the local manager?—Do you mean in regard to engineering?

I mean in regard to anything in connection with the Reparation Estates?—I should say that the Administrator is the head.

Mr. McCarthy: There is a Board of Control.

Judge MacCormick: We know that there is a Board of Control, but at present we do not know who is on it.

The Chairman: You are aware, Mr. Tibbo, that in our letter to you we intimated that we could not be of very much assistance to you. What occurs to me to be the most convenient course to adopt would be to ask Mr. McCarthy to forward a written reply from some official with respect to Mr. Tibbo's complaint. I would ask Mr. McCarthy to let me have that as soon as possible, and I will get the Secretary to submit it to Mr. Tibbo for any observation that he wishes to make. Does that course seem suitable to you, Mr. McCarthy?

Mr. McCarthy: Yes, sir.

The Chairman: And to you, Mr. Slipper?

Mr. Slipper (after reference to Mr. Tibbo): Yes, sir.

STATEMENT BY SECRETARY, SAMOAN ADMINISTRATION, IN REPLY TO MATTERS RAISED BY MR. E. V. TIBBO REGARDING ENGINEERING AND TRANSPORT DEPARTMENT.

The Engineering and Transport Department is the property of the New Zealand Government and administered as part of the New Zealand Reparation Estates. Originally both the Public Works Department and the New Zealand Reparation Estates Department had engineering-shops and transport depots, but for the purpose of economy and efficiency these were amalgamated on the 1st April, 1924, under the Engineering and Transport Department, which came under the Administration till 31st March, 1926, when it was transferred to the New Zealand Reparation Estates. Samoan Treasury funds received credit for the value of any Administration property that was transferred to the new establishment.

(a) TRANSPORT.

The policy followed since the 1st April, 1924 (and still being followed), has been to assist private lorry and car owners as much as possible, consistent with the public interest. The Department does not maintain sufficient transport to cope with the total needs of the New Zealand Reparation Estates and of the Administration, but only sufficient for ordinary routine work and to keep a check on local prices.

I am attaching a schedule, totalling £793, showing amounts paid to Mr. Tibbo for hire of his lorry by the Public Works Department between October, 1924, and October, 1927.

Public Works Department.—E. V. Tibbo, Contractor.

				£	s.	d.
1924.						
Oct. 10-12	..	To Lorry-hire, as per voucher	169	Afega Road	..	13 17 6
Oct. 27-Nov. 8	..	"	165	Faleula Road, &c.	..	44 2 0
Nov. 17-19	..	"	183	"	..	18 2 0
Nov. 20-26	..	"	189	"	..	26 8 0
Nov. 27-Dec. 3	..	"	194	"	..	23 4 0
Dec. 4-10	..	"	211	"	..	26 4 0
Nov. 11-17	..	"	214	"	..	20 10 0
Dec. 18-24	..	"	216	"	..	10 10 0
Dec. 29-31	..	"	218	"	..	8 0 0
Dec. 31	..	"	223	"	..	0 13 6
1925.						
Jan. 3-7	..	"	228	Afega Road	..	6 8 0
Jan. 8-14	..	"	233	"	..	16 5 0
Jan. 16-21	..	"	241	"	..	10 2 0
Jan. 22-31	..	"	247	"	..	30 12 0
Feb. 2-7	..	"	259	"	..	21 0 0
Feb. 10-14	..	"	264	"	..	10 18 6
Feb. 17-21	..	"	270	"	..	20 2 0
Feb. 23-28	..	"	273	"	..	20 5 0
Mar. 2-7	..	"	288	"	..	21 14 0
Mar. 10-14	..	"	297	"	..	12 8 0
Mar. 16-21	..	"	302	"	..	17 4 0
Mar. 26-30	..	"	315	"	..	4 16 0
June 9-12	..	"	361	Ifi Ifi Road	..	11 4 0
June 13-15	..	"	391	"	..	1 12 0
Aug.	..	"		Malie Road	..	0 12 0
Aug. 26-Sept. 4	..	"		Sea-wall	..	16 10 0
Nov. 19	..	"		Hospital thatch	..	0 18 0
Dec. 15-19	..	"		Taufusi Road	..	34 10 0
1926.						
April	..	"		Sundries	..	9 0 0
Sept. 8-16	..	"		Main Coast Road	..	38 0 6
Sept. 21-24	..	"		"	..	27 11 6
Sept. 27-29	..	"		"	..	16 13 6
Oct. 4-14	..	"		"	..	29 8 0
Oct. 15-26	..	"		"	..	25 8 0
Nov. 11	..	(Betham & Tibbo) Vaiusu Road	..	..	..	49 0 0
Nov. 14	..	as per voucher, Vaiusu Road	..	..	..	3 0 6
Dec. 13	..	"	..	Savalalo Road	..	14 8 4
Dec. 13-22	..	"	..	Sea-wall	..	20 16 0
Dec. 13-31	..	Coral supplied, sea-wall	..	..	..	7 8 6
Dec. 15-31	..	Stones supplied, sea-wall	..	..	..	6 18 10
Dec. 29-31	..	Sand supplied, sea-wall	..	..	..	2 12 0
Dec. 18	..	Amount advanced, sea-wall	..	..	..	8 19 10
Dec. 11	..	Amount advanced, sea-wall	..	..	..	12 3 8
Dec. 23-Jan. 14, 1927	..	Lorry-hire, stones to sea-wall	..	..	..	19 10 0
1927.						
Jan. 15	..	Amount advanced, sea-wall	..	..	..	7 0 0
Jan. 24	..	Lorry-hire, stones, sea-wall	..	..	..	1 1 0
Jan. 24	..	Amount advanced, sea-wall	..	..	..	17 10 0
Jan. 25-Mar. 9	..	Lorry-hire, stones to sea-wall	..	..	..	5 8 0
April 22-30	..	Lorry-hire, stones to sea-wall	..	..	..	3 5 0
Sept. 20	..	Allowance, supervision work, sea-wall, &c.	..	..	..	20 0 0
					£793	14 8

Large sums have been paid by the Public Works Department to other owners of private lorries, and in addition the Engineering and Transport Department itself paid the sum of £859 during the year ending the 31st March last for the hire of private trucks, vans, and cars to supplement its own transport. The Public Works Department do still continue to call for tenders for anything other than permanent transport work. In June last, for instance, tenders were called for the supply of sand for the Main Coast Road from Levi to Tuana'i. Amongst others, Mr. Tibbo signed a statement that he had read over the conditions of contract for this work. The amount paid by the Engineering and Transport Department for the hire of private trucks, vans, and cars for period 1st April, 1927, to 30th September, 1927, was £322. Probably the reason that private owners are receiving less transport work this year than last is that, whereas last year some £6,638 was spent from loan-moneys on roads in Upolu, this year the amount allocated from loan-money is £500 only, and transport of material forms a considerable portion of the cost of roads.

(b) ENGINEERING.

The policy being followed in regard to motor-repair work is set out in the following letter, dated the 13th April last, addressed to Messrs. O. F. Nelson and Co., Ltd. :—

13th April, 1927.

Messrs. O. F. Nelson & Co., Ltd., Apia.

DEAR SIRS,—

I am in receipt of your letter of the 9th instant, relative to the Engineering and Transport Department doing work for outsiders.

Although this Department as part of the New Zealand Reparation Estates Department, and therefore a commercial undertaking, is not in the same position as the Public Works Department, which is a public Department, still the present policy is that the Engineering and Transport Department should not do work for private individuals that can be done by local firms.

I have seen the Officer in Charge, Engineering and Transport Department, and he has promised to give me a list of what work has been done for the L.M.S. So far as he remembers, it was confined to repairs to an L.M.S. car which broke down just outside the Engineering Department's workshop, and to the fitting into a lorry (which the Mission had purchased from your firm) of some gears, which were also purchased from your firm. Other outside work was done on a lorry which the Hon. A. Williams had purchased from the Engineering Department, and which he complained had never been quite right. Other work is also sometimes done for local firms—as for instance, some lathe-work was done for your firm yesterday.

As regards cars belonging to officials of the Administration, where such cars are used on official business, the right to attend to these is reserved to the Engineering Department should the owners so wish. Probably, however, the Department's charges for this class of work are no less than that of local firms.

I can assure you that the Administration has no desire to interfere with local enterprise in this matter. The formation of the Engineering and Transport Department was forced upon us in the first place owing to there being no local shop that could attend promptly to all the Administration and Crown Estates motor transport and machinery. Your own firm's workshop, which was the only one in any way equipped for such work, had its hands full in attending to your own motor transport and marine work, and your own customers.

Yours faithfully,

J. W. HUTCHEN, Secretary.

The Officer in Charge, Engineering and Transport Department.
For your information.—J. W. H., Secretary.

That this policy is in fact being followed is evidenced by the following statement from Mr. G. Klinkmueller, who is referred to by Mr. Tibbo in his evidence :—

Re Complaint by Edward Victor Tibbo.—Statement by G. Klinkmueller.

I sought the services of the Engineering and Transport Department on one occasion when I had a puncture just near the shop of the Department. At that time the engineer also adjusted my carburetter. On another occasion the wheel of my car broke; this was outside the Courthouse. I asked the Department for help, and the car was taken to the Engineering-shop. I was informed that repairs could not be effected unless I had authority from the Secretary. I did not get this authority, and did not try to. Mr. Ah Mu repaired the damaged wheel, and has ever since attended to my work. Previously I used the services of Messrs. Hall and Campbell, and Mr. Jones, private engineers, for my car repairs.

G. KLINKMUELLER.

REPLY TO STATEMENT FROM ADMINISTRATION.

To the Secretary, Royal Commission, Courthouse, Apia.

October 29th, 1927.

DEAR SIR,—

I am in receipt of communications in respect to certain charges which I have laid against the Administration. I find that they have no bearing on the matter under discussion, but are simply statements to the effect that I have been in receipt of remuneration from the Administration at various times for work done under contracts. In this statement I find that it is admitted that the Engineering and Transport Department is the property of the New Zealand Government and is administered as a commercial undertaking (*vide* paragraph 2 of letter to Messrs. O. F. Nelson and Co., Ltd). I submit that, as this Department is a commercial undertaking, it should conform to the rules regulating commercial undertakings, and, further, should not have any monopoly of Administration work in regard to transport and engineering. I refer you to the circular letter to Heads of Departments of the Administration published on the formation of the Engineering and Transport Department some time ago, in which it is stated that all transport for the Administration must be procured from the Transport Department (Reparation Estates).

In regard to paragraph (a), "Transport," in the statement in reply, I wish to state that the policy followed as stated since 1924 is not now being followed, and this has caused considerable ill feeling against the Administration by various truck and car owners, in addition to engineering-shop owners. If, as it is stated, this Department is the property of the New Zealand Government, then it is contended that they should conduct the Department under New Zealand rules in regard to their employment of the engineering staff. The present Engineer in Charge holds the dual position of Engineer in Charge of the Reparation Estates in addition to the position of Engineer in Charge of the Administration. It has been shown in evidence that the virtual manager of the N.Z. Reparation Estates and interests is in fact His Excellency the Administrator. It is true that there is a Board of Control, but it appears to be equally true that His Excellency controls the Board. The engineering fraternity of Samoa are not in a position to criticize the actions of the Engineer in Charge of the Reparation Estates, and are unable to ascertain just exactly where he commenced operations as Engineer or the Administration. This has been brought about by the unwarranted action of the Administration in amalgamating a private trading concern with the Administration of Western Samoa. Though the amalgamation is denied, and though it is alleged that New Zealand's enterprises in Samoa are things apart from the Administration, still the facts remain that New Zealand is the Mandatory Power, and that the difference between the Samoan Administration and New Zealand is no more than the difference between Tweedledum and Tweedledee.

In regard to the denial of Mr. Klinkmueller that he has been in receipt of extensive assistance for repairs to his car, I wish to point out that I do not lay any charge against one individual, but contend that the Department concerned have at various times done repair work for practically every Government official, contrary to paragraph 2 mentioned above. If the Department is, as stated, a commercial undertaking, they are at liberty to do work for any person, but not to monopolize the Administration in regard to their undertakings.

The circular letter referred to is No. of 19

This complaint is made by Messrs. Ah Mu, C. Gardain, A. Betham, R. P. Berking, Hall and Campbell, J. Gascoigne, F. Warren, G. E. L. Westbrook, O. F. Nelson and Co.; and E. V. Tibbo has been appointed verbally to place this matter before the Royal Commission for their opinion.

Trusting that this will terminate the matter, and with many thanks for your kind consideration,

Yours most respectfully,

EDWARD VICTOR TIBBO.

I HAVE to inform you that I have made application verbally to the Secretary of the Administration for the number of the circular letter referred to, and have been told by him that I am not at liberty to peruse it. The Commission will therefore understand why it is that the definite information is withheld which I wish to put before them, though I am most desirous of obtaining this information to support my charges.

29th October, 1927.

ED. V. TIBBO.

THURSDAY, 27TH OCTOBER, 1927.

The Chairman : Mr. Meredith, a chief named Tuala Tulo gave evidence, saying he was not served with an order, nor was any such order tendered to him. It was promised that that order would be put in. Could you produce it now ?

Mr. Meredith : Mr. McCarthy has investigated the matter, Sir.

The Chairman : Does it want any explanation ?

Mr. McCarthy : No, sir, except that this man refused to take the order when it was tendered to him. It was an order for arrest and banishment.

The Chairman : Is that on the affidavit ?

Mr. McCarthy : It is.

The Chairman : Very well, then, show it to Mr. Slipper, please.

[Affidavit shown to Mr. Slipper by Mr. McCarthy.]

The Chairman : Have you any objection to the admission of that order ?

Mr. Slipper : No, sir.

The Chairman : I sent for Mr. Allen this morning and told him that the Commission would require copies of the minutes of the two following cases : One case against three persons—So'oalo Tini, Tu'u, and Pepe. The other case is against Tialavea (Tialavea and Tialavea Vevesi) and Savusa.

Mr. Slipper : May I ask, sir, what is the point ?

The Chairman : Defiance of the Board of Inquiry, and endeavouring to usurp the power of the Faipule, thereby causing trouble in the district.

Mr. Slipper : Your Honour suggests that you will require the original records.

The Chairman : Yes. I am going to ask permission of counsel to put in copies, because it seems unnecessary to break up the files.

Mr. Slipper : Yes, sir. I am certainly content to let your Honours peruse the original and, of course, take a copy.

The Chairman : Very well. Mr. Allen will see that copies are sent in to the Commission. [Put in : Exhibit No. 67.]

Mr. Slipper : I draw your Honours' attention, if you will permit me, to one case (Nos. 11, 12, and 13)—Amitunai, Tolova'a Tupu, and Leala Letafea. It was mentioned at Fagamalo. I will merely draw your Honours' attention to the precis here, which seems to show that the persons in question were banished by order of Mr. Biggwither.

The Chairman : What is the inference from that ?

Mr. Slipper : Well, of course, it is not under the hand of the Administrator in terms of the Samoan Offenders Ordinance, 1922.

The Chairman : It is a mere precis. Produce the orders in the case referred to, please. [Put in : Exhibit No. 68.]

GEORGE STAFFORD RICHARDSON further examined.

The Chairman.] Sir George, I wish to call your attention, first of all, to two passages in the evidence of Mr. Nelson. They appear on pages 222 and 224 of the evidence in cross-examination. The question was put by Mr. Meredith : " I think, Mr. Nelson, prior to your leaving, you were on the greatest terms of friendship with the Administrator ? " The answer was : " Well, we were socially friendly ; we did not agree about many political matters and I did not refrain from telling him about these " (page 222). On page 224 there were two questions put to Mr. Nelson by myself : " There is no trace in any of the letters referred to in the letters written by Sir George Richardson and yourself which show any disagreement between you and him on important matters of administration ? " The answer is : " I spoke to him about banishments, but on every occasion when I had spoken to him about matters that he did not agree with he led me to believe and understand that he did not want to discuss them with me." Sir George, the Commissioners understand that the inference from these answers is that there were disagreements between Mr. Nelson and yourself, prior to his departure from Samoa, on important matters of administration : what have you to say about it ?—There was no disagreement on important matters whatever. In the first place, in regard to referring matters to me, it was customary for Mr. Nelson to come to me in my office and put any matters that he wished to bring to my notice before me personally. It was my practice at all interviews with him and other people to give them written replies. I know of one case only where he spoke about banishments. This case was one of the many referred to me some years ago—I cannot say whether it was two or three years. It was a case of banishment in the village in which I know Mr. Nelson is personally interested, near his old home. He complained to me about three cases of banishment. As far as I can now remember, I gathered the impression from him that he did not understand the reason for a special committee of Faipule to investigate those cases. I thought that he considered that these Faipule had too free an authority to inquire and punish, which was not the case. I replied to him that I certainly would go into these matters, which I did [See exhibit No. 69.] I found the case in question a rather serious one, and one likely to disturb the peace and good order of that district—Safotu and Safune. Both the Secretary for Native Affairs and the Resident Commissioner were interviewed by me on those cases in which Mr. Nelson was interested, and I assured myself that the matter had been fully inquired into—more fully than was usual—and that there was no alternative but to carry out the banishment, which was then ordered. But the general policy of banishment, this was not discussed, only those particular cases.

Did Mr. Nelson at any time before his departure from Samoa discuss the general policy of banishments at all with you ?—No, not general policy. I will say that in the Legislative Council, in regard to the disagreements which are referred to, that is true. I got disagreements from not only Mr. Nelson, but from the other members, too. They are the ordinary political disagreements on matters put before the Council, and everything they say in that Council is referred by me to the Minister in New Zealand. As to my being friendly with Mr. Nelson, that is perfectly true.

We do not wish to deal with that at all. Just one other question—I will put the matter to you distinctly : What do you say as to whether Mr. Nelson ever discussed with you outside the Legislative Council any important matter of Native policy on which he disagreed with you ?—I remember only one case, and that was very early in my regime here, when, being interested in the question of the education of the Native race, I was endeavouring to get information from every source I could as to what was the best policy of education for the Natives. I did not tell him, at the time, of my policy, but I discussed with him the question as to whether we should teach the Natives English, my views

being that in the higher schools, in order to educate the required number of Natives for the administration of this country, we should teach in English, and in all the schools round the country we should teach in the Samoan language, but also teach them English—not educate them in English, but teach them English, so that they should have a working knowledge of the language to enable them to trade and carry on their work with the European community. I do remember his saying at that time—I cannot remember the exact words—that I had better go slow, as he did not agree with the Natives being taught English. Other than this, I assure you that no big policy question has ever been discussed between myself and Mr. Nelson.

Judge MacCormick.] I would like to ask one question, which I should have asked the other day. In Mr. Nelson's evidence given on the 11th October (page 223), he refers to a letter which he received from Mr. Westbrook, in which it was stated that there were thousands of coconut-trees being cut down for one thing and another: is that a correct statement?—An absolutely untrue statement, Sir.

That is not Mr. Nelson's statement, it is the statement of Mr. Westbrook?—I quite understand. It is absolutely untrue.

The Chairman.] I myself think that there ought to be an explanation of the cutting-down of the coconut-trees?—I can only give you my impression at the time. There was criticism, I know, made by Mr. Westbrook, of the cutting-down of the coconut-trees in the village just at the back here. That was part of the policy of the remodelling of villages. I did not force the remodelling on any village; they have been merely exhorted to do so, and if they so desire they can remodel on the lines laid down by the Native Office. Apia Village decided to remodel their village, and there was a number of coconuts in the way—they were where the *fales* were to be put—and without asking the Native Office they cut down those trees and proceeded to start to remodel the village, there being a number, I would say, of not more than ten or twenty trees. The village has not been remodelled as a result of this trouble: it is really in the same position to-day as it was at that time, and can be seen to-day. Other than that, I know of no suggestion which could give rise to Mr. Westbrook's statement. He lives at Apia and goes very little outside Apia, and that, I think, is the reason for his statement.

The Chairman: Mr. Baxter, you are at liberty to cross-examine.

Mr. Baxter: I do not wish to do so, sir.

Mr. Meredith: In the matter of the Safune banishments referred to by Sir George, it is a matter of correspondence, and I can put the correspondence in.

The Chairman: Correspondence between whom?

Mr. Meredith: Between Mr. Nelson and the Administrator.

The Chairman: Let me look at it; I have not heard of this correspondence before, have you, Mr. Baxter?

Mr. Baxter: I have not, sir.

The Chairman (to Mr. Meredith): You should show it to Mr. Baxter as a matter of form. At any rate, it relates only to the Safune banishments.

[Correspondence put in: Exhibit No. 69.]

CLOSING ADDRESSES OF COUNSEL.

Mr. V. R. Meredith: May it please your Honours, before discussing the general position of facts I would like to read a statement made in the despatch forwarded in 1892 by Sir Berry Cusack-Smith, then British Consul, to Lord Salisbury, which reads: "When discontented, the white residents have always retaliated by stirring up intrigues, revolts, and wars among the Natives. When contented, the white residents take no interest whatever in Native affairs except commercially, and would leave the white officials a free hand in dealing with Native matters. Without the moral support of the white residents I believe that no Samoan Government can ever be successful." Those remarks, made thirty-five years ago, have considerable significance now, and it is to be noted that when read to Mr. Gurr, one of the European members of the committee in this case, he concurred that the opinion expressed by Sir Berry Cusack-Smith was correct. Sir, I might briefly survey the position as I understand it to be before October, 1926. The outstanding facts which I would like to refer briefly to the Commission are these: The present Administrator left for New Zealand in November, 1925. On his departure he received addresses of congratulation and affection and esteem from all parties, both European and Native, including amongst the signatories thereto the members of the present European Committee. He returned in February, 1926, and was received with the same expressions of esteem, friendship, and loyalty. The Governor-General visited Samoa in May, 1926, and wherever he went he was met with addresses expressing loyalty to the Government and appreciation of the endeavour of the New Zealand Government on behalf of Samoa—expressions that indicated that throughout the islands there was contentment and satisfaction with the existing conditions. Mr. Nelson left Samoa in February, 1926, and returned in September.

The Chairman: Did Mr. Nelson go abroad?

Mr. Meredith: Yes, sir, he went to Australia and New Zealand.

The Chairman: I do not call that abroad. Did he go beyond Australia?

Mr. Meredith: No, not past Australia.

Mr. Baxter: During that trip, sir, it was only to Australia and New Zealand that Mr. Nelson went. It was a health trip.

The Chairman: He was absent for about seven or eight months?

Mr. Baxter: Yes, sir.

Mr. Meredith: During Mr. Nelson's absence, so far as the Administrator knew—either from his own personal observations or from the reports of his officials—the condition in Samoa was satisfactory

and the Natives contented. During Mr. Nelson's absence the relations of friendship which admittedly had existed between him and Mr. Nelson continued, and this is clearly indicated by the nature of the correspondence which has been put in and which will speak for itself. Not only that, but indicative of the feelings of friendship held by the Administrator towards Mr. Nelson, and his understanding that those sentiments were reciprocated, the Administrator gave him many letters of introduction to make his (Mr. Nelson's) visit as pleasant as possible whilst he was away, including letters of introduction to the Minister of External Affairs and the Prime Minister of New Zealand, where Mr. Nelson was calling on his way home. Mr. Nelson arrived in Samoa, and at the express invitation of Mr. Gurr the Administrator attended a public reception given to Mr. Nelson and there made a speech expressing his regard for Mr. Nelson. That speech is before the Commission, so I do not propose to deal with it in detail. Mr. Nelson replied, wishing the Administrator success in his administration and expressing the greatest admiration and esteem of himself and the citizens for the Administrator, and voicing sentiments that undoubtedly implied that every assistance would be given to the Administrator and to Lady Richardson to carry on the excellent work that had been done in Samoa. This Commission is not concerned with the ethics of the matter. I merely state this as a fact that has now been disclosed: that at the time that those speeches were made by General Richardson on the one hand, and replied to by Mr. Nelson on the other, Mr. Nelson not less than a fortnight before had admittedly made allegations against the Administrator to the Prime Minister in Wellington; and, further, had practically only a week earlier, at a meeting in Mr. Sam Meredith's house, arranged to launch a wholesale attack on the Administration and the Administrator, part of the arrangement being to draw into the agitation the Natives. Now, before dealing in detail with that incident, might I briefly sketch what was the condition of Samoa at the date of Mr. Nelson's return. Politically, they had a system, organized and perfected by the present Administration, whereby all matters of interest to the Samoans came through from the Village Council; thoroughly discussed there and agreed on, they were then sent on to the District Councils and discussed and a decision arrived at; then sent on to the Fono of Faipules for further discussion, and, if agreed on, sent on to the Legislative Council. The Faipules have all stated—and there seems to be no evidence to the contrary—that that mode of political reference and consideration of the Samoans of their affairs was an entirely satisfactory one to the Samoans, and was working with the greatest smoothness. The health of the community was excellent, and it is perfectly clear that the ravages of yaws and hookworm, which had formerly caused suffering and loss of life in Samoa, had been taken in hand and checked by the Medical Department under previous Administrators, and the campaign against the disease has been further successfully carried on under the present Administrator. Child-welfare work had been instituted, and was functioning satisfactorily. The vital statistics show that the birth-rate was increased and the death-rate decreased, and that the population was rapidly increasing. All losses as a result of that terrible epidemic of 1918, which swept this country in common with almost all other countries in the world, were made up, and the rate of increase was such that the population would double itself in about twenty-nine years. Water-supplies, electric light, sanitary conveniences, and various modern matters for the comfort and health of Samoa were instituted, and were highly appreciated by the Samoans. On the commercial side the Samoans were being taught the value of improved methods of producing copra, and arrangements were being made to see that they obtained a better price for their copra by placing at their disposal the marketing organization of the Reparation estates. A steamer was at that time in the process of building for the purpose of providing speedy and efficient transport for their bananas and other food products, so that in the future there should be increased wealth to the Samoans and an economic advantage to every individual in Samoa. I do not wish to load the Commission with references to all the evidence on this point, but the evidence of Toelupe, Aiono, Tagaloa and the other Faipule is typical, and indicates the recognition of the material progress made. That was the position on the return of Mr. Nelson. Everything was working smoothly, and there was every indication of increased prosperity, comfort, and happiness to the Samoans; and, as far as the Administrator knew from his own observations and from the words that had been spoken to him at various meetings and gatherings by Mr. Nelson and others, the political atmosphere was calm and there was no suggestion of any unrest. As I mentioned before, sir, at the time of Mr. Nelson's reception a meeting had been actually held at Mr. Meredith's house. Of this we did not know—nor could it be brought before the Commission until we got as far as the evidence of Lago Lago—that such a meeting had been held. I think I am justified in saying this: I, naturally, in examining Mr. Williams and the other European witnesses, questioned them with a view to ascertaining what arrangements had been made to bring the Natives into this trouble, and an opportunity was given to every one of them to come forward, had they wished to be frank, and this only—that each of them wished to convey to the Commission that the coming of the Natives to that first meeting in the Market Hall was merely a matter of coincidence; that the Natives had heard of the meeting casually in the street and had attended, and it was not until we heard the evidence of Lago Lago, when he gave the information—I do not know whether he did so through inadvertence or not—that we knew anything about this meeting in Mr. Meredith's house; but it is clear now that the European members of this committee arranged that meeting with certain notice, and at that meeting arranged a programme which showed a deliberate intention to foment trouble amongst the Natives. At the meeting there were present the three elected Councillors of the Legislative Council, together with Mr. Meredith; and the Natives present were Faumuina, Tofaeono, the two Fautuas (Malietoa and Tuimaleali'ifano), and Lago Lago. As will be seen from the evidence of Tofaeono at page 177, a motor-car was sent for Tofaeono and Malietoa, who happened to live in the same neighbourhood. Although no information is available as to whose car that was, Tofaeono had said that no fare was paid for that ride, so it is suggested that the people concerned deliberately had sent for these two Samoans with a view to bringing them into this matter. At page 178 Tofaeono gives some details of the meeting:—

“Which of the people there suggested that the meeting should be held?—Then the members of the Legislative Council arranged for a meeting to be held in the Market Hall, and this was agreeable to us.

“Did they arrange that it should be for Europeans and Samoans, or both of them?—Yes.”

Later he was asked:—

“Have you confidence in the wisdom of the Europeans on the Citizens Committee?—I have in them, yes.”

Tofaeono also states that he thought that the only reason why he was taken along to the meeting was because he was a man of great influence and standing, but that he himself had no particular grievance. Faumuina in his evidence at page 158 gives evidence of the arrangements made for this joint committee and states on page 158, “I was appointed to make a speech.” He was appointed to be the speaker on behalf of the Samoans at the meeting. Now, it is admitted by Mr. Nelson on page 226 that he contemplated joint action, and also that this is the first occasion on which in the history of Samoa there has been joint action of Europeans and Samoans in an agitation of this kind. Strangely enough, Mr. Nelson suggests that while speaking in New Zealand he had completely forgotten all about this meeting (page 217). The inference to be drawn from the facts of the holding of this meeting are so clear that no further comments are required from me. The objects of that meeting, of course, are a matter of common-sense, and need no further comment from me; but we can carry the matter much further in the evidence of Mr. Brewster (page 330), on which page there are details of a conversation between Mr. Williams and Mr. Brewster. Mr. Brewster, as you will remember, said that he was going to help Mr. Williams in his election to the Legislative Council. Before the first public meeting Mr. Williams asked Mr. Brewster if he was going to be at this meeting, and Mr. Williams told him that they were having the Samoans at that meeting, and said that with the Samoans at their backs they could do anything. At a further discussion with Mr. Brewster (on the same page), in asking Mr. Brewster to come to that meeting, he said:—

“You should be there. We are having about five hundred Natives. We will be strong enough, but without them we could do nothing, and we must get rid of that man.

“Who was the man referred to?—The Administrator.”

So there is direct evidence of an admission and statement by Mr. Williams before the first meeting that they had deliberately organized to have the Natives there, and that the purpose of having the Natives there was to enable them to effect a purpose—whatever it was—which they could not otherwise effect without invoking the assistance of the Natives and having them at their backs. According to Mr. Williams, the reason for so incorporating the Natives was to assist in an attack aimed at the Administrator. We have, further, the evidence of Mr. Cobcroft on page 331. Mr. Cobcroft, you will remember, was one of the planters who attended the first public meeting, not understanding that Native affairs were to be interfered with, and thinking that it was a meeting for the legitimate bringing of matters affecting planters and other commercial interests, for the advancing of Samoa generally, before the Minister at his arrival. You will remember that Mr. Cobcroft's evidence was that after the first meeting, finding that the Natives were going to be brought into the matter, and finding that Native affairs were going to be discussed, he took strong exception to such, and intimated at the first meeting of the committee that he and Mr. Meyer were going to have nothing to do with it; and Mr. Nelson's reply, as well as the reply of Mr. Williams, is significant: “They” (the Government) “were the first people to bring the Natives into the political arena, when they used them as a lever to bring in prohibition. We have as much right to use them as they have.” This evidence was supported by Mr. Meyer, who was the following witness. This, coupled with the conversation between Mr. Williams and Mr. Brewster, added to the fact of what happened at the actual meeting, leaves, I suggest, but only one conclusion, and that is that the Natives were being made a catspaw for the purpose of giving strength to the agitation being brought forward by the European committee. If it need any further proof, I might call the attention of the Commission to this: we know now that the advertisement for the first public meeting was put not only in the newspaper, but was advertised in Samoan at Mr. Meredith's picture-theatre. That is in the evidence of Mr. Meredith at page 78. He informed the Commission that the majority of his patrons at the theatre in question are Samoans, and it is futile to suggest that that advertisement was put in for any other reason than to attract the Samoans, as it would be perfectly useless to put such an advertisement on the picture-screen as an inducement to the whites to come by putting it in Samoan. We have a further example of the determination of Mr. Nelson and the others associated with him to keep the Samoans embroiled in this agitation, because in the second meeting, doubtless you will remember, the Administrator—having been approached by various of the chiefs, as he has stated in his evidence, to have this agitation of the Natives terminated, and he himself seeing the danger of the joining-up of Europeans and Samoans in matters of this kind—sent a letter down to that meeting, which letter Mr. McCarthy read. This letter was, I suggest, a very correct summing-up of the position and a very proper request to make to the Europeans. In that letter the Administrator stated that he had not the slightest intention to gag criticism, but he asked the Europeans not to join with the Natives in a discussion on Native affairs, because it was, and is, well known to every one that such would naturally lead to trouble. Just how true his view was is indicated by the position of unrest in Samoa at the present time. Regarding the letter to which I have just referred, a consideration of Mr. Nelson's speech to that meeting will indicate clearly that he had no intention of allowing the meeting to comply with the Administrator's request. It is known that Mr. Nelson is, in Samoa, and particularly with the Natives, a man of great influence. He has himself admitted that that is so, and it is also a matter of common knowledge. Whatever Mr. Nelson said at that meeting would have been agreed to, and it was in Mr. Nelson's hands at that time to have either acceded to the request or refused to have acceded to it. A perusal of his speech clearly indicates that he did not take the opportunity to stop the matter at that stage, but deliberately allowed the meeting to go on. We have, further, the subsequent acts of the European committee as an indication of the fixed

determination to act with the Natives, or, rather, through the Natives. We have it in evidence that after these meetings the Mau *fonos* were repeatedly addressed by the European members. This is admitted in the evidence of Mr. Gurr on page 186, Mr. Williams on page 73, and Mr. Westbrook on page 83; and the result of that evidence is that these three gentlemen and Mr. Nelson spoke repeatedly to the Mau *fonos*. Mr. Nelson himself took an active part in forwarding the Native petition, which was signed in March, 1927, and in Mr. Nelson's evidence (page 219) he states that the Native petition "had been submitted to the full meeting of the Citizens Committee, and we read it through, approved of it, and after making some erasions (I thought there was some reference to things which happened long ago which we thought should be cut out) the petition was then typed, read out to the Natives by myself at the request of the Citizens Committee, and signed." So that right up till March the Citizens Committee was fathering the agitation and the petitions of the Mau. Mr. Meredith, on page 82, states that the Citizens Committee is still associated with the Mau movement. Alipia (page 98) states that Mau *fonos* were held at Lepea and Tuafu—that is, Mr. Nelson's residence—and that Mr. Nelson was the chairman at these meetings, and that Messrs. Williams, Smyth, and Gurr spoke at these meetings and told them that the Mau was good. These are just a few references; there are others showing these gentlemen were present at these Mau *fonos*, but I quote just a few. Further references of their active fostering of the Native agitation is indicated by the fact that Mr. Smyth acted as the first treasurer of their funds. That is indicated by Mr. Williams on page 72. Mr. Meredith on page 81 states that since July he has acted as their treasurer—from July up to the present date—and it would appear as if those funds will assume considerable proportions, because in the evidence of Fiu Tuipala, on page 214, the levy being made is 10s. per *matai* and 5s. per *taulealea*. Mr. Nelson's traders clearly were being used in the disseminating of literature and propaganda and the collecting of money. This is admitted in the evidence of Kruse on page 88, wherein he stated that he was collecting on the instructions from Messrs. Nelson and Co., that he was distributing Mau literature, and that the Mau people were carried at half rates on Mr. Nelson's boats. Also, in the evidence of Timu (pages 309–10) is given the details of the operations of Mr. Allen, one of Nelson and Co.'s traders, where he (Timu) says: "Mr. Allen made a speech and said, 'Now that we have finished our discussion with respect to the other matter, I will now talk to you about this, and I will now tell you that there is a Mau organized or established by Mr. Nelson and a committee. I have some papers in connection with this movement. If any one wishes to join the Mau they can do so, and I will send the newspapers from Safune to this store. There is nothing against the law—in other words, there will be no violation of the law in this movement.'" He then proceeded to get signatures of those wishing to join the Mau. Then, we have other active operations proved and admitted. I would like to call the Commissions' attention to one particularly—that is, the circulars that were sent to Savai'i for distribution by Faumuina and Matau, which circulars purported to be an outline of what happened at the political meetings, but which contained expressions (I have not the copy with me, but it is before the Commission) referring to the cruel and oppressive laws on the Samoans, and also referring to oppression and tyranny—expressions which have been admitted by Mr. Williams on page 73 to have been much too strong language to use, and also admitted by Mr. Meredith on page 81 that it would be improper to address such words to the Samoans. Those circulars were prepared by Lago Lago and revised by Mr. Nelson: that is contained in Lago Lago's evidence at page 153 and admitted by Mr. Nelson at page 238, when he said that he takes full responsibility for those circulars. We have two other factors to which I think I should refer the Commission as indicating Mr. Nelson's determination to let the matter go on. Your Honours will remember that in the Native petition great objection was made respecting Toelupe's speech in reference to the emblems of sovereignty. That petition was approved by the European committee—it is admitted—and read over to the Samoans by Mr. Nelson. It is thus impossible for them to say that they were not aware of that ground of the petition; and I do suggest this: that it is also impossible for Mr. Nelson and the other members of that committee to say otherwise than that ground of complaint is perfect rubbish. They, as educated Samoans, all know that the presentation through Toelupe was an act of courtesy, and that the Samoans, in coming to the conclusion that it was anything else, were simply hopelessly wrong and talking what was merely nonsense. If these gentlemen had any regard for their own responsibility to the Natives it was their plain duty then and there to point that out to the Samoans and explain the position to them. They not only allowed these misguided people to remain in a state of ignorance, but they actually encouraged them in it. They allowed the Natives to consider they were in danger of having surrendered their country to New Zealand, and they make this a second ground of complaint in their petition. There is one other matter to which I wish to refer, and that is the question of a statement in the *Samoa Guardian* referring to Mr. Nelson's return with a certain *kava* title. It is not suggested that Mr. Nelson was responsible for that in any way—he was absent from Samoa. Mr. Gurr was asked the question about this matter, and he takes the full responsibility for everything that is issued in the *Samoa Guardian*. The whole point of that publication is what impression it would convey to the mind of Samoan readers; and we have the evidence of Toelupe—and it is not contradicted—and of the various other highly responsible Samoans of various ages and wisdom, and they have all given the same answer—namely, that any Samoan reading that issue of the *Guardian* and seeing the combination in that article of the two *kava* titles—one the *kava* title of the Administrator and the other the *kava* title of the Resident Commissioner of Savai'i—could take only one meaning from it, and that was that the Governor had fallen and was to be replaced by Mr. Nelson. Mr. Gurr has been in the islands all his life, and he claims to know the Samoans; he knows their ideas, their customs, and their language, and would be fully aware of the effect of such a publication on the Native readers amongst whom this paper is circulated. I would now refer to those acts which I may term to be the subsequent acts of the European members of the committee, showing that, having launched the Committee with the intention of using the Natives, at no stage did they intend to let the Natives out,

and accordingly must take full responsibility for anything that has happened as a result of their operations. The question was asked them by me as to whether they had taken any steps recently to undo what they had done, and the reply I received from Mr. Nelson was that he had had no time, and he admits at page 239 that he had taken no steps. Now, sir, I will pass on to the next point which I wish to place before the Commission, and it is that all these gentlemen knew perfectly well what they were doing. This is admitted by all of them. If you refer to Mr. Nelson's evidence at page 228 it will be seen that he admits the Samoans to be suspicious. He admitted that once their suspicions were aroused such suspicions were not easily allayed. On the same pages he says that he knew the whole facts of the Lauti incident—what gave rise to it and what was the result of it—and that the trouble in that case was an intimation to the Natives that certain details of finance had been concealed from them by the German Government. The European members all candidly admit that they knew that it was dangerous to stir up unrest in the Natives. Mr. Williams, on page 71, and Mr. Nelson, on page 230, says this, and this, I think, is of some importance:—

“ You knew that they would take what you said and accept what you told them as being true did you not?—Only after they had examined us and found it to be worthy of their confidence.

“ Had they not examined you before and found you worthy of their confidence?—Yes.

“ So that when you put forward those reports you had their confidence?—Yes.

“ And you knew that they would rely on you?—Yes.”

And, of course, this feeling of confidence of the Natives in the European members was definitely expressed in the last paragraph of the Native petition, which says, “ We wish to express our full confidence in all the work of the Citizens Committee of Samoans and Europeans, especially the reports which they handed to the Administrator by the wish of the Minister.” It is therefore perfectly clear that Mr. Nelson and the others knew that the Natives would rely on them and believe in them, and that the Natives had at various times assured them that they did believe and had confidence in them. Now let me briefly examine the personnel of the committee. We have Mr. Nelson. He is the chairman, and he is a man admittedly of large business affairs, of experience and knowledge of financial matters, and also well aware of the customs and viewpoint of the Natives. It is not upon him to suggest that any errors that were made were made as the result of a lack of knowledge or of experience. Mr. Gurr is a man claiming to be an accountant, presumably with a knowledge of figures. He has been living amongst the Natives all his life; he has been concerned in Native troubles before, and, as was admitted on page 185, was mixed up in the one day's war, being counsel for Malietoa. Mr. Westbrook, another man who has lived amongst Natives all his life; Mr. Smyth, an experienced business man, who apparently has been in business here and been sufficiently successful to retire; and Mr. Williams, another business man in Samoa. Furthermore, three of these gentlemen are members of the Legislative Council, with all the avenues open to them to get accurate information as to any facts which they thought it their duty to place before the Natives. I would also like to point out that there is one fact which is significant, and it is there are two previous occasions on which there have been petitions and applications to move the existing government to another form of government—namely, the petition to Germany in 1910 and the petition of 1921. We find on the first occasion that the petition was signed by Mr. Nelson and Mr. Westbrook—the other men who signed that petition are either dead or have left Samoa—who are active parties in the present petition; and in the second petition, of 1921, it is clear from the evidence of Aiono (page 291) and Fonoti (page 280) that Mr. Nelson supplied the stiffening behind that petition, in telling them at interviews with them to be of great heart and not to give way, but to go on with the petition. In the present situation, the third trouble, Mr. Nelson is the chairman of the European committee, and the man who has taken the responsibility practically of advising the Natives and of seeing that their Native petition—signed in March, 1927—went through. A consideration of the personnel of the committee does not allow them to claim that they are uneducated or ignorant of Natives, or permit the excuse that they did not know the responsibility which they were taking and did not know the probable results of what they did. In such circumstances they had placed on them the gravest responsibility of taking care that everything they put before the Natives, even if they went to the length—which I suggest they should not have done—of interfering with the Natives, was accurate, and this particularly so as they had at their disposal every facility for being accurate. I do not propose to go into details of the reports that were issued, because they have been fully dealt with in cross-examination, and I think I am right in saying that it falls to the lot of few witnesses to be forced to admit such a mass of errors made as did Mr. Gurr; but it has been admitted by Mr. Gurr and others that the Finance Report was framed deliberately to show the Samoan Administration in an unfavourable light as compared with Fiji and Tonga in regard to expenditure, and one would have hardly expected such a total disregard for care in the preparation of these figures. Shocking as this was, one of the worst features of the report is that on page 18, A.—4B, in reference to the £100,000 loan. The gravaman of that allegation, of course, is that it was virtually a charge of fraud on the part of the New Zealand Government—a charge which is and must be absolutely false, to the knowledge of every man who put his name to that report. It is impossible for men like Mr. Smyth and Mr. Nelson to talk about the mortgagee taking as security his own property and not the property of the mortgagor. That is so obvious that it is impossible to see how business men dare take the responsibility of letting a thing like that go out. If they were so hopelessly ignorant as to that position, Messrs. Nelson, Williams, and Westbrook, as Legislative Councillors, must have known the position. The liability for the payment of loans is set out in their own Act. If they had any respect for themselves in looking after their own duties they would have walked to the Administration offices, where they probably call every day, and asked about the position; but, instead of doing that, they allowed this statement to go forward to the Natives. In the evidence of Faumuina it will be seen that Mr. Nelson translated at the meeting these reports to the Natives, and he said at page 159 that what was troubling him was

the £100,000 loan. Other matters in reference to that report that were allowed to go forward as the considered report of business men are equally discreditable to their accuracy and their sense of responsibility. Practically every figure of comparison which has been quoted between Samoa, Fiji, and Tonga is incorrect. An opportunity was taken of getting the Fiji and Tongan figures verified by the respective Treasurers, which put the matter beyond all question. The only observation I wish to make is that, with the whole of the information that was available to these gentlemen in the Fiji and Tongan reports and blue-books, there is not the slightest excuse for any one of these errors being made, and the slightest care and ability on the part of any of them would have prevented their having ever been made. It is difficult to understand the errors in that report. They are so hopelessly wrong that one would think that there could be but three possible explanations for such reports ever going forward—firstly, that they were intended wilfully to mislead; secondly, that, knowing the results, they were criminally careless in sending them out; or, thirdly, that the men who compiled them were so devoid of intelligence as to be unable to do the simplest thing correctly. The last, I may say, appears to me not to be open to these particular gentlemen. Now, taking into consideration their business experience, it is important to note what is the reply of the European committee and the explanation offered when they are faced with the position as to what they have done and said. It is indeed pitiable to think that men claiming to be responsible citizens, speaking for certain portions of the inhabitants of Samoa, should be placed in the position of having to admit what they have admitted. Mr. Gurr, who takes the primary responsibility, admits now that all the figures and facts were wrong and that he did not check them, and does not even know how he made the mistakes. Mr. Smyth, a business man, and who was the joint author of this report, has come all the way from New Zealand to give evidence, and the only evidence he could give was that this report which he signed and fathered was not checked by him and he did not know anything about it. He admitted that he allowed these reports to go forward to these simple-minded Natives regardless of the effects and without taking the trouble to see that the figures above his signature were either right or wrong. It would not seem as if Mr. Smyth had the slightest knowledge of business or business affairs, as the merest glance through the reports would have put him on his guard even if he did not take the proper steps to check them through before signing them. Mr. Nelson, the man of larger affairs, said that he did not read them and had had no time to check them, but presumed that they were right. It appears that the reference to the public works struck him, but even that he did not take any steps to verify. His knowledge, as a Legislative Councillor, of the finances of this country seems to have been sadly lacking when his attention was called to public matters and the £100,000 mentioned in this report. Busy as he is, and busy as he has been, giving interviews to the press and inflammatory accounts of what has happened in Samoa, he could find time for all that—time for trips to New Zealand and for continuing this agitation—but he has never had one half-hour to find out the accuracy of what was above his signature, nor to verify his premises at the outset, or to see whether or not it was the truth he has been telling the world and Samoa: he has not had time to spend one half-hour for this. There could have been no justification, even if it was only at the first meeting in October, that certain matters might have been overlooked and the strictest care not taken. The matter is far worse than that. These reports have been brought forward time after time. It was stated when the Minister was interviewed in June, 1927, that “the representations of the Citizens Committee, as contained in the reports before you, have been prepared by the wish of the people of Samoa; they were approved by them; they were submitted to the Administrator last December with their knowledge and consent, and they are now handed to you on their behalf.” This will be found at page 25, A.—4B; and at page 26 of the same paper Mr. Nelson says, “The people have passed through a very trying time since the committee’s reports were prepared. It has been a terrible ordeal; but the reports remain as they stand, and they are now submitted to you in their original form, just as they were handed to the Administrator last December. They emanate from the very hearts of the people, and were only put into legible form by the Citizens Committee whom they elected for the purpose.” The Natives were allowed to sign their petition, in the last paragraph of which they stated that they had full confidence in the reports of the committee. The whole of that time that these reports, shrieking with falsehoods and inaccuracies, have been in the possession of these gentlemen not one of them has had either the interest or the sense of responsibility to see if they were true. So much for the Financial Report. With regard to the Medical Department Report, I wish to make some comment on it. That report is grossly unfair to the officers of the medical administration; but that, however, is a personal matter, and is not, I suggest, anything like so serious as the other phases which may arise from that report: I refer to the humanitarian side. It is obvious that no medical service can operate in a Native community unless that service has the co-operation and confidence of the Natives, and no report could have been framed in any words so calculated to shatter that confidence as was this Medical Report. “We,” they say, “want a Medical Department that commands respect and confidence, not one which creates more or less ridicule”; and I make bold to say that if the result of that report being sent through the Natives causes the Natives to lose confidence in the medical administration, and if yaws and hookworm and other diseases should arise in this Territory, any suffering which may be caused by such lies directly at the door of the gentlemen who promulgated that report. In respect to the Medical Department there can be no argument, and there can be no justification for the comments they have made. They have all lived in this community, and the visible results of the medical administration here are around them, and, as is, I think, stated by one of the Faipule, “The skin of our children is now all clean.” I understand that yaws, a loathsome disease to look at, is practically cleared in this Group, and hookworm is practically eradicated, as a result of the work that has been done; and we have the testimony of two experts, fortunately, in this instance, who hold up the medical administration of Samoa as a model to all the tropical countries in the world, and they say that New Zealand has solved the question as to whether a Native race can

be saved from decline. The medical gentlemen who are responsible for those results are the gentlemen who have been referred to as objects of contempt and ridicule by the members of the European committee—men who have no medical knowledge and who apparently must have closed their eyes to the facts; and those of them who were members of the Legislative Council declined to take any notice of the official data at their disposal. It seems difficult to understand that the report was framed in the terms it was. One is driven to the conclusion that the report is brought forward either because of personal animus against one or more of the officials, or of crass ignorance. Now, further in this report, referring to figures, there is a most misleading statement—so misleading, in fact, that one must think it deliberate—and that is in connection with the number of in-patients handled by the European nurses. A perusal of the figures there quoted leads one to the inference that the European nurses attended to only a small number of in-patients in their year's work. It is impossible to understand how such a statement could have been arrived at unless it were deliberately intended to mislead the Natives. Mr. Williams, the compiler of the report, under cross-examination, withdrew the allegations he made, and publicly apologized for making them. He further promised to put the matter right with the Natives. I trust he will do so. Now I propose to briefly touch on the question of inaccuracy in the report of the Legislative Council. That report is Mr. Nelson's. Mr. Nelson said that he relied on every one else for the other reports, but this is the one he himself prepared; but we still find it is incorrect, and Mr. Nelson, when faced with the position, admits that it is incorrect, and informed the Commission that he got his information from a newspaper, which, I understand, he now has lost; so that even where he is directly personally responsible Mr. Nelson finds himself in no better plight than the other European members of the Citizens Committee. Of course, the serious aspect of all this is the effect that such misleading, loosely made statements may have on the Native mind. We have now got some idea of the effect which they have had by the evidence that has been given by the members of the Mau, and I would like to briefly refer the Commission to one or two of them to establish that point: The evidence of Ama on page 322, where Anapu made a speech and said that their trouble was finance. Faumuina on page 159 said, "I thought the European figures were correct; that was why I endorsed them"; and in A.—4B Faumuina said (page 30), "Where is our money going to?" Those are Faumuina's own words to the Minister. On page 159, to show the effect on the Native mind by these statements which were being sent out, Faumuina says that he believes that the Government here is spending more money than is being spent in Fiji and Tonga, and that all the members of the Mau were afraid that New Zealand might take over Samoa for debt; also, on page 159, there is this important sentence: that he did not believe the Administrator when the Administrator explained about the loan to him:—

"And did you not believe what the Governor told you on that occasion?—I did not believe it on this account: because he said that New Zealand does not want any money from Samoa, and if New Zealand sees that Samoa is unable to pay it back she will remit the loan. But we are quite satisfied that there is no interest being paid on that loan to New Zealand. That is the reason why I did not believe him."

This just shows the damage which was done by information being sent out by these gentlemen in the way in which they did send it out—that when the Natives did receive an authoritative statement from the Administrator himself, giving them full information and facts, they were not then prepared to believe him. AINU'U at page 167 states he holds the same opinion as Faumuina. TOFAEONO on page 177 says the same thing. Some of the steps taken by the leaders of the Mau movement after the two political meetings are described in a statement made by Matau in an interview with the Administrator, of which a shorthand note was taken. This is before the Commission, attached to the Administrator's evidence. The Natives, it is clear, who had collected in Apia did not go home after the first two meetings, and a big committee was set up for the purpose of forwarding propaganda from Apia to the various districts; and it is equally clear that as a result of the institution of that committee and its operations, and the transmission of inflammatory literature, the Mau movement rapidly grew and disaffected the Natives in almost every part of Upolu and Savai'i. When the Natives were requested to leave Apia they declined so to do, and when given written notice by the Administrator to leave Apia and go back to their villages they refused to obey, and the result of that refusal was the issue of the present banishments, to which I propose to refer later. As the movement grew, the views of the disaffected Natives became more clearly defined, and from a state of contentment and satisfaction with the Administration there has, as a result of the committee, grown up in the minds of a large number of Natives various fancied grievances. The views of the Mau at the present time can be shown by reference to the evidence of a few witnesses. TAMASESE (page 93) was asked: "Do not the *papalagi* members of the committee guide the work of the Mau?" And he replied, "That is a fact when the two sides join together." TIALAVEA (page 115) was asked by Judge MacCormick the following question: "Whom do you look on as the head of the Mau movement in Apia?" and his reply was, "Mr. Nelson." At page 93 Tamasese says that the principal object of the Mau is self-government of Samoa by the Samoans, and the same reply is given in the case of ALIPIA at page 100 and of MOLIO'O on page 111. Indeed, Mr. Nelson (page 243) admits that he is not surprised that this should be so. At page 134 TIALAVEA VEVESE considers that the Samoans should have the right to fix their own taxes and to say how the money is to be spent. LAVEA at page 139 advocates self-government for the Samoans. TAGALOA at page 136 and TAMASEU at page 138 respectively gives the same opinion, and Tamaseu on the same page states that they would do what they liked in regard to the payment of taxes. As evidence of the operations of the Mau committee in Apia, AELUA LAUVAI at page 108 of the Native evidence states that he told the Administrator that the Mau committee in Apia issued instructions to the various districts, and TUIATUA at page 193 stated that the Mau committee had taken the place of the Government officials. Now, sir, I submit there was no unrest of any kind prior to October, 1926. This is established from the

evidence of the Administrator and the Resident Commissioner at Savai'i, speaking as a result of their observations on their respective *malagas*. This is admitted by Mr. Williams at page 71, and is supported in the evidence of Toelupe and various other Faipules. We are, therefore, now in a position to consider what is the result of the operations of this movement. We find that the direct result is that, as far as the Mau people are concerned, the Government has practically ceased to function, and Government officials are openly defied. Practically the country is on the brink of revolution. The *pulefa'atoagas'* directions are openly disobeyed. This evidence is given in regard to Upolu by Saipaia at page 261 Leta'a at page 263 and Palelei at page 264. Their evidence states, first, that their instructions to plant bananas and new coconuts and to clean plantations have been disobeyed, and that the plantations are becoming overgrown with weeds and no proper fruit-supplies for the future are being planted. They have been told that their instructions are not being carried out because of instructions received from the Mau committee at Apia. Similar evidence has been given in respect to plantations by the District Inspectors—that is, the European Inspectors. In the first place, this was given by Mr. Brodie at page 312 in respect to Savai'i, and also by Mr. Stehlin at page 310 and the succeeding pages. Their evidence is to the same effect—namely, that all instructions have been defied by the Mau people, with the result that the plantations are seriously going back, and this disobedience will entail in the future severe losses to the district. Mr. Connor gave similar evidence on pages 328/9 regarding the conditions operating at Aleipata. He also points out that there is another serious factor—namely, that, as a consequence of the neglect to carry out instructions to plant bananas, when the new ship which has been built for the purposes of the banana-export trade arrives there will not be sufficient fruit forthcoming to give her a cargo. The same position of defiance has arisen with regard to the *pulemi'us*. The evidence of certain *pulemi'us* was called as representing the whole class of *pulemi'us*, and their evidence was to the effect that the Mau Natives were refusing to search for beetles, refusing to pay taxes, and stating that this was on account of instructions received from the Mau committee in Apia. The evidence of the *pulemi'us* called was to the effect that the organization was in opposition to the Government generally. Similar evidence was given by the *pulemi'us* in Savai'i, and their evidence is exactly on the same lines as that of the Upolu *pulemi'us*. Similarly, the District Councils are rendered, to a great extent, inoperative because the Mau members are declining to attend the District Councils for the discussion of those matters which should be referred to the District Councils from the District Committees and later forwarded for further discussion by the Fono of Faipule. It is obvious that if this condition of affairs be allowed to continue, and the District Councils do not function, then the whole political system whereby the Fono of Faipules is given the opportunity of finally discussing matters affecting the Samoans will become inoperative. The evidence of members of the District Councils is given by Pune at page 259, Seinafo at page 260, Puliau S. at page 260, and Inu at page 261. The evidence of these four men was corroborated by thirty-one members of their respective District Councils. The *malagas* of the Resident Commissioner in Savai'i, Captain Bell, are at the present time ineffective; *vide* his evidence at page 314, where he states that *malagas* cannot be carried out, as they are useless. Sir George Richardson has said the same thing, and both agree that one of the most important functions that the Administrator and the Resident Commissioner at Savai'i have to perform are the periodical *malagas*, which give them the opportunity of keeping in personal touch with the Natives, discussing in their villages matters of direct interest to the Natives, and giving opportunity for the ventilation of any complaint and grievance which they have, and thus generally acquiring all the necessary information for effectively carrying on the Administration. The *malagas*, as I said previously, are useless because the Mau people have been forbidden by the committee to attend. Further evidence of the effect of the Mau in crippling the functioning of the Government is given in the evidence of various Faipules. For instance, Mata'afa, at page 277, says, "The Mau people will not pay taxes, gun license, and dog-tax; will not search for beetles, neglect plantations, and the condition of the district is awful." Fonoti at page 281 says, "I am very sorry for them because they do not, or did not, attend the last District Councils. They have opposed the Fono at the Village Councils and they do not wish to obey one thing, and they did not attend the *malaga* of His Excellency when he went round." Toelupe at page 284 says that there is difficulty of carrying out the duties of a Faipule since the Mau started. He also refers to the failure to search for beetles, and states that they have appointed their own *pulemi'us*; that the coconut-trees are badly damaged as a result of the failure to search for beetles; that no complaints are brought before the District Councils; that no respect is shown to the Administrator on his *malagas*; that the plantations of the Mau people are not attended to or looked after, and that all work is stopped. Logo at page 293 was asked the following question: "Do they obey your instructions and the instructions of the Government officials?" and his answer was that they had rejected the laws. At page 293 Seiuli says, "The Mau people are refusing to obey my *pulemi'us* the same as other *pulemi'us* are disobeyed." On the same page he was asked, "Are they treating you with the disrespect personally?" and his reply was, "They respect me according to the Samoan custom, but official instructions they do not obey." He was further asked, "Do you have any trouble with visiting Mau people in your district?" and his reply was, "Yes, trouble happens." He was also asked, "Do they make noisy displays in your village?" and he answered, "Yes, they discharge firearms."

The Chairman: The witness also said, Mr. Meredith, that there had only been one occasion on which firearms had been discharged.

Mr. Meredith: Yes, sir. Salanoa on page 294 said that the Mau people refused to obey the *pulemi'us* and refused to obey official instructions. Tainau on page 294 said that the Mau people refused to obey all Government orders. At page 296 of the evidence Leilua Siavi'i said, "Did not notice unrest until October, 1926"; and the same witness in the course of his evidence said, "Plantations neglected, beetles increased, births and deaths not reported, refuse to accept

summonses, refuse to pay fines, benefits being wiped out since Mau started." He also said at page 298, "Mau people neglected their plantations in a very bad way." Tapusoa at page 303 and Sua Latu at page 305 gave evidence to the same effect. I do not propose to quote any further witnesses in connection with this phase of the matter, because it is sufficiently established in the evidence that has been given that at the present time a certain section of the Samoan community is defying the law and the country is practically on the verge of revolution.

Banishments: I wish now to refer to the system of punishment which has been followed, concerning which questions have been raised. These punishments have been loosely referred to as "banishments," a most misleading term, as the majority of the orders were merely instructions to an individual to return home to his own village and remain there. In respect of a few orders only the individual was ordered to remove from his own village to another village where he had friends or relatives. I also wish to call attention to what was known as the old *fa'a-Samoa* practice amongst the Samoans in regard to banishments. In that connection I respectfully direct your attention to a book written by the Rev. Mr. Stair on old Samoan customs, which I submit would be accepted as an authoritative work on this particular subject. At page 70 on his book, "Old Samoa," the following occurs:—

The *tulafale* were a very powerful and influential class, the real authority and control of districts being frequently centred in them. They were the principal advisers of the chiefs. The orators were usually selected from their number. The *fo*, or titles of districts, were always in their gift, and they had the power, which at times they did not scrupulously use, of opposing and banishing an obnoxious chief.

Mr. Slipper: May I ask whether this is relevant, because the question of banishment does not go back to 1892.

The Chairman: You have constantly asked the question about it.

Mr. Slipper: Yes, sir, because my friend brought it up.

The Chairman: It is relevant now. You cannot object to it, and you should have objected to it earlier.

Mr. Meredith: On page 91 of the Rev. John Stair's book, "Old Samoa," it is outlined what the form of banishment was, and I quote the following:—

In the judicial proceedings of the *fono*, the punishments may be classed under two heads, *O le Sala*, and *O le Tuu*, the former consisting of the destruction of houses, live-stock, and plantations, with, at times, the seizure of personal property and banishment; the latter consisting of personal punishment. The severe punishment of *O le Sala* was usually inflicted by the whole available force of the district awarding it. Sometimes it was tamely submitted to, but at other times resistance was offered, if the culprits felt themselves strong enough to do so, when desperate encounters followed; and these at times gave rise to general wars. The *Sala* was also at times inflicted by one family upon another, if the aggrieved party was strong enough. This, although irregular, was connived at by the leading members of the community; but if the punishment was considered excessive they would then interfere. One great evil attending this mode of punishment was that at times the whole family, or even district, suffered for the offence of one of its members; so that not only did all suffer from the loss of property, but when, as was sometimes the case, banishment, *fa'ateva*, was added to destruction of property and dwellings many suffered from the punishment.

The *fa'a-Samoa* banishment not only included the driving-out of the village of the particular person banished and his family, but the destruction of his property and everything he had. He was practically sent out into the world to find a new home for himself and his family. This matter is dealt with historically in the evidence of Mr. Lewis, and therefore I do not propose to traverse that at length, except to call the attention of the Commission to the fact that the last king, Malietoa, in his laws of 1892 recognized this form of punishment. At page 2 of Mr. Lewis's evidence on banishments the following section is set out:—

If the King is aware of any Samoan being disobedient to the Government, or doing anything by which the peace and good order of the country is compromised, it is left to the discretion of the King to order him from his place to some other place in Samoa, and to determine one or several places with which he may have intercourse and boundaries which he shall not transgress; also the number of years his banishment shall last, not exceeding ten years.

The particular form of punishment complained of at the present time was incorporated by Malietoa in his laws of 1892, and from that time on a modified form of banishment has been perpetuated in Samoa. It is a method of punishment long known to and understood by them. As the matter is dealt with at length by Mr. Lewis, I do not propose to trace its history. I understand that a suggestion has been made that there has been harsh treatment of certain particular Natives. Mr. Allen has analysed the various banishments which have taken place since the present Ordinance came into force, in 1922, during the term of office of the present Administrator's predecessor. The result shows that since the making of the Ordinance there have been 112 orders made against 103 people: of these, 53 were made under ordinary normal conditions, and have no reference to this political trouble, and of that 53, 20 arose out of domestic troubles (that is, quarrels amongst the members of a family), 25 for village and district troubles, and 8 following on criminal offences. Dealing now with the complainants, we find there were 14 complaints lodged by members of the family, 26 by the Village and District Councils, and 13 by the Crown, making a total of 53. In a further analysis showing the form of inquiry, we find there were 26 cases inquired into before Boards of Inquiry, 16 before the Secretary for Native Affairs or Native Court, 6 before the Resident Commissioner, 2 before the High Court, and 3 before the Administrator—making the same total of 53.

The Chairman: What do you mean by "Native Court"?

Mr. Meredith: The Native Court, I understand, sir, is a branch of the High Court presided over by the Secretary for Native Affairs.

Mr. Baxter: If I may just mention the position, sir, the Secretary for Native Affairs is a Commissioner of the High Court, and, as such, sits as a Commission.

The Chairman : Yes, thank you, Mr. Baxer.t

Mr. Meredith (continuing) : Now, the actual orders issued in these 53 cases, sir, are as follows : Titles only were removed in 9 cases, deprivation of title together with banishment in 22 cases, banishment only in 21 cases, 1 case of mere restriction to keep off a certain area. A further analysis showing the years over which these 53 orders were spread shows us that in 1922 there were 3 orders issued, in 1923 there were 7 ; in 1924 there were 16, and in 1925 there were 20, in 1926 there were 6, and in 1927 there was but 1. Of these there are current at the present time 9. On the second class of orders issued, and which are referable to this political agitation, 59 orders have been made against 50 individuals, and it is noticeable that of these 50 individuals 42 of them merely received orders to leave Apia and return to their own villages, and in only 8 cases has there been an order to move from their own village to another village. Of these 59 orders 19 are current at the present time. In these cases no Board of inquiry was set up. You will remember that the Administrator stated that he took the responsibility of dealing with those matters personally owing to the unfortunate position the Faipules would be placed in if the matter had to go through them. Now, of those 50 individuals, 8 appeared before the Administrator ; 39 were issued with notices to appear, but did not appear ; and there were 3 cases where it was doubtful whether they received notices or not.

The Chairman : What were those three cases : were they cases of the individuals being ordered to leave Apia, or what were they ?

Mr. Meredith : They were orders to leave Apia.

The Chairman : It means the records are deficient ?

Mr. Meredith : Yes.

The Chairman : How many of these orders were enforced ? I understood only one or two were enforced.

Mr. Meredith : It would be better if I were to have them extracted, sir.

Judge MacCormick : It is rather material to know how many of these forty-six persons who were subjected to these orders were penalized, or how many of them had the orders enforced against them ?

Mr. Meredith : You mean by action of some kind.

Judge MacCormick : Yes. We have had no evidence from the Administrator that action was taken, and it is common ground that the bulk of the notices were not given effect to, and that notices only were issued and no action was taken. What we are desirous of ascertaining is how many of these notices were enforced ?

Mr. Meredith : I will have particulars taken from the police records and supplied to the Commission ; but I am unable to give you the necessary answer at the present time by reason of the fact that I have not that data in my possession. The observation I wish to make in regard to that is that some suggestion has been made that the making of these orders was an arbitrary or an improper use of the powers of the Administrator. My reply to that is this, and I suggest it is a sufficient one : At the time these orders were made Samoa was rapidly drifting to a state of revolution. The Mau committee had been set up in Apia ; its operations were well known—that it was sending seditious propaganda throughout Samoa, inciting disobedience to officials in the different parts of the islands. To have allowed this state of affairs to continue would have meant the stoppage of functioning of the whole governmental machinery in Samoa. It was clearly a time of crisis. All information was in the knowledge of the Administrator. He had the results of his own personal observations while on *malaga*. He had daily reports from his responsible officials—the Resident Commissioner of Savai'i, the Inspector of Police, and the Secretary for Native Affairs—as to what was taking place in Apia and the outlying districts, and who were the individuals actively controlling the movement. He had also the advantage of information which he received from various loyal Natives. All these factors enabled him to be thoroughly seized of the position, and of putting himself in the position of being satisfied as to whether it was in the interests of peace, order, and good government of Samoa that any orders should be issued under the Ordinance. He could see the advancement that had been made by the Samoans as a result of the reforms of the past few years being swept aside. He saw the Samoans split into two sharply divided factions. Up to that time there had been no actual breach of the peace and no outbreak against order, but there was nothing to say and nothing to show that at any moment that state of affairs might not cease to exist, and violence, even bloodshed, and other forms of serious trouble be the consequence. Such trouble was inevitable if some steps were not immediately taken to uphold constitutional authority. The obvious thing to do was to dissipate the Mau committee, the members of which had been idling in Apia for seven months, doing nothing but live on the hospitality of their friends and spread disaffection through the Native population. This was the position with which the Administrator was faced when he took steps the which he did. Under the Ordinance the Administrator is required to be satisfied before making the order that it is in the interests of peace, order, and good government. I submit to the Commission that it would be difficult to suggest any set of circumstances when it was more necessary in the interests of peace, order, and good government that these men should be removed from Apia. We have, as you are aware, the Administrator's own statement as to what knowledge he had and what steps he took to satisfy himself as to the responsibility of the men before the orders were issued, and the legality of his actions cannot be questioned. As to the suggestion of harshness, to show how ridiculous such a suggestion is might we not consider what was actually done. Taking into comparison the practice of the old Samoan days as to banishments and what was done by the German Administration in the case of the Lauti incident, it must be recognized that these men were treated with the greatest leniency. It is not disputed they had been in Apia for seven months and had been actively engaged in fomenting strife and dissension, and the only thing they suffered was to have an order made ordering them to return to their own village and remain there. That, may it please your Honours, was the only form of punishment that in the majority of cases was meted out to Samoans taking active steps to bring a country to the verge of

revolution. It is true that eight were removed to other villages ; but there were special circumstances in each of those circumstances requiring severer punishment. The fact of sending the Natives concerned back to their own villages removed them from a centre of unrest in Apia. They were told that if they had any complaint to make they would have the opportunity of making those complaints to the Administrator personally on his *malaga*. So they have not even a grievance that they were being prevented from making such complaints, if they had any. The object of ordering these men back to their villages was twofold—first, to prevent them from making further trouble ; second, to force them to return to their own work and take care of their own plantations and villages, which were being sadly neglected. It was obvious that if the unrest amongst the Natives continued there would be a complete stoppage of work, which would set back the progress of the island for many years.

The Chairman : Did not these men sign a defiant letter to the Administrator ?

Mr. Meredith : Yes.

The Chairman : Have you found out how many of them were included in this defiant letter ?

Mr. Meredith : I take it you are referring to the letter of the 20th June ?

The Chairman : Yes ; I have copies here.

Mr. Meredith : Prior to the issue of the main batch of what we may term political banishments the position was that there was this committee in Apia. A letter was sent to a large number of them advising them to go home, and that the Administrator would see them in connection with their complaints on his *malaga*. A further letter was written by these men on the 25th June, indicating that they would not go home ; and a further letter was written by eighteen of them on the 5th July, stating definitely that they had no intention of going home—that they were members of the Mau Committee and that they intended to remain in Apia. I may say that fourteen of them had already had an order issued against them before they wrote the letter referred to. The position was that seventy or eighty of them had written their intention of not leaving Apia, and definite orders for removal were made against those who were reported to be the recognized leaders of the trouble. Orders had been made against them to go home, but these orders were not obeyed, and fourteen of the eighteen signatories to the later letter were men who had previously been ordered to go home and had refused to obey the order. That was the position with respect to that matter. To have accepted the attitude adopted by these particular Natives would have been tantamount to admitting that the control by the Administrator had ceased. Before passing from this subject I would like to call the attention of the Commission to the fact that many of the Samoans who are now objecting to banishment orders themselves support the principle when it comes to a question that they themselves require someone to be banished. I refer you to the evidence of Ale Lui at page 87, where he admits that he asked for the banishment of two boys ; and he made a reply to me that the banishment in that case was not wrong, because the two boys concerned were “up against him.” Similarly, Tamasese agreed, when that portion of Ale Lui’s evidence was read to him with respect to the banishment of these boys, that under the same circumstances he would have asked for them to be banished. May I also point out that Tialavea at page 114 admits that it is Samoan custom to send away a man if he causes trouble. Faumuina at page 160 admits that it is the proper procedure to send a man away if he causes a disturbance in the village, and at page 160 admits that he had asked for a man to be banished, which man was so banished. In the evidence of the Administrator there is a statement that Faumuina was the head of a deputation of other chiefs that waited on the Administrator and expressed their approval of the banishment of Tamasese.

Copra : Passing from the question of banishments to some of the other matters that have been raised, I propose to deal but briefly with them. In regard to the question of copra, it is clear that in Samoa the merchants by arrangement amongst themselves fix the price to be paid to the Natives, and only one price is paid, irrespective of quality. This is clear from the evidence of Mr. Brady (pages 15-21), Mr. Dowling (page 23), and Mr. Voight (page 26). It is admitted by Mr. Dowling at page 23 that the Natives have to accept the price offered to them by the traders. The evidence of Colonel Hutchen shows the steps taken to persuade the Natives to improve the quality of the copra they were producing. It is obvious that if Samoan copra could obtain a higher reputation in the world’s markets it would command a higher price and more money would be received by the Samoans for their copra. As a result of the efforts of the Administrator an improvement had been made to a certain extent in the copra produced ; but the Natives were complaining that they were receiving no material benefit as a result of this by reason of the fact that only one price was being paid for copra, whatever the grade, and that the price was fixed by the traders. As a result of these various requests, put through the Fono of Faipules, copies of which are attached to the evidence of Colonel Hutchen, the machinery of the Reparation Estates was placed at the disposal of the Natives for the marketing of their copra. As there is no loss in any case attaching to the Samoan Administration, it would seem that there can be no possible complaint in any event by anybody if the New Zealand Government cares to place its machinery at the disposal of the Natives. It is admitted by Mr. Dowling that the Natives had no machinery of their own at their disposal to get rid of their produce. It was suggested that the amount advanced by the Administration was too high. It is difficult to see what that has to do with the private traders. Fortunately, a perusal of Colonel Hutchen’s evidence will show that the last account sales with respect to the sale of a consignment of copra which was sent to London are satisfactory, and that there will be an appreciable bonus accruing to the Natives on top of the amount already advanced. In any case, the matter is summed up in an answer given to me by Mr. Nelson at page 239, to the effect that if the Reparation Estates are making these advances it is nobody-else’s business.

The Chairman : The Reparation Estates are not making advances ; that is quite clear. It is perfectly clear that the Government takes the risk of the advances.

Mr. Meredith : The Samoan Administration, I understand, do not bear the loss if any loss occurs, and any loss would be stood by the New Zealand Government as owners of the New Zealand Reparation Estates, and not the Samoan Administration.

The Chairman : I understood it differently.

Mr. Meredith : That, I understand, is the position, sir. So far as the Samoan Government is concerned, in any event no loss falls on it ; but happily the preliminary experiment that has been made in this case has shown that the criticism levelled at the advances is unfounded, in that there is a sufficient margin to cover them. Further, of course, the matter is now only in an experimental stage, and if it were found that the margin of safety was not sufficient it would be merely a matter of altering the margin in future shipments. May I point out, further, to the Commission that it is not the intention or desire, as has been stated, of the Administration to interfere in the copra business, and so long as the Natives are receiving a good price from the traders as a consequence of an improvement in the quality of the copra produced, so far as the Administration is concerned it is perfectly satisfied to leave the matter to the traders. After having induced the Natives to go in for the improved methods, and after receiving complaint after complaint from the Natives that they were not getting any benefits from it, and that no facilities were put forward to get an improved price, it was compelled to step in, otherwise the efforts of the Natives to improve the copra would cease.

Legislative Council : So far as the Legislative Council is concerned, the suggestion put forward is impracticable and unworkable. The suggestion put forward, as I understand it, is that there should be an elected Council in which the elected members would be equal in number to the official members, with, of course, the casting-vote in the Administrator, and subject also to the proviso that in any case where the unofficial and official members were voting on opposite sides the matters should be referred to the Hon. the Minister in New Zealand. That, I submit, would be an absolute farce, and it would be impossible for any Administrator to act under such conditions, as it would render him perfectly powerless and reduce him to the merest cipher. I may say also that this course would be dangerous, particularly when it is suggested that three of the unofficial members would be Samoans, who would be easily subjected to influence, and who in most cases, especially those of finance, it would be impossible to expect would have any clear understanding of the position. The result would be that they would side with the people whose influence they happened to be under ; and if it happened to be that of the elected European members these members would be in the position of holding up all Government business, as matters of every kind would have to be referred to New Zealand for decision. This would be an impossible and ridiculous position. I do not propose to carry that matter any further, because the proposal shows the absurdity on its own face.

Medical tax : With respect to the suggestions made relative to the medical tax, it is clear that the statement in the reports that the Natives have always objected to this medical tax is untrue, because there has been placed before the Commission in the statement of Dr. Hunt the actual written consents from the various districts, and there is also evidence that in those cases where written consents were not put in there was verbal intimation on the succeeding *malaga* of the consent of the other districts. I suggest that this question of the medical tax is simply made a stalking-horse for complaint. There have been produced a few malcontents who gave evidence of dissatisfaction. One must, of course, expect a few malcontents in every community, but against the evidence of these few there is the definite consents in evidence of the controlling bodies of the districts. The matter has also been discussed by the Pono of Faipule at various times, and the only requests that have come in from the districts have been requests for reduction. The matter came up for discussion recently, when the personal tax and the medical tax were joined in one tax, the result being that a reduction of 4s. per head was made in the total tax previously payable under these two heads. It is obvious that certain of the Natives do not understand the position. They do not appreciate that for the purpose of having effective preventive medical services certain charges have to be made on the whole community, and it is impossible to run any such services, provide hospitals, educate the staff, and take steps to prevent the outbreak of disease without having some such form of tax. They do not understand that such a tax is chargeable in every civilized country, and it is suggested that it would be much better if the European members of the Citizens Committee had recognized these facts and explained the position to the Natives. With regard to the attack on the Faipules, I do not propose to traverse all these attacks and the answers thereto. I have had a statement prepared, which I trust is complete, wherein it sets out the complaints and the reference to the places where they have been answered, and if it would be of any assistance to the Commission with respect to any particular complaint I would be pleased to place it before you.

The Chairman : We would be pleased to receive it.

Mr. Meredith : I will have it typewritten.

The Chairman : We have prepared our own statement about it.

Mr. Meredith : It is in manuscript at the present time, but, as I say, I will have it typewritten.

Appointment of Faipules : Another matter which I desire to deal with is in regard to the appointment of the Faipules. This matter is dealt with in the evidence of Mr. Lewis, and it is clear from that, and also from the evidence of the Administrator, that there cannot be anything in the suggestion that the present Administrator has adopted any unusual or arbitrary method in the appointment of the Faipules. He has followed out the system that was in vogue — namely, in Colonel Tate's regime. The Administrator has in every case taken the opinion of the Secretary for Native Affairs, and he has ascertained that the appointment will be agreeable to the Ali'i and Faipule of the district, and has accordingly made the appointment ; and, furthermore, on subsequent *malaga* he has ascertained personally with respect to those appointments whether they were approved of. In the later cases of three of the Faipules he has actually obtained the signatures of the Ali'i and Faipule before making the appointment ; so that the latest procedure adopted by the Administrator is to get the consent certified to before making the appointment. He further points out, and so also does Mr. Lewis, that there may be an objection to this scheme which he has attempted to bring into operation. In the case of the latest appointment to be made this appointment has been held up for eighteen months

because the Ali'i and Faipule have not been able to come to a unanimous decision about any one man, and it would seem that they prefer the former system—namely, that the first suggestion of the appointment of the Faipule should come from the Administrator and, they subsequently confirm his suggestion. However, the general position is that the Administrator in all recent appointments has obtained the actual consent of the Ali'i and Faipule before making it, and in such a position there cannot be the slightest suggestion that the Faipule has not been chosen by the people themselves.

“Fine mats”: In regard to the question of “fine mats” the position is clearly set out in the evidence of Mr. Lewis, and it is clearly shown that there is no prohibition on the giving or selling of “fine mats,” but that the only prohibition is in respect to big *malagas* associated with the presentation of “fine mats at ceremonial functions.” The matter of prohibiting these *malagas* was on trial for three years. The three years has not yet expired. The latest resolution, passed by the Fono of Faipule in 1926, and which is published in the *Savali* in July, 1926, sets out the position exactly. The resolution reads:—

“It is the resolution of His Excellency the Administrator and the Fono of Faipule that the regulations concerning ‘fine mats’ shall be continued as commenced in 1923 until the full term of the experiment has expired. No change has been made in that regulation. *Malagas* for the exchange of ‘fine mats’ and property, and also death feasts, are prohibited; but it is permitted to use ‘fine mats’ for the following objects: (1) The building of houses; (2) the building of boats or the purchase of boats; (3) presentation to parents in a weak state or about to die; (4) disinterment and reburial (not more than two mats); (5) gift to a widow just after her husband’s death (not more than two mats); (6) for buying and selling; (8) for the payment of work done.”

The serious results of these *malagas* has been explained by Toelupe. In the Imperial white-paper to which I referred this morning there is a quotation from an address of King Malietoa wherein he prohibits the playing of cricket matches on exactly the same grounds. At page 16 of the paper in question he says: “I am of opinion that this” [the game of cricket] “should be forbidden, else nobody would think of useful work. From it results the shortness of food and the impossibility to think of ways and means to earn money for paying taxes to the Government and for paying debts to the merchants. By it the work of teaching the young generation is also obstructed.” Apparently this habit of the Samoans of making lengthy excursions, visiting neighbouring villages, to the neglect of their own necessary work, has been a matter that has exercised the minds of their rulers for a very considerable time.

Cancellation of licenses: In regard to the cancellation of licenses, presumably issued to traders, I dealt with that matter fully yesterday morning, and I do not propose to add anything further to what I said then.

Prohibition: With respect to this matter the attitude taken up by the Administration is this: it is the duty of the Administrator to carry out the terms of the mandate and the policy of the Mandatory. That policy is laid down in the Samoan Act, and he feels that he should not enter into a discussion in respect of this policy before this Commission.

Subdivision of land: The question of the subdivision of land is dealt with in the Administrator’s evidence, showing that the matter of subdivision is entirely optional with each particular village. As the decision rests in each case with themselves, it seems difficult to see any reasonable basis of complaint.

Conclusion: In conclusion, I would submit that in this inquiry the doors have been opened wide to allow every possible form of grievance to be ventilated, if any existed. The original series of complaints set up in the committee’s report were all based on either a gross misstatement of fact or a misapprehension of the true position. Many other grievances, more or less personal in character, have been brought forward here—most of them fantastic and not worthy of serious consideration. Any others having a semblance of foundation have been satisfactorily explained. In every community one must expect to find a certain percentage of the population with a grievance, and human nature is the same in Samoa as elsewhere. The surprising thing is that whenever one with a complaint against the Administration is invited to come forward nothing with any genuine foundation can be produced. On the other hand, I trust I can say with confidence that there has been brought before the Commission the very substantial advancement that has been made in Samoa under previous Administrations and continued under the present, and the appreciation of those advantages as expressed in the evidence of the leaders of the Natives themselves. To recapitulate the steps in the way of progress and reform, I could mention among others (1) the elimination of tropical diseases, yaws, and hookworm; (2) control of epidemics; (3) institution of preventive medical services, extension of hospital services, schools, and education facilities; (4) provision for water-supplies, electric-light schemes, institution of proper sanitary arrangements in villages; (5) roading schemes completed; (6) institution of system for remodelling villages; (7) improved methods of producing copra, and facilities provided for marketing of such; (8) provision of steamer to enable bananas and fruit produce to be profitably marketed; (9) institution of system enabling Samoans to discuss and bring forward any matters affecting their welfare by the chain of *fonos* from the Village Committee, through the District Councils, the Fono of Faipule, and finally either to the Legislative Council or to the Minister of External Affairs, this system providing the Samoans with preliminary education in self-government qualifying them in later years to undertake greater responsibilities in this direction. For all this there is no advantage to the Administrator personally or to the Administration. If the Samoans obtain more money for their copra, the Administrator gets none of it; if the Samoans are healthier in body, he is none the richer; if the Samoans become better educated, live in greater comfort and under more sanitary conditions, he personally does not benefit at all. He only has the satisfaction of feeling that in improving the conditions of the Samoans he is but carrying out his duties as the Administrator of the mandatory. Similarly, the New Zealand Government gains nothing

by the administration of Samoa. On the contrary, it has given of its land to the Samoans to be subdivided amongst various villages; it has handed over for the advancement of education and health in Samoa a large part of the profits derived from the New Zealand Reparation Estates. These matters are not unappreciated by the thinking men amongst the Samoans. Toelupe and others compare the conditions now with the past. Might I adopt the words of Aiono, who describes the work of the Administration as "all gold"? This being so, the question naturally arises, Who is responsible for the condition of unrest that exists in Samoa at the present time? There is no question that there is a condition of grave unrest. The Natives are divided into two factions, all necessary work has virtually ceased, governmental authority is defied by a large section of the community, plantations are rapidly going back, and, at the best, some time must elapse before conditions revert to normal. The economic loss with which Samoa is faced will be large indeed, and that is a bill that has to be paid in the future. All these unfortunate conditions spring directly from the Mau movement. It is equally certain that this movement would never have come into existence, let alone grown and spread through the islands, if the European members of the committee, for purposes of their own, had not determined to draw the Natives into their dispute. To achieve that object they sowed seeds of distrust in the fruitful soil of the naturally suspicious Native mind by means of reports so inaccurate, false, and misleading that these reports must stand as a permanent record to their discredit. Three specific questions have been referred to the Commission. In respect of No. 1 I can only repeat that no complaint has been made that has not been definitely refuted by satisfactory evidence. As to No. 2, it is difficult to ascertain from the evidence tendered in what way the Administrator or the officials have exceeded their duty in the exercise of the authority entrusted to them, or have failed to exercise their respective functions honestly and justly. The only evidence called that might be suggested to support any such allegations are—(a) That the appointment of the Faipules has been arbitrary; (b) that the issue of the banishment orders arising out of the present agitation have been without jurisdiction. As to (a), the ordinary practice has been adopted by the present Administrator in his earlier appointments, and in the later appointments the actual consent in writing of the Ali'i and Faipule have been obtained. As to (b), the Administrator only acted on full information in a time of crisis. No evidence has been called to show any act in excess of jurisdiction or not *bona fide* in the case of any other official. As to No. 3, it is submitted that it would be unsafe to abrogate in any way the powers to require a Samoan to remove for a definite period from one place in the islands to another. It is essential that the trouble-makers must be removed from the scene of his operations. The procedure known as banishment is one known to the Samoans and is in accordance with their ancient customs, and could only be abolished if some severe form of punishment by way of imprisonment be substituted therefor.

Mr. F. D. Baxter: May it please your Honours, it will not be necessary for me to review at length the whole of the evidence that came before this Commission, nor to refer to every matter or complaint which was brought before you. I desire only to deal with the main issues and salient points. The first matter to which I desire to refer is the Government interference in the copra trade. The copra business is the main consideration in this country, and the merchants are certainly entitled to consideration where copra is concerned. The copra trade was established and carried on by the merchants; it was the merchants who set up the system of conveying it to other countries, and as a consequence of that production merchandise has come in. There is a certain amount of risk and expense and very often a loss as a result of this business. Furthermore, for the purpose of carrying out the purchasing of copra they have invested hundreds of thousands of pounds in this country in the belief and with the assurance that they would get the protection that was due to them through the payment of taxes, and if the Government comes into the business it is a breach of faith on its part. The only possible justification that there can be for Government interference would be either that the merchants were exploiting the Natives or that the merchants had refused to join in a reasonable scheme for the increase in the quality of the copra; but, sir, that the merchants have not exploited the Natives is perfectly clear by the figures which have been produced by the witnesses. I submit that there is no necessity for me to traverse those figures by reason of the fact that they are before the Commission, and they show clearly and distinctly how much profit the merchants make on a ton of copra, and show also that the Natives have been receiving fair and just treatment. My learned friend Mr. Meredith mentioned a little while ago that quite recently account sales have been received which showed a handsome profit to the Natives. That may be so; but that might be only one sale in connection with that shipment. May I say, in passing, that the merchants in purchasing copra have to take a figure which they have reason to believe is somewhere near what they are likely to get? It works both ways—that is to say, while they do not go up to meet an occasional rise, they do not come down to meet an occasional fall in the market. Nor can it be said that the merchants refused to join in with the Government in any scheme for the improvement of the copra. There is not one tittle of evidence to show that the merchants were in any way consulted with respect to the matter—in fact, they were never given the chance of discussing the proposal; and when the Chamber of Commerce wrote asking for details, and showed that they were prepared to discuss the question and join in with the Government if a reasonable scheme could be devised, the only answer they received was that the Administration was satisfied that the merchants were not paying the Natives sufficient for their copra. As a matter of fact, His Excellency the Administrator admitted that he had never found out exactly what the overhead charges and expenses of the merchants were. It has been pointed out by Colonel Hutchen in his evidence that only a small quantity of copra has been bought—about 100 tons; but it must be presumed that the scheme is going to grow, because the Government has stated that the idea of its scheme is to increase the quality of the copra in Samoa. I submit that if the scheme is going to be of any value at all the Government will have to increase the value of the whole of the copra, and not in connection with small lots, and therefore I do not think

that the Government would be able to confine its operations to the four present points where it is dealing with the copra. Even if the Government wishes to carry out its present intention, it is only reasonable to suppose that the Natives will, in the other districts, bring pressure to bear on the Government to open up buying-points in their districts with a view to taking advantage of the scheme; and I submit that the Natives are entitled to do this if one district is receiving any benefits. It is not denied by the merchants that it would be to the advantage of the country to have an increase in the quality of the copra, but in obtaining an increased quality one class of the community should not be made to suffer to the advantage of the rest of the community. What the Government should have done, if it wished to increase the quality of the copra here, was to have called the merchants together and discussed the position with them, and to have seen as to whether or not it was possible to have arranged a scheme among them. If the price question had been the trouble—and I think it would have been—then it would have been justifiable for the Government to have subsidized first-grade copra until that copra had established such a reputation on the London market that it would need no further subsidy.

Legislative Council: Passing from the question of copra to that of the Legislative Council, I wish to point out that the Legislative Council was set up under the Samoan Amendment Act, 1923—that is, the Legislative Council in its present form. Under section 48 (b) of the principal Act, read in conjunction with section 6 of the Samoan Act of 1923, we find that provision is made for non-official members on the Council to be elected, or nominated, or purely elected, or purely nominated, as the Governor in Council determines; and also that the number of those non-official members is to be not more than six, the number of official members. The Samoan Legislative Council (Elective Membership) Order, 1923, section 4, provides for three non-official members, and no provision is made for nominated members. I submit that one of the principles of satisfactory government is to allow the Government to give expression of opinions consistent with stable government, and it is therefore suggested that the non-official members should be equal in number to the official members, with the exception, of course, of the Administrator, who would be the Chairman. Such a possibility is contemplated by the Act itself when the provision is made that the number of non-official members shall not exceed the number of official members. The equality in numbers would, I submit, assure a fuller consideration of all matters brought forward; whereas the present system is dangerous, because the party which has a majority is so sure of its overwhelming weight that it leaves the opinions of the other party entirely out of consideration as something that it need not worry about. There is also more likelihood of amicable working if the non-official members were nearer in number to the official members, and in consequence their opinions would be bound to have more weight. Knowing that their opinions, if the proposal which I have outlined was put into operation, would have more weight than is the case at the present time, and realizing that they would not be in the minority, they would give more consideration to their work, because they would realize that their opinions would receive more consideration, and this would create a greater sense of responsibility on their behalf, and the country would benefit from receiving not only the official opinion but the well-considered opinions of persons who are looking at matters from a different point of view to what is purely official. Nor can it be said that by a system of government which has both official and non-official members in the Legislative Council to the same number would the stability of the Government be affected. If at any time an equality of votes arose, then the casting-vote of the Administrator would be available to secure the stability of the Government in such manner as he saw fit. It has been said that this suggestion is ludicrous. I cannot see that it is any more ludicrous than, or that it is as ludicrous as, the present position. The Administrator is the person who is responsible for the government of this country; he is the man who initiates the laws, and he is the man who fixes the policies. At the present time we have a Legislative Council with six official members and three non-official members, and the Administrator has said that the six official members will vote according to the policy, and he has said also that any matter introduced by the Administration is a matter of policy. We have, therefore, at the present time the position that the Administrator is controlling everything entirely on his own, and that any matter which is introduced by him is a matter of policy and those official members are to vote with him. Why not allow him to accept the responsibility himself when he brings these things forward—that is to say, let him accept the responsibility by giving his casting-vote? In such a case, however, it would be advisable, if his casting-vote changes the law, to refer the matter to the Minister of External Affairs for consideration and revision. The point of delay has been brought up, but that is not a new principle in Samoa. If we look at the Samoa Amendment Act of 1927 we find that the position is fully covered. There is a provision already made in the Act for the reference of a matter from Samoa to New Zealand. Now, it is to be presumed that no matter that would come before the Legislative Council is likely to be more urgent than a deportation question. No man would be deported unless there was some urgent and substantial reason why he should be deported, and therefore it is not desirable to have more delay than is necessary. It might crop up that emergency legislation would be essential. Where such is the case there is always the Order in Council procedure—that is to say, information can be sent through by wireless and an Order in Council can be issued in New Zealand and become effective at once. But that is not a new procedure, by reason of the fact that this course was followed by the Hon. the Minister of External Affairs while in Samoa on his visit in June last, when he forwarded a wireless communication and had an amendment put through with respect to the immigration order providing for the deportation of permanent residents. I also wish to deal with the question of Natives on the Legislative Council. The Legislative Council, as you are aware, is the only legislative body in Samoa. The Samoans constitute the bulk of the community and they pay the bulk of the taxes, and therefore they are interested in the working of the Legislative Council, and it seems only fair that they should have some say in its deliberations, and we are of opinion

that the Samoans are competent to sit on the Legislative Council. This has not been seriously contested by the Administration, and I cannot see how it could be. The Administrator himself, in a statement made in the Legislative Council in 1925, said that he had striven to get the Faipules to agree to have two members on the Legislative Council, but he regretted that they would not agree to it. It will be seen, therefore, that even the Administrator thought that the Samoans were competent to be represented on the Legislative Council. Further, the Fono of Faipules virtually legislates, and the District Councils are passing by-laws, so it is quite clear that the present Administrator is of opinion that the Samoans are competent of being represented—or, rather, of sitting—on the Legislative Council, and are also competent of considering and discussing matters such as laws and by-laws. There would be no risk of any faulty legislation going through, because there would be a majority of European members, who could control matters until the Samoans had passed out of the period of education that was necessary on the Legislative Council. Another point is that the Legislative Council that I suggest would provide for a true expression of opinion of the country. Now, it is suggested that there are in Samoa two classes—namely, Europeans and Samoans; but there is in reality also a third class, who belong to both races. This class mixes freely and on equal terms, and is of the same intellectual standard as the people of both the other races—namely, whites and Natives. Through the channel of communication set up by these half-castes mixing among the Europeans and the Natives the thoughts of the one travel to the other—probably quite unwittingly on the part of the half-castes; but they do travel, and amongst those thoughts do travel the democratic idea of government. It is essential to get the best organization out of the country, and provision should be made to have this combined racial thought, and this can only be done by putting Samoans on the Council, because the half-castes can represent only the Europeans and be represented by Europeans. When I say that Samoans should be on the Council I go no further than that. The manner of their selection and election is not a matter for one man to decide, but it is a matter upon which careful discussion should be made and experiment to work out a satisfactory scheme upon which the Samoans could be placed on the Council on satisfactory terms. My learned friend, in passing, made a surprising suggestion—that the Samoans would probably vote with the elected members of the Council. It is hard to see why any Administration which is carrying out its duties properly has any reason to fear that the elected members would influence the Samoans away from the official members. The elected members, if they are looking after the interests of the country, would be looking after their own interests, and I should think that the Native members would be more likely to remain with the Government officials than with the non-official members of the Council. There is another aspect that I want to bring forward, and it is that even the Council as it is at present constituted could be made to work much more satisfactorily if the system suggested by me were given effect to, and, moreover, it would probably be made to satisfy a large number of the wants of the country. At the present time there is a permanent majority and a permanent opposition. At the present juncture the elected members have no real say in the Council at all. Somehow or other, there has been allowed to grow up a Government party and an Opposition party, and the result of that method is a foregone conclusion. This makes the Council a farce—an absolute farce. I submit that there is far too much procedure with respect to the Standing Orders. There are ten members of the Council, and I submit that if they were to do away with the present procedure and act in the capacity of committeemen, and went about matters as is the custom with respect to round-table conferences and discussed matters freely, and did away with all this elaborate question-time and following certain procedure, as I have already said, like committeemen, all the opinions would be probably listened to and everybody would be satisfied, and this would be in the interest of the wishes and opinions of the official point of view, and also of the view of the non-official members. While on the question of the Legislative Council there is one other small point that I wish to bring under the notice of the Commission, and it is with respect to the question of His Honour the Chief Judge having a seat on the Legislative Council. I merely mention this matter because it is a matter of principle, and not that there is any question about the present Chief Judge, because everybody has confidence in him; but it seems very wrong that legislation should come before a body on which is seated the Chief Judge, who will probably have to try that legislation and before whom interpretation of the legislation is going to be sought. It seems hard to believe that any man under those circumstances can be expected to sit on the Legislative Council one day and argue the point and go into the Court next day with a thoroughly unbiassed mind. Moreover, I am unable to hold with the argument that a lawyer is absolutely essential on the Council while it is sitting. As we are all aware, everything is drafted beforehand, and the presence of a lawyer is not essential on the Council, and any matters to be drafted could be sent out, especially when it is realized that it is not such an elaborate affair—this little Legislative Council of ours.

I wish to now call your Honours' attention to the point of finance. It has been shown that the committee admits that quite a number of the figures submitted by the Citizens Committee are incorrect. It has been suggested by the Administration that these figures have been deliberately put in these reports incorrectly. It has been said that this has been done for the purpose of misleading the Natives. The suggestion is only a suggestion; there has been absolutely no attempt to prove it. There was absolutely no evidence called to prove that any Natives have been misled. Certainly some Natives said something about the salaries of officials in other islands being lower than they are here, but that is perfectly true. Further, the statements submitted were long, involved, and complicated. They were read out once at the committee meeting, and once at another meeting. No Europeans hearing those statements read out could possibly remember the details of them. It is not as if the reports were printed, published, and broadcasted where they could have been used for reference. Further, these reports were prepared by the people for submission to the Minister, and

it is unbelievable that the committee would have deliberately placed themselves in a position where they were sure to get a very severe rebuff and so weaken their whole case and complaints. Reference is also made to a statement regarding the loan of £100,000 and the Crown Estates being foreclosed on to pay for it. My learned friend Mr. Meredith very carefully read a paragraph out of the report; but he very carefully refrained from reading the following paragraph, which places a different aspect on the whole statement regarding the £100,000 loan. As far as can be said, there is no deliberate attempt to mislead. The paragraph reads as follows: "This last paragraph is not, probably, in accordance with facts, but the committee is seeking certain information which at present is not disclosed to the committee, and this paragraph has been inserted with the particular view for putting the committee right where it may be in error." Further, the report was almost immediately handed to the Administrator and was for delivery to the Minister. I cannot believe that any person endeavouring to mislead the Natives, or any other person, would have made misrepresentations so glaring, so apparently clear, to anybody that only glanced through the report. There is not one tittle of evidence to show that any Samoan was misled by that report, despite the suggestions of the Crown. Some Samoans said that they feared that New Zealand would take over Samoa, but there has never been any suggestion that any Samoan has thought that New Zealand had taken over the Crown Estates. When they refer to the possibility of New Zealand taking over the whole of Samoa they have not got in mind this report; they have in mind their motor-cars and their "fine mats" which they have left with the traders to secure credit. It has been proved clearly that no section of the Samoans themselves placed any importance on that paragraph at all. These reports were handed to the Administrator. The Administrator said he would read them through. That would strike his eye as quickly as anything else in the report, but he did not bother to correct it or call upon the committee to correct it. Furthermore, it went to the Minister. The Minister came here and said nothing about it. No remarks were made about that until the reply was received from the Minister in Wellington. It was dated the 12th July. If there was a possibility of a serious situation arising by the Natives being misled by the infamous paragraph in this report, surely the Administrator would have corrected the report at once, and not allowed himself to be used as a postmaster, which was the term he used, I think. And, although the report was intended for the Minister, he would certainly be justified in correcting that. It is most certain that the Minister would not come down here, hold an interview, and not bother to mention it. Referring to finance itself, the real complaint contained in that report is not that a certain figure is too high or too low, or a certain expense is too high or too low. The complaint underlying the report was that the expenses of running and carrying on the work of the Administration here were too high. No other meaning can be read into it at all. That being the case, so long as we stick to proving our complaints, I submit that we are entitled to prove our allegations by other figures. The evidence of Mr. Smyth sets forth certain figures, but there are one or two which I wish to mention. For the year ending the 31st March, 1926, the excess of expenditure over revenue was 8s. 10d. per head. In the estimates of 1926-27 the excess of expenditure over revenue was 10s. per head. This shows an increase from 8s. 10d. to 10s. For the year 1925, according to the Fiji blue-book, they had a surplus of 8s. 6d. per head, so even on the correct figures Samoa still appears in a bad light, and this is what my learned friend complains about—placing Samoa in a bad light. Regarding finance, I suggest that one of the troubles in the financial position is the lack of proper control of public funds. An Auditor comes from New Zealand once a year for a month. During that month he has the whole work of the Administration and the work of the New Zealand Estates upon which to satisfy himself. It must be very apparent that the task is beyond him, and, as has been stated, he only does the more important portion of it. We also have here a local Auditor. This gentleman we have absolute confidence in; but the trouble with him is this: that all he can do is to inspect and go into matters thoroughly. This man makes his report to the man who really controls the money—namely, the Administrator. This can have no effect on the expenditure and judicious handling of the finances of the country. There must be a close and continuous check on the expenditure and the manner in which the money is handled. It is not sound as a business proposition to allow the Administrator, whoever he may be, to have full power to practically control the whole of the revenue of the country. Of course, dishonesty is very unlikely and would be discovered, but extravagant expenditure is likely to be experienced with the best of men. An official may be eminently suitable for the bulk of the work without having a business training and a knowledge of finance. It was for this reason that a Board of Control was suggested. The suggested Board would control the expenditure and see that it was carried out in a proper and efficient manner. It would be quite proper to suggest such a Board, but the personnel, duties, and powers would have to be fixed by experts in the control of public funds.

Passing from finance, I wish to refer to Native affairs. To my mind, the most striking evidence, on the whole, of Native affairs is the opposition put up to the suggested reforms, such as the medical tax, "fine mats," and the proposed division of Native lands. This opposition is real and definite, and existed long before the 15th October and the commencement of the Mau. The Natives themselves say that, and even the remits that were produced by the Administration itself, showing that the Faipules were carrying out their duties, show that complaints about these very matters were being brought forward long before the commencement of the Mau or the holding of the first meeting. I think that due consideration by reasonable people must show that the country has benefited largely from the medical services here, and it is essential that we have a fixed revenue for medical services. Regarding "fine mat" *malagas* and the division of land, if the time were ripe and conditions were favourable it would probably be in the interests of the country to prohibit the "fine mat" *malagas*, which must be expensive and time-wasting. The dividing-up of land would probably increase the production of the country. Why has there been such strenuous opposition? The answer lies in this, I think: that the Administration, when they have considered a matter beneficial to the Natives,

have brought it in without any consideration for the spirit or feelings of the Natives. No new law or resolution should be introduced in a community capable of expressing itself unless and until it has gone through a period of preparatory education, so that when the new law is introduced it will be hailed as a benefit and not resented as an innovation. Now, if the Administrator had made proper inquiries regarding "fine mats" and the division of lands he would have found that there was opposition, and he should then have started in to prepare the country for these reforms by educating the children in the schools and by other methods educating the people up to the acceptance of these reforms. Of course, the Samoan division of land is not yet law, but it has been made the subject-matter of a resolution by the Fono of Faipules. It appears in the handbook of laws, and most probably will become law, and there are likely to be some who will regard it as law. Mr. Meredith used the term this morning, "The giving of 'fine mats' is not prohibited, but the making of big *malages* is prohibited." It is expected that it will take some time to educate the Natives away from their old customs. Traditions will cling, and it is certain that the chiefs—*matais* and *tulafales*—are going to oppose the law, for it is going to affect them personally. It is probable that it could not be wholly done away with until the present generation has come to the stage where they themselves control local Native affairs. Turning from these matters, I wish to make reference to Native Regulations (Samoa) Order. This Order created new political divisions in the country. It also provided a procedure for the District Councils, Village Committees, and specifies the duties of these parties. It provides for *ex officio* members of the District Council, and, in particular, for the chairmanship of the District Council to be occupied by the Faipule of the district. Such an alteration would of necessity require that the people be educated up to it. But there is another aspect. The Faipule, prior to the passing of this Order in 1925, had been merely an adviser of the Administrator and the channel through which the Administrator communicated with the people. It is quite possible that in this capacity he met with approval and gave satisfaction to the Natives; but this Order created an entirely different state of affairs. The Order gave to the Faipule extended powers—it made him Chairman of the District Council and the principal man in the district; and, further, the practice was growing up of regarding the Faipule as the authorized representative of the district on the Fono of Faipule for the purpose of considering laws and the passing of resolutions. Under those circumstances, I submit, the district should have been given an opportunity of showing whether or not the Faipule was acceptable to them in the carrying-out of the new duties which this Order gave to the Faipule. Furthermore, many of these Faipules have been in office for some years, and it is quite possible that the Natives were satisfied with them at the time they were appointed; but since that time they have lost the confidence of the people, whether it is right or wrong. This failure on the part of the Government to submit the question to the chiefs and orators has caused a great part of the trouble in the land at the present time. Plenty of them would resent, and did resent, the situation. They considered the Faipules, who were merely advisers, were pushed into a position of power and domination without reference to those whom they regard as the natural representatives of the Samoans, and whom they consider had the right to some say as to who should preside over the District Council. There is another striking phase of the Samoan evidence, and that is the number of complaints made against the Faipules by the Samoan witnesses called. Every Samoan witness called, no matter on what subject he was called, when asked if he had any complaint against the Faipule had some. Many were trivial and unimportant, and a number were denied by the Faipule, and others do not concern the Commission at all. I do not propose to go into the merits—

The Chairman: Will you mention one complaint that is not trivial?

Mr. Baxter: I do not think I can mention one that is not trivial, and that is what impresses me. It is evident from the very fact that these trivial complaints have been made that the Faipules are disliked and distrusted by the Samoans. If the Faipules had the confidence of the Samoans, and were liked and trusted by them, then these trivial complaints would not be brought up against them; but that dislike and distrust caused the Samoans to bring forward these complaints. The Mau cannot be blamed for that, because these complaints of the Natives are not natural to the Mau, and from the diversity of the matters which they cover and from the personal nature of the majority of them it is clear that the Mau did not suggest them. It comes back to the same thing: the Natives consider that the Faipules are put in power by the Administrator and are removable only by the Administrator and obey the instructions of the Administrator, and are consequently Government officials. This is a serious state of affairs, which the Government could have prevented, I submit, at the time they brought in the Order had they sought the opinion of the districts and had they kept in touch with Native opinion through other channels than the Faipules. It is serious, because, under the present system of government, if the Natives have no confidence in the Faipules, then it is impossible for the government to be satisfactory. This feeling of dislike for the Faipules has been intensified by the attitude which the Administrator has adopted. The Administrator has insisted that the Faipules are the leaders of the Samoans and must be treated as such, and that the Fono of Faipules is the only body authorized to speak on behalf of the Samoans. There is no need for me to labour this point at all. I will merely refer to circulars issued by the Administrator which already show the attitude the Government has taken in regard to the Fono of Faipules and the Samoans. I first refer you to page 35 of the Joint Committee Report: "No doubt you have heard of the meeting held by certain people in Apia in which they raised faults against the Faipules, giving uncivil statements criticizing the said body before the Europeans and Samoans. Every Samoan individual who was present at that meeting and who heard what was said against some of the leaders of his own race—the Faipules—but did not stand up and speak with a heart of patriotism against such uncivility, ought to feel ashamed now, and should have expressed his sorrow before his Faipule and district for not defending the respect of Samoa." Also, at bottom of page 36, a circular to every village in Samoa, dated the

4th January, 1927: "I wish that every Samoan should be fully aware of this: the New Zealand Government will not consider such a committee, and that I am directed by the New Zealand Government to inform you that no other authority than the Fono or Faipule is authorized to confer with the New Zealand Government on Samoan affairs." This shows distinctly the attitude of the Samoan Government towards the Faipule. To them this attitude could only mean one thing—that, so far as the Government was concerned, they would listen only to the Faipule, and that complaints against the Faipule would not be listened to. This led to a loss of confidence in the Government. While mentioning Native matters, I wish to refer to the Native handbooks of laws. It is probably quite a good idea to publish in convenient form the laws of Samoa for the guidance of the Natives; but these books are more than that. The cover reads, according to the evidence of His Excellency the Administrator, "Laws of Samoa, approved or assented to by His Excellency in accordance with the Fono of Faipule." These covers convey only one meaning—that there is nothing in those books which is not law. They also convey a further meaning—that all these laws have been approved of by His Excellency after, and not before, the assent of the Fono of the Faipules had been given. There is no necessity to stress the fact that the Fono of Faipules has not the power to legislate yet; but the Faipules have presumed to fix the duties of officials, to pass by-laws which should have been passed by the District Councils, to fix penalties in the shape of fines, and in particular to pass resolutions. On page 1, subsection 7 (3), they have provided that the Faipules can make laws regarding health and other matters of that nature; while the volume shows that it is really, for the most part a restatement of laws, together with resolutions of the Fono of Faipule which have not yet become law. There is no indication which are laws and which are resolutions, which have to be obeyed, and which do not have to be obeyed. I submit, therefore, that the Faipules have exceeded their duties when, without any authority, they have passed resolutions in the form of laws and fixed fines. I also submit that the Administrator has exceeded his duty by approving of resolutions in the form of laws, resolutions fixing fines, and approving of the publication of books where laws and resolutions appear in the same form. The cover and the form of the book suggest that the Administrator wishes the Samoans to think that the Fono of Faipules is legislating and that the resolutions were really laws.

I wish now to deal with the growth of the Mau, which my learned friend dealt with at some length this morning. It seems to me that in contemplating this portion of the case the whole thing has to hinge on one question: How has the present unrest and dissatisfaction been created? Has the Citizens Committee deliberately created the troubles and used the Natives for its own ends without any real cause, or has the Administration, by tactless government, caused the present situation? A careful consideration of the evidence will, I think, clear the Citizens Committee. In September, 1926, Mr. Nelson returned from New Zealand after having had an interview with the Prime Minister, the Minister of External Affairs, and Sir Maui Pomare. At this interview he gained the impression that Mr. Nosworthy was coming to Samoa. Consequently on his return he met the other elected members, and the three of them consulted the representatives of the Citizens Committee as to what course should be followed to collect material for presentation to the Minister on his arrival. The other gentlemen consulted were all Europeans, with the exception, perhaps, of one or two who were at the party at Mr. Meredith's, which I intend to refer to later. They agreed that the proper course was to call a public meeting to ascertain the wishes and feelings of the people. Before the meeting was called there was an "afternoon" at Mr. Meredith's house at Vaiusu. This was held soon after Mr. Nelson arrived in Samoa, and he was invited to this party to meet the two Fautuas, Tuimaleali'ifano and Malietoa. At this "afternoon" Mr. Nelson, at the request of these two chiefs, told them what had happened in New Zealand and discussed politics with them. It has been suggested that this was part of the scheme to inveigle the Natives into a scheme for the benefit of the Europeans. There has been no evidence whatsoever to prove that. All the evidence shows is that at that meeting Mr. Nelson stated that they would be entitled to put their grievances up to the Minister of External Affairs, and also to probably discuss whether a meeting should be held. Mr. Meredith follows a surprising course by blaming my witnesses for not answering questions not asked. Had he asked the question he would have elicited the answer; but to leave them to say what steps were taken prior to the Mau only bears out what Mr. Nelson himself said—that he did not regard the meeting as of any importance: he regarded it purely as a social matter at which political matters cropped up and at which they were discussed. However, it does not matter if they were discussed or not. Nothing happened at it, and they were just told that they could appear if they liked at this public meeting. This public meeting was called on the 15th October, 1926. Natives were certainly present, but there is no evidence to show that the attendance of any Natives had been solicited before that meeting. The meeting was quite orderly, entirely loyal, and in every way constitutional. Papers were read, but they contained nothing that should not have been read, and were only for the purpose of stimulating discussion. Some Natives spoke, but they only voiced their own grievances, and those referred to ancient customs. At this meeting a committee was elected consisting of Europeans and Samoans. Nothing has been shown to the contrary. This committee was elected to prepare reports for presentation to the Minister. There is nothing serious in that. That the meeting was innocent by nature can be judged by the fact that Mr. Meyer, one of the Government witnesses, was one of those who recommended calling the meeting, and was one of those who accepted a seat on the committee. Mr. Cobcroft also accepted a seat on the committee and spoke several times. The second meeting was called on the 12th November, 1926. There is no evidence that at the first meeting there was any disturbance in the country at all. His Excellency says so. Yet as soon as the second meeting was called the Government resented it very strongly. The police were there in considerable force. The police report shows that the names of those that attended were taken down, and a letter from the Administrator was read in a way not likely to soothe down public feeling. If

there was any difficulty, the action of the Government was unfortunate. The public of Apia at that time considered the presence of a large body of police and the reading of this letter as an attempt to scare them from holding a meeting. If such a letter was necessary, then I suggest that it would have been much more advisable and a much more courteous course for the Administrator to have addressed that letter to the chairman and left him to read it. Such course would not have, perhaps, savoured so much of the reading of the Riot Act. Mr. Meredith suggests that Mr. Nelson was at fault—that he had great influence and that he could have stopped the meeting from going on. Well, perhaps if a little bit of courtesy and consideration had been shown it would not have gone on. This was followed by an unfortunate action regarding the Natives. Tofaeono was dismissed from his position in the Administration. Other Natives were called before the Administrator in the presence of the Fono of Faipules and were warned. This circular, in conjunction with the letter read at the meeting, was not the type likely to quieten the Natives, but was more calculated to disturb them and annoy them. It was known that the Natives were complaining against the Fono of Faipules. The Administrator wrote these two letters that I refer to. In the letter read at the meeting, which appears in Appendix I, he says, "Unwarranted attacks, however, on the Faipules, the leaders of the Samoan race, cannot be passed over by me without it being misunderstood by the Natives. I wish certain persons to clearly understand that." And lower down, the fourth paragraph from the bottom, "To the Natives, I wish to inform them that they have the fullest freedom to bring their complaints before the Government by the proper channels. I cannot, nor can the New Zealand Government, receive complaints from the Natives save those coming through their own properly constituted channels, such as the District Councils and Fono of Faipules." This was bound to have disturbed the Natives, for they were complaining against the Fono of Faipules and the Faipules themselves; and yet they were told that the only complaints which would be heard would be those which came through the Faipules. Indirectly the Administrator has agreed that this was a foolish course to follow, for in his evidence on page 390 he says:—

"Did you know at that time that some of the complaints—I do not say whether they were sound complaints or not—of the Natives were against the Faipule themselves?—I did not hear of any."

"Had you known that some of the complaints were against the Faipule and the Fono of Faipule itself, I conclude you would not have wished to convey the impression that their complaints must come through the Fono of Faipule?—No."

He says he did not know that there were any complaints against the Faipules, and says that if he had known he would have taken different steps; and yet he did not, for in his own letter (Exhibit No. 64) he says, "No doubt you have heard of the meeting held by certain people in Apia in which they raised faults against the Faipule, giving uncivil statements criticizing the said body before the Europeans and Samoans. Every Samoan individual who was present at that meeting and who heard what was said against some of the leaders of his own race—the Faipules—but did not stand up and speak with a heart of patriotism against such uncivility, ought to feel ashamed now, and should have expressed his sorrow before his Faipule and district for not defending the respect of Samoa." That letter was written immediately after the meeting. This letter says, "I cannot, nor can the New Zealand Government, receive complaints from the Natives, save those coming through their own properly constituted channels, such as the District Councils and the Fono of Faipules." The Administrator has indirectly admitted following a wrong course there, because if he had known there were complaints he would have followed a different course, and this letter that I have just read shows that he did not. These actions at the meeting and after the meeting—the reading of this letter, the presence of the police, the circular sent out afterwards—caused the first real ill feeling in this community. The banishing of chiefs to Savai'i, the taking away of titles, the circular of the 4th January, 1927, which is printed as Exhibit No. 65, wherein it is stated that the New Zealand Government will meet nobody but the Fono of Faipule, were not calculated as likely to lessen the ill feeling. In fact, the result was very different. The outside districts, knowing of the excitement going on, and receiving these circulars from the Administration, and not knowing what was actually going on, sent delegates into Apia. They arrived and stayed at Lepea. Later on they formed a sub-committee; yet no attempt was made by the Government to get to the root of the trouble and find out what was wrong. The main duty of the Government is to maintain and hold peace in the country, and when trouble arises like this the only real consideration is to find out what the trouble is. If they were real complaints they should be dealt with and settled, but to adopt the attitude that they would listen to no complaints except those coming through the Fono of Faipules was not likely to help matters at all when he knew there were complaints. Such would be likely to be regarded as repression. During all this time there was nothing irregular done by the committee, nothing seditious—nothing done so far and nothing intended. There is not one bit of evidence to show that the committee was, or any member of the committee was, guilty of sedition or disloyalty. It is certainly true that a number of Native witnesses have said that they wished to break away from New Zealand. These statements are made after eighteen months of excitement, and ill feeling, and bitterness, and it is well known that every movement has attached to it a minority of radicals who are anxious to go further than the real leaders. The movement cannot be blamed for these radicals as long as it does not let them lead in its councils. Matters were carried on without any disturbances pending the arrival of the Minister, who they thought would settle matters. After the Minister's visit matters were made much worse. The Minister's attitude in refusing to hear the people angered the community. Threats of deportation which followed his leaving, general charges of disloyalty, self-seeking, and gain on the part of the Europeans—all without foundation—stirred up the community more. These charges of sedition were particularly trouble-making, for the members felt that they had done no wrong, and when they asked for details they were not supplied. They were only answered by the Administrator's letters, which indicated that he was satisfied that they

were guilty of sedition. Such loose statements on the part of a responsible Administration had the effect that one would expect in a community of this nature. Further, matters were kept in a state of turmoil by banishments and threats of banishment; also, the Minister by his letter isolated the Europeans away from the Natives, and the Administrator by his banishments removed from the control of the Natives the more responsible chiefs who had been in the movement from the beginning, and who knew what the real objects and intentions of the movement were. This left the matters in the hands of young and inexperienced Natives. Certainly at this time the Administrator offered to see the Natives in their districts. This was too late. If he had done this at the beginning something could have been done, but to do it at the eleventh hour was too late. They had been stirred up by the apparent impossibility of getting their complaints heard, and they decided that they would hang on in Apia until they were heard. Mr. Nelson and Mr. Smyth therefore decided to proceed to New Zealand and place matters before the Government. Here, again, the Government made another unfortunate move: immediately these gentlemen got their passports they received the letters referred to in Exhibit No. 51A. This was indeed a very foolish move, and I cannot understand that anybody, taking into consideration the state of the country at that time, could read into these letters anything other than a threat that "if you bring your complaints to New Zealand you have a chance of being deported when you return." It was certainly not calculated to settle any ill feeling in the country. Then we come to the worst period of all. Just after these gentlemen left, banishment order after banishment order was issued: there were about forty-six in one month. It was a time of crisis, but it was a crisis created by the Government and not by the country. Removals were followed by arrests, and arrests by handcuffs, and the whole lot followed by deadlock. When Pasia refused to be arrested the Acting-Secretary to the Administration, Chief Judge Woodward, interfered. His interference settled matters. He asked them to bring forward their complaints and come through him to the Administrator. This was more than the eleventh hour. The trouble had got to the stage where this offer to consider complaints and his statement that no further banishments would be issued was only said after the men had created such a serious situation by refusing to obey banishment orders. During this period everything was fear and excitement in Apia, and it was feared that the Administration would do something to stir the Natives further. To my mind, it is astounding that something did not happen. I do not believe that the Europeans would have stood for it. Supposing there was a general strike in Auckland, and that the Government, without trial, arrested the leaders, one after another, and deported them down to the South Island—to Dunedin, say: I do not believe the strikers would stand for it, particularly when the Government had not the force to see the order was carried out. It speaks highly for the Samoans' respect for law and order that trouble did not arise at that time. All this trouble arose only because the Europeans and Natives decided to prepare complaints and bring them before the Minister. If at the beginning tactful and sympathetic handling had been dealt out the matter would have been forgotten now and nothing come of it; but the refusal to hear the Natives except through the Faipules, the Government attitude towards the second meeting, the refusal to allow delegates to go to New Zealand, the general sense and feeling, as far as the Samoans were concerned, that nothing not approved by the Faipules would be heard, created the position that the country is in at the present time. It is useless to say that the European members of the committee are to blame for this, and that they should have foreseen that such a state of affairs would arise. They thought merely to collect information for the Minister in charge of this Administration, and it was impossible for them to have anticipated such surprising action on the part of the Administrator.

Mr. T. B. Slipper: May it please your Honour, the first matter for me to mention briefly is that of the existing law regarding the prohibition of liquor. The matter that has been placed before the Commission has been non-contentious. I called what I thought was fairly strong evidence expressly from the old residents of Samoa and representatives of the Samoan race. A great deal more evidence could have been called, but it did not appear to be necessary. The important fact is that no evidence has been called to the contrary. My committee does not bring forward a definite scheme in the matter; it feels that it would be somewhat of a presumptuous step. There is before the Commission Mr. Braisby's report, and also the report made by a number of the officials of the Administration, and not made for the purpose of this Commission, but made before for some earlier purpose. Having that before you, my committee suggests that you will be able to make a report to the New Zealand Government, and if you can do that in favour of lifting prohibition to some extent use will, no doubt, be made of that detailed statement. With regard to the cancellation of trading licenses, that matter has been before the Commission, and Mr. Meredith has abandoned any attempt to establish any right in the direction of these cancellations, so that there appears to be no need to say much about that matter, except to add that the practice as commenced and existing for some time shows the danger of penalizing any person without a proper hearing, and my submission is that there must be at least these three things—(a) a definite charge, (b) sworn evidence, (c) the right to cross-examine. Now, as to the deprivation of titles, it is plain that a considerable number have been taken away, but in no case that I can recollect did the order state the period for which the deprivation should continue; and it is admitted by His Excellency that the matter of a title to a Samoan is a very serious one, and that it carries the right of land with it. It was admitted by His Excellency that his intention was for a relatively early restoration—perhaps in the course of two or three years; but it was further admitted by His Excellency that by no utterance had he conveyed that intention to the Natives, and when I asked His Excellency whether he did not think that this ignorance on their part would cause grave dissatisfaction his answer was in the direction of saying he did not know. The deprivation of titles went along more or less sporadically; but I notice Mr. Meredith refers to a time—that is any time, apparently, after the birth of the Mau—when apparently everything was going smoothly. Evidence has been given by a number of witnesses that they had grievances two or three years before

the Mau commenced, in October, 1926; indeed, some go so far as to go back to 1918—after the epidemic. Comparison has been made of the Administration to-day with olden times, and reference has been made to historical documents. May I, sir, refer to a document in the correspondence with respect to the affairs of Samoa presented to both Houses of Parliament in 1885-89 by command of Her Majesty. This is a letter written by Malietoa, and he says: "In the month of September of last year their rule began" [that was, the rule of Tamasese and Brandeis]. "They appointed the Taimua and Faipule, who remained with them at Mulinu'u, and they appointed Governors for every district. The following different things have caused us to turn away from those two, who were elevated by the German Government to be the heads of our Government. . . . They deported some chiefs and rulers to a distant country without any trial whatever." That was signed by Malietoa and addressed to Rear-Admiral Fairfax, and dated 3rd October, 1888. In making a comparison with olden times it appears from the evidence that the Samoans did not make a practice of taking away titles. It will also be remembered that His Excellency admitted the possibility of the title of a *matai* being given to some other person while suspended from him, and, while that gift would be by the family of that *matai*, the deprivation would be by His Excellency; and it is to be noted, too, that His Excellency admitted that he was relying on a German precedent. Now I come to the question of the banishees. It is convenient for us to use the word "banished" in respect of orders for removal, but, of course, the Commission are quite aware of the fact that a number have been ordered to return home. It has been suggested by the Crown that these orders to return home were necessary for the peace, order, and good government of Samoa. There is no evidence before the Commission of any such need, except the opinion of His Excellency; and the whole facts show that there was no outbreak nor deeds of violence, no suggestion of an epidemic, no shortage of food—nothing whatever to call for these peremptory orders to leave Apia and return home. What may have been in His Excellency's mind may have been of the very best intention, but the proof that his idea was incorrect lies in the fact that there has been produced no evidence from the time of June to the present day to that effect. We have it that not only banished chiefs but chiefs who were ordered home were permitted to come to Apia to have their evidence investigated, and they have been here for five weeks, and at the request of Mr. Meredith. I stated that I knew of no further reason why they should stay here, and they obeyed the order and went home. This shows that there was no need for this legislation and for the exercising of the powers of the Samoan Offenders Ordinance. Mr. Meredith stated that at the time these things were done the country was drifting into a state of revolution. I am entitled to say that he is unable to produce any evidence to warrant him making such an extreme statement. It is clear that there were grievances—imaginary or real—and it is clear that there was a disposition to develop a unified and political mind; and it is also clear that these orders were made against those persons who decided to take part in political discussions of a perfectly orderly nature. I need not refer to the constitution of the Mau after what my learned leader has said. Mr. Meredith said that His Excellency had information requiring him to take the action he took. It is not clear, I submit, to the Commission what information he had, and it is not clear that His Excellency has always been well informed. There are examples of his statements that are admissions on his part that he was incorrectly informed, which leads us to the further question of the need of special action on the part of the Administrator. Instead of resorting to the ordinary action of the Court, it has been stated in Parliament in New Zealand that it might be that immediate action would be necessary. It is not for me to contradict such an hypothesis, but it must be pointed out that there is not one scrap of evidence that there was any such emergency at all; and I would point out that the Court could have dealt with all the charges against the banishees. I further claim that if that had been done there could have been no grounds for complaint that the people had been banished without trial. It has been alleged by His Excellency that a banishment is not a punishment; but he stated distinctly in a letter to the Minister that it was a punishment—indeed, Mr. Lewis said that it was certainly a punishment. I submit that there was no need to go outside the Court in dealing with these matters. The Commission has an official record of these banishments, and I desire to call your attention to No. G1563—Aimasi (Exhibit No. 58). If your Honours will look at the last paragraph, it says that the defendant was directed by Mr. Griffin to remain away from Satapuala for six months and to return home. No order of banishment was made. The spirit underlying banishments has expressed itself in the amending Act of the 5th August, 1927, and there we find that it is possible for the Administrator, authorized by the Governor-General in Council, to deport Europeans for five years and Samoans for two years. We find also that the deportation of Samoans can be to the Tokelau Islands. I say nothing about the deportation of Europeans, because I perceive that it has been omitted from the order of reference.

The Chairman: There is no case at present. There was one in the case of Hunt and Gordon.

Mr. Slipper: It is to be noted in regard to this legislation that there was already a provision in the Samoan Act for the exile of a culprit convicted in the Court. It is submitted that this legislation was unnecessary, and was merely an irritant to the Samoans. The evidence in support of that consists of the fact that since this legislation was passed on the 5th August the Mau has continued its activities, which are purely political. Every member has taken part in committee work and carried on just as before this legislation, but nothing has been done to him, so that apparently his activities since the 5th August have not been calculated to come within the purview of this Act; and if it is clear that the activities of the Mau were not more than—if anything, less—before this Act was passed, these facts suggest a strong basis for my suggestion that there was no necessity for that legislation to be passed. We have seen that the banishments prior to the visit of the Minister were for a variety of reasons. I have already stated that, in my opinion, most of them could have been taken in the Court. It is to be noted that there are about sixty-one, all told. Some are questions of the loss of title only. There are fifty-three on this list, and eight on the list following June. I refer

to the question of any hardship that may have happened to persons banished. It is not to be taken as correct, for it is not correct, that all of these banished chiefs have been sent to relations to live *fa'a-Samoa*. Some do not live *fa'a-Samoa*; some live *fa'a-papalagi* (European)—they live and support their dependants in a European way. No provision has been made for the maintenance of the banishees, nor for their dependants left behind. It is correct to say that in many cases wives and children were left behind without the ordinary protection that would be afforded by the fathers who were banished. It is also correct to say that most of the offences were offences that could have been very well contested in the ordinary Court of law. There were other observations that I intended making, but after listening to the very comprehensive remarks of my leader I need not make any more.

The Chairman: This concludes the sittings. It now remains for the Commission to report to His Excellency the Governor-General.

EXHIBITS.

EXHIBIT No. 1.

BURNS, PHILP (SOUTH SEAS) CO., LTD.: ACTUAL CASH OUTLAIN IN PURCHASE OF COPRA.

	21c. "A" District, near Apia. On shrinkages.			22c. "B" District. On shrinkages.			23c. "C" District. On shrinkages.			24c. "D" District. On shrinkages.			3c. Within Apia Boundary.	
	10%.	12½%.	15%.	10%.	12½%.	15%.	10%.	12½%.	15%.	10%.	12½%.	15%.	10%.	15%.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Paid to Natives ..	12 6 6	12 6 6	12 6 6	11 4 1	11 4 1	11 4 1	10 1 8	10 1 8	10 1 8	8 19 3	8 19 3	8 19 3	8 19 3	8 19 3
Shrinkage ..	1 4 8	1 10 10	1 17 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 17 11	0 17 11	0 17 11	0 17 11	0 17 11
Bagging and shipping ..	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0
Traders' commission ..	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0
Insurance to Apia ..	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0
Insurance to Apia ..	1 2 6	1 2 6	1 2 6	1 3 6	1 3 6	1 3 6	1 8 0	1 8 0	1 8 0	1 11 4	1 11 4	1 11 4	1 11 4	1 11 4
Freight at 12s. 6d. per 1,000 lb. ..	15 13 8	15 19 10	16 6 0	14 10 0	14 15 7	15 1 2	13 9 10	13 14 10	13 19 11	12 8 6	12 13 0	12 17 7	13 2 0	13 6 6
At Apia Wharf ..	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6	0 0 6
Wharfage in ..	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0
Discharging and cartage to shed ..	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0
Insurance in shed ..	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10	0 1 10
Labour — weighing, bagging, marking, and stacking ..	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1	0 2 1
Cartage out ..	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8	0 15 8
Bags (17 to ton) ..	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7	0 1 7
Plus 10 per cent handling and loss ..	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0
Twine and needles ..	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0
Export duty ..	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0	0 6 0
Lighterage ..	18 9 4	18 15 6	19 1 8	17 5 8	17 11 3	17 16 10	16 5 6	16 10 6	16 15 7	15 4 2	15 8 8	15 13 3	15 17 8	16 6 8
2½ per cent. shrinkage in shed on above (less £1 6s.) ..	0 8 7	0 8 9	0 8 11	0 8 0	0 8 1	0 8 3	0 7 6	0 7 7	0 7 9	0 6 11	0 7 1	0 7 4	0 7 3	0 7 5
Total f.o.b. cost ..	18 17 11	19 4 3	19 10 7	17 13 8	17 19 4	18 5 1	16 13 0	16 18 1	17 3 4	15 11 1	15 15 9	16 0 7	16 4 11	16 9 7
Shrinkage in transit (5 per cent.) ..	0 18 10	0 19 2	0 19 5	0 17 8	0 18 0	0 18 3	0 16 8	0 16 11	0 17 1	0 15 6	0 16 1	0 16 4	0 16 3	0 16 6
Freight ..	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0	3 10 0
Weighting ..	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0	0 8 0
Insurance (10s. 6d. per cent.) ..	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8	0 2 8
Brokerage and commission (1 per cent. on, say, £26 2s. 6d.) ..	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3	0 5 3
Exchange on proceeds (say, £22 3s. 11d.) ..	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0
Total cost ..	24 4 4	24 11 0	24 17 7	22 18 11	23 4 11	23 10 11	21 17 3	21 21 2	22 8 0	20 14 2	20 19 5	21 4 6	21 8 9	21 13 8
Profit per ton ..	1 18 2	1 11 6	1 4 11	3 3 7	2 17 7	2 11 7	4 5 3	3 19 11	3 14 6	5 8 4	5 3 1	4 18 0	4 13 9	4 8 10
Last market price ..	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6	26 2 6
Return of profit equals ..	7½%	6%	4½%	12½%	11%	10%	16½%	15%	14%	20%	19½%	18½%	18%	17%
														6½%

N.B.—The 2½ per cent. shrinkage in shed is not actual, but is allowed by the Customs to save reweighing. This percentage added to the percentage of shrinkage in transit should approximate the actual shrinkage of other shippers.

The above cost does not include—Rent of extra copra-sheds, £8 per annum; tax on copra-sheds, £2 per annum; Copra-buyers' license, 2s. 6d.; commissions paid to extra copra-buyers, 4s. 6d. per ton; proportion of traders' wages, which are £10 per month; interest on capital value of station properties, sheds, plant, and utensils; cost of station boats and lighters, and maintenance of same; tax at 10s. and £1 respectively on above; proportion of insurance on station properties at £1 10s. per cent.; interest on capital outlay in copra-shed properties in Apia, and insurance on same; interest on money expended in purchase of copra; proportion of Apia office supervision; proportion of Sydney office supervision.

SHRINKAGES ON COPRA PURCHASED AT TRADING-STATIONS (these figures are taken from the last squaring at each station).—*Upolu*: Luatuanuu, 4-26 per cent.; Solosolo, 10-38 per cent.; Samusu, 10-38 per cent.; Saleamua, 10-88 per cent.; Lalomua, 15-48 per cent.; Lepa, 11-87 per cent.; Aufaga, 13-24 per cent.; Lotofaga, 15-34 per cent.; Salani, 13-15 per cent.; Satalo, 16-35 per cent.; Vaoval, 16-35 per cent.; Saleaka, 14-72 per cent.; Saleaka, 13-59 per cent.; Fagamalo, 10-12 per cent.; Fagamalo, 10-12 per cent.; Safotu, 9-94 per cent.; Sasina, 16-60 per cent.; Sataua, 10-98 per cent.; Salealupo, 11-56 per cent.; Salealofa, 10-87 per cent.; Salealofa, 13-9s per cent.; Siufaga, 6-80 per cent. (usually 9 per cent.); Faga, 13-77 per cent.; Lano, 8-16 per cent. (usually 11-5 per cent.).

EXHIBIT No. 2.

MORRIS, HEDSTROM, LTD.

1. SCHEDULE SHOWING COST AND PROFIT TO TRADING-STATIONS ON SAVAI'I FOR COPRA PURCHASED AT THE CURRENT PRICE OF 2½ CENTS PER POUND AND CREDITED AT THE RATE OF £16 PER TON C.I.F. APIA.

	£	s.	d.
Buying-price per ton at 2½ cents per pound	10	1	8
Trader's commission at 4s. per 1,000 lb.	0	9	0
Average shrinkage between date of purchase and shipping (11 per cent.)	1	2	2
Sewing-twine, needles, &c., per ton	0	1	0
Freight to Apia at 12s. 6d. per 1,000 lb.	1	8	0
Insurance to Apia	0	1	3
Charges for labour—weighing, bagging, sewing, and loading to vessels	0	9	0
Inward wharfage	0	0	6
Proportion of trader's wages (say, 50 per cent.)	0	10	0
	<u>£14</u>	<u>2</u>	<u>7</u>

Profit to station, £1 17s. 5d. per ton.

NOTE.—The above does not take into account the following: Salary of European Station Inspector, constantly employed; head office overhead charges for management; rental of copra-shed sites (the minimum rental permitted by Administration is £8 per annum); proportion of store rental; interest on cash at stations for copra purchases; interest on capital cost of buildings; fire insurance on buildings; repairs and maintenance of sheds, lighters, &c.; taxes for lighters and extra copra-sheds.

2. SCHEDULE SHOWING COST AND PROFIT TO TRADING-STATIONS IN APIA DISTRICT FOR COPRA PURCHASED AT THE CURRENT PRICE OF 3 CENTS PER POUND AND CREDITED TO THE STATIONS AT £16 PER TON DELIVERED IN APIA.

	£	s.	d.
Buying-price per ton at 3 cents per pound	13	8	10
Traders' commission at 4s. per 1,000 lb.	0	9	0
Average shrinkage in weight between date of purchase and delivery to Apia (7½ per cent.)	1	0	2
Cost of sewing-twine, needles, &c.	0	1	0
Cartage to Apia, per ton	0	10	0
Charges for weighing, bagging, and delivery to lorries	0	5	0
Proportion of traders' wages	0	10	0
	<u>£16</u>	<u>4</u>	<u>0</u>

NOTES.—(1) The difference in rate of shrinkage between local stations and Savai'i is owing to the more frequent clearances from sheds. (2) Trading-stations in 3-cent area are not showing any profit on copra purchases. (3) The above does not take into account any of the charges enumerated in Schedule 1 for additional charges against copra.

3. SCHEDULE SHOWING CHARGES AGAINST NATIVE COPRA CREDITED TO OUR TRADING-STATIONS AT £16 PER TON C.I.F. APIA, TO THE SELLING-POINT IN EUROPE.

	£	s.	d.	£	s.	d.
Cost c.i.f. Apia				16	0	0
Average shrinkage in store (5 per cent.)	0	16	0			
Export tax	1	0	0			
Lighterage	0	6	0			
Cartage, lorry-hire inwards and outwards	0	3	0			
Labour discharging from coastal vessels—rebagging, reconditioning, sewing, marking, stacking in shed, and reloading for export	0	6	6			
Cost of sacks, twine, &c.	0	17	6			
Insurance in shed, based on average storage of six weeks	0	1	6			
Interest	0	3	0			
Proportion of ground-rent for shed	0	1	0			
Proportion of capital value of buildings	0	0	6			
				<u>3</u>	<u>15</u>	<u>0</u>
Total cost f.o.b. Apia				19	15	0
Exchange at sixty days on selling-price	0	10	0			
Freight to Europe	3	10	0			
Insurance in transit	0	2	6			
London brokerage and commission (1½ per cent.)	0	7	9			
Landing-charges in Europe	0	1	6			
Shrinkage en route at 3 per cent. on £20	0	12	0			
Head office charges for selling (covering all cabling charges, &c.)	0	5	0			
				<u>5</u>	<u>8</u>	<u>9</u>
				<u>£25</u>	<u>3</u>	<u>9</u>

NOTE.—The above does not take into account any of the following charges: Salary of European overseer constantly employed on produce; overhead charges for management; fire insurance on buildings, repairs and maintenance, plant and buildings; loss on working-expenses of vessels engaged in copra-freighting; petty charges against shipments; wastage and losses of sacks.

EXHIBIT No. 3.

P. C. FABRICIUS, LTD.

District, &c.	Purchase Price.	Station Expenses :	Half Trader's Salary and his Commission.	Freight to Apia.	Shrinkage from purchase to arrival Apia.	Cost in Vessel alongside Wharf. Apia.
		Shipping, Boot-hauling, Twine, Books, Messengers, &c.				
	Per Ton.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	Per Ton.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Manono ("A" district)— 10 pfg. per pound	11 4 0	0 11 6	1 3 6	1 2 6	1 12 0 (12½%)	15 13 6
Falealili ("B" district)— 9 pfg. per pound	10 1 8	0 8 1	0 18 8	1 11 4	1 8 9 (12½%)	14 8 6
Matautu and Safotu ("C" district)—8 pfg. per pound	8 19 3	0 11 5	1 6 3	1 11 4	0 19 9 (10%)	13 8 0
Average for three districts						14 10 0
Discharging coastal vessels, carting, refilling, and reconditioning sacks, weighing, charge of Customs weigher, wharfage, &c.						0 4 6
Sacks (17 to 18 per ton), marking and replacing of damaged sacks						1 0 0
Average storage charges in export-shed per ton for about nine weeks between steamers						0 3 0
Average storage insurance in export-shed per ton for about nine weeks between steamers						0 1 6
Export duty, which is paid on 2½ per cent. more weight than is sold						1 0 6
Shipping-charges (which are higher if copra has to be carted from other sheds)						0 6 0
Freight to Europe (which is higher on account of our smaller quantities)						3 12 6
Marine insurance to Europe, ½ per cent. ; brokerage and commission, 1½ per cent. ; shrinkage from time of weighing into Apia shed till weighing out in Europe, 5½ per cent. (7½ per cent. on average selling-price of £25 10s.)						1 18 3
European small expenses for weighing, rebate, extra insurance, &c.						0 3 0
Exchange on transfer of £20 per ton from proceeds						0 4 9
Six months' interest for average capital outlay of £16 per ton						0 12 9
Total expenses from coastal vessel in Apia to realization of selling-price						9 6 9
Plus average landed cost in Apia alongside wharf as above						14 10 0
						£23 16 9

In these costings no allowance is made for lease of stations or land on which own stations are erected ; repairs and depreciations of station buildings, copra-houses, station-boats, utensils ; fire risk at stations and marine risk on way to Apia ; cables for quotations, and for arranging sales, &c. ; allowance for bad debts through traders giving advances in copra ; or for excess shrinkages irrecoverable from traders.

EXHIBIT No. 4.

CHAMBER OF COMMERCE OF WESTERN SAMOA.

Apia, Samoa, 18th May, 1927.

The Secretary, Administration of Western Samoa, Apia.

SIR,—

We have been directed by our Chamber to lodge its emphatic protest against the Administration's interference in trade, by its policy in buying allegedly superior copra at rates far in excess of those able to be paid by licensed copra-buyers. Our Chamber considers that the Administration's scheme is unfair and unjust ; it has been proved impracticable, and in its application there has been a disregard of existing laws and regulations. Furthermore, some of the consequences that are already apparent, and others that must ensue, seem to have received no consideration whatsoever.

It has been stated that the New Zealand Reparation Estates are handling the work for and on behalf of the Agricultural Department. We would respectfully ask, Is the officer who has been weighing at Fagamalo an employee of the New Zealand Reparation Estates or a member of the Administration service ? In any case, are we correct in assuming that the New Zealand Government, through the New Zealand Reparation Estates, is not being reimbursed for the time, &c., expended by its servants in the buying (retreating in some cases), bagging, storing, and shipping from the buying-points, the freight to Apia, and the many charges incurred here in supervision, storing, shipping, insurance—all of which charges merchants, in the ordinary course of business, have to bear ?

There are certain regulations in force which, if not adhered to, a trader cannot obtain a license to sell his goods and buy copra, yet it appears that these regulations are ignored by your Administration, which, although collecting taxation and licensing to trade, does not give that protection which the payers of licenses and taxes are justly entitled to. Can there be the regard for a country's laws if the Government itself does not keep them ? Not only are the Trading Regulations and Copra Ordinance unobserved, but even the law in respect to the observance of holidays has been broken by one of the officers engaged in buying copra—done, too, under the eyes of one responsible

for the law and order of a large number of Samoan people. Even under the direct control of the Estates' managers, and of officers whose duty before was to inspect the copra bought by traders, it has been found that much of the copra taken delivery of by them has not been up to the standard required, and has been sold locally. Further, the right quality has only been obtained in some cases by the plantation manager retreating the copra, presumably at the expense of the Government or the New Zealand Reparation Estates. Even now, we understand, this manager is lending the Natives the trays belonging to the plantation. Will these actions help to achieve the result which the Administration is apparently endeavouring to obtain—viz., to get the Samoans to make at their own expense, labour, and interest, a quality of copra superior to the general production, and obtain a better price accordingly? With the trouble experienced, despite concentration of buying and expert supervision, does it not show clearly the difficulties experienced by those whose business it is to buy copra not only in one or two centres, but throughout the length and breadth of the two islands?

Our Chamber is very much concerned at the inevitable consequences to the country if this scheme is gone on with. We already find that one of the Agricultural Inspectors has been taken from his usual work, which embodies amongst many other duties the necessity of frequent inspection of Native plantations and of the copra in stations and sheds, to buy Native copra, and another Inspector is to take up the buying in the Faasaleleaga district. Surely the result—the growth of the beetle, neglect of the plantations, the making of an even poorer quality of copra in those places not accessible to the Government buyer—can be seen. And the same will apply to the Estates if the managers, who are responsible officers and accordingly well paid, have to neglect their ordinary duties, which we may assume, if properly and conscientiously carried out, fully occupy their time. There is evidence already on one plantation to warrant this concern.

Briefly, we would summarize the position, as it appears to our Chamber, in the following questions:—

- (1) Has the Administration proved to its satisfaction that the merchants and those concerned with copra are not paying a fair price for the same?
- (2) If it has, is it aware that this opinion is not shared by all its responsible officers?
- (3) If the Administration considered that a fair price was not being paid and there was no incentive offered for better-quality copra, why was not the position discussed with those responsible and an endeavour made to discover a solution of the problem?
- (4) Why is the Administration setting up a false value for Native copra, when the many overhead charges, such as managers' and inspectors' salaries, rents, labour, taxes, licenses, office salaries and expenses, &c., are not being taken into consideration?
- (5) Is it just that merchants and traders should have to bear taxation when the means of earning the taxation is being taken away from them?
- (6) Is it just that merchants and traders should have to erect and maintain suitable store buildings, and keep sufficient stock and ready cash, before obtaining a license to trade, whilst the Administration both trades without a license and does not honour its own regulations?
- (7) Are members of the Administration entitled to break the law in regard to the observance of statutory holidays?
- (8) Will the Administration admit the impossibility of plantations managers and Agricultural Inspectors being able to carry out the duties for which they are paid by the New Zealand Reparation Estates and the country and at the same time attend to the work entailed in buying Native copra?
- (9) Admitting the impossibility, must it not also admit the imminent danger to the country generally through the lack of supervision and inspection, by the neglect of Native and Government plantations, the spread of the beetle, and a decline in the quality of the copra, which, through inaccessibility, cannot be delivered to the Government buyers?
- (10) Finally, we have to ask if the Administration countenances the imposition of fines by a certain Faipule, who has made it a *tulafono* that all copra must be washed and then weighed by the Government.

We have been informed that a fine of 4s. is imposed upon any one not obeying this regulation.

This Chamber believes that the copra merchants and others interested are, and always have been, intent upon maintaining the quality of Samoan copra. Furthermore, it is of the opinion that, considering the heavy expenses entailed, the Natives have always received a fair price for their produce. This has been exemplified during the past few months, in which the London market has been as much as £4 lower than is usual at this period; nevertheless, the price for Samoan copra has been reduced by only £2 5s. per ton, whereby, so we have been informed, merchants have had to be content with merely getting their outlay back again, and at times the state of the market was such that even this seemed doubtful. Again, the local reduction was not made until some time after the decline at Home, as it was hoped to avoid, if at all possible, any reduction in the rate which had existed for so long.

In conclusion, we have been assured by those concerned that they are always willing to meet the Administration to discuss any matter relating to copra, and would welcome any practicable scheme that would ensure a better product, meriting a better price. Awaiting your reply,

We are, yours faithfully,
CHAMBER OF COMMERCE OF WESTERN SAMOA.

Administration of Western Samoa, Apia, Samoa, 2nd September, 1927.

The President, Chamber of Commerce, Apia.

DEAR SIR,—

With reference to the Secretary's memorandum dated 19th May, in reply to your letter of 18th May, 1927: His Excellency the Administrator has now had an opportunity of discussing the matters referred to therein with a large number of Natives representing every district in Upolu and a few districts in Savai'i, and he finds they are in no way changed in the attitude they have taken up for the past four years in their urgent requests for the Government to assist them to get a higher price for their copra. They blame the Government for their not receiving the same price for their copra as the Natives receive in Tutuila and other islands of the Pacific, and so place this Administration in the position of having to assist them, where possible, to market their products in order to remove their discontent.

As previously explained to you, the Administration efforts are directed only to (1) improving the quality of Native copra, (2) enhancing the price for superior copra, without which the Natives will not take the trouble to make a high standard quality. The Administration does not wish or intend to buy Native copra, but merely to assist those Natives who desire to do so to ship their copra to oversea markets. Those Natives who do this should be able to increase their purchasing-power and so benefit generally the trade of this Territory.

It is not proposed to discuss the various questions in your letter, some of which are based on false assumption, and all arise out of the first question—as to whether the Administration has proved to its satisfaction that the merchants and those concerned with copra are not paying a fair price for same. The answer to this question is that the Administration is satisfied that a fair price has not been paid to the Natives for good-quality copra.

Yours faithfully,
W. H. WOODWARD, Acting-Secretary.

EXHIBIT No. 5.

O. F. NELSON AND CO., LTD. : ESTIMATED MARKETING COSTS OF COPRA PER TON.

	Copra purchased in			
	Apia: 3c. (12s. 100lb.)	"A" District, 2½c. (10s. 100lb.)	"B" District, 2¼c. (9s. 100lb.)	"C" and "D" Districts, 2c. (8s. 100lb.)
2,240 lb.	£ s. d. 13 8 10	£ s. d. 11 4 0	£ s. d. 10 1 7	£ s. d. 8 19 3
Shrinkage in sheds (10 per cent.)	1 6 11	1 2 5	1 0 2	0 17 11
Station handling .. .. .	..	0 9 0	0 9 0	0 9 0
Trader's commission (4s. per 1,000 lb.)	0 9 0	0 9 0	0 9 0	0 9 0
Freight to Apia (per 1,000 lb.) .. .. .	..	1 2 5*	1 8 0†	2 4 10‡
Marine insurance .. .. .	..	0 2 0	0 2 0	0 2 0
F.W.A. (free at wharf, Apia) .. .. .	..	14 8 10	13 9 9	13 2 0
Wharfage (per ton) .. .. .	..	0 0 6	0 0 6	0 0 6
Handling from wharf to shed .. .. .	..	0 5 0	0 5 0	0 5 0
Labour in shed, rebagging and stacking	0 2 6	0 2 6	0 2 6	0 2 6
Shrinkage from station to Apia (2½ per cent.) .. .. .	..	0 5 6	0 5 0	0 4 6
Insurance in shed	0 3 0	0 3 0	0 3 0	0 3 0
Stacked in sheds	15 10 3	15 5 4	14 5 9	13 17 6
Loading and cartage for overseas shipment	0 3 0	0 3 0	0 3 0	0 3 0
Bags and twine (17 sacks to ton)	0 18 6	0 18 6	0 18 6	0 18 6
Ligherage	0 6 0	0 6 0	0 6 0	0 6 0
Export duty	1 0 0	1 0 0	1 0 0	1 0 0
Shrinkage in sheds (4 per cent. on £26)	1 0 9	1 0 9	1 0 9	1 0 9
Bank charges on draft (1 per cent. on £20)	0 4 0	0 4 0	0 4 0	0 4 0
F.o.b. Apia	19 2 6	18 17 7	17 18 0	17 9 9
London charges—				
Freight (70s. per ton)	3 10 0	3 10 0	3 10 0	3 10 0
Superintending, weighing, &c.	0 0 9	0 0 9	0 0 9	0 0 9
Marine insurance	0 2 4	0 2 4	0 2 4	0 2 4
Interest on draft and freight (1 per cent. on £23 10s.)	0 4 8	0 4 8	0 4 8	0 4 8
Brokerage (1½ per cent. on £26)	0 7 9	0 7 9	0 7 9	0 7 9
	23 8 0	23 3 1	22 3 6	21 15 3
Shrinkage in transit to Europe (3 per cent.)	0 15 7	0 15 7	0 15 7	0 15 7
	24 3 7	23 18 8	22 19 1	22 10 10
London price of last sales	26 0 0	26 0 0	26 0 0	26 0 0
Profit	1 16 5	2 1 4	3 0 11	3 9 2
Equal to	7 %	8 %	11½ %	13 %

* At 10s. † At 12s. 6d. ‡ At £1.

The foregoing figures do not include the following overhead charges: Interest on proportion of capital value of stations, copra-sheds and utensils; cost of maintenance of station boats and lighters; tax of £1 and 10s. on boats and lighters; proportion of insurance of stations and sheds at £1 10s. per £100; interest on cash used in the purchase of copra (say, £5,000 per month); rent of extra copra-sheds (£8 per annum); tax on extra copra-sheds (£2 each); copra-buyers' licenses (2s. 6d. each); wages of extra copra-buyers (4s. 6d. per ton weighed in); proportion of traders' wages (say, two-thirds of £10); proportion of head office expenses, including salaries, cables, &c.; rent and insurance of copra-sheds in Apia; proportion of Customs clearance charge of 10s. per boat per trip; risk of decline in market.

EXHIBIT No. 6.

RETURN SHOWING AMOUNT OF LIQUOR ISSUED ON PERMIT BY POLICE FOR MONTHS OF FEBRUARY AND APRIL, 1920.

	February.	April.		February.	April.
Whisky (bottles)	162	839	Cherry brandy (bottles) .. .. .	..	24
Brandy (bottles)	12	164	Cherry bitters (bottles) .. .. .	..	21
Rum (bottles)	3	166	Peach cordial (bottles)	2	..
Gin (bottles)	54	429	Whisky (cases)	15	154
Wine (bottles)	749	10,015	Beer (cases)	73	124
Liquers (bottles)	6	129	Rum (cases) .. .. .	..	..
Vermouth (bottles)	19	172	Gin (cases)	1	54
Benedictine (bottles) .. .. .	..	3	Wine (cases) .. .. .	..	31
Creme de menthe (bottles) .. .. .	..	7	Wine (barrels)	3	37
Creme de cocoa (bottles)	1	1	Wine (gallons) .. .. .	..	88
Sparkling wine (bottles)	24	18	Peach cordial (gallons) .. .. .	..	3
Champagne (bottles)	12	16	Beer (bottles)	306	..
Cherry whisky (bottles) .. .. .	..	..	

A. L. BRAISBY.

EXHIBIT No. 7.

RETURN SHOWING LIQUOR OFFENCES FOR PERIOD 1920-1926 (INCLUSIVE).

(Compiled from Police records.)

Offence.	1920.	1921.	1922.	1923.	1924.	1925.	1926.
Manufacturing liquor .. ..	..	..	2	22	11	6	10
Liquor found in occupied premises .. ..	..	..	6	3	..	2	..
In possession of liquor .. ..	..	..	3	4	4	6	2
Importing liquors .. ..	..	6	2	6	1	1	1
Concealing liquor .. ..	..	..	..	1	..	..	..
Selling liquor .. ..	..	..	2	4	1	3	1
Breach of Distillation Act .. ..	..	3	6	2	3	2	..
Consuming methylated spirits .. ..	..	..	5	30	18	1	11
Supplying liquor to Samoans	4	..	..	..	..	..	..
Drunkenness	8	1	5	14	8	4	5
Samoans consuming liquor	20	1	7	..	6	..	..
	32	12	38	86	52	25	30

A. L. BRAISBY, Inspector, Police and Prisons.

Police and Prisons Department, Apia, 26th September, 1927.

EXHIBIT No. 8.

SPIRITUOUS LIQUORS IMPORTED INTO WESTERN SAMOA FOR PERIOD 1916-1927.

				Spirits.	Wines.	Ale and Stout.
				Gallons.	Gallons.	Gallons.
Calendar year	1916	..	..	3,027	2,834	19,132
"	1917	..	..	2,518	4,728	18,991
"	1918	..	..	2,838	6,666	19,095
"	1919	..	..	1,504	11,446	21,388
"	1920	..	..	541	1,926	5
Financial year ending 31st March, 1922 .. ..	..	..	..	83	16	..
"	1923	..	..	204	50	122
"	1924	..	..	529	70	598
"	1925	..	..	1,276	90	889
"	1926	..	..	986	143	1,391
"	1927	..	..	393	163	2,483

IMPORTATIONS OF "ALL-IN-ONE" INTO WESTERN SAMOA, PERIOD 1922-1926.

"All-in-one" was first imported 1st June, 1922.

				Cases.	Value.					Cases.	Value.
1922 .. ..	..	..	..	57	£192	1925 .. ..	..	..	..	385	£940
1923 .. ..	..	..	..	311	£950	1926 .. ..	..	..	..	482	£1,071
1924 .. ..	..	..	..	292	£876						

MEDICINAL LIQUOR.

The total of medical permits issued for the September quarter, 1927, is 232, which represents the following monthly supplies: 296 bottles spirits, 56 bottles wine, and 720 quart bottles ale or stout.

EXHIBIT No. 9.

ALCOHOLIC LIQUOR IN WESTERN SAMOA.

16th May, 1927.

His Excellency, General Sir George S. Richardson, K.B.E., C.B., C.M.G., Administrator of Western Samoa.

YOUR EXCELLENCY,—

A reference made by Your Excellency at a meeting of heads of Departments prior to your visit to the New Hebrides to the subject of liquor in Samoa has been taken by us to indicate the possibility of your bringing before the Hon. the Minister of External Affairs a proposal for a change of the law on this subject, if you were satisfied that such a change is for the benefit of Samoa. Accordingly, since that meeting, we, your departmental heads, being ourselves satisfied that a change is desirable, have met again, with official permission, to discuss privately and formulate proposals which have the concurrence of us all and which might be of some assistance to Your Excellency. The object which we have had in mind in framing the proposals now submitted herewith is not a selfish one. It is, in short, to help Your Excellency to make this Territory a happier one for both Natives and Europeans. That object, we think, can be accomplished by an amendment of the law in the following directions:—

First, to ensure the more effective prevention of the supply of intoxicating beverages to the Natives, as required by Article 3 of the mandate.

As it at present stands the law, though in intention a good one, is ineffective to prevent either Natives or Europeans from obtaining and consuming intoxicating liquor. It permits the manufacture of liquor containing up to 3 per cent. of proof spirit. This is the outstanding weakness. By the use of a concoction called "All-in-One," which has for some time been imported into Samoa in huge and increasing quantities, it is easy, with the addition of sugar and water only, to make an intoxicating liquor resembling beer, locally called *fa'a mafu*. Unless the amount of sugar is carefully regulated the percentage of alcohol in this *fa'a mafu* beer rises above the legal 3 per cent. The addition of extra sugar ensures an excess of alcohol and gives the drink a "kick," which is its only recommendation among its devotees. The manufacture of *fa'a mafu* beer from "All-in-One" not being prohibited by law, the police cannot interfere with it except on those rare occasions when they are able to obtain samples exceeding the legal percentage. This is generally possible only after, and as a result of, cases of drunkenness coming under their notice. It is practically impossible in outlying districts. We have no doubt whatever that, in spite of the efforts of the police, a great deal of over 3 per cent. *fa'a mafu* beer is habitually made and consumed, particularly by the young half-caste population. In proof of this we refer Your Excellency to the figures of the importation of "All-in-One" for the year 1926—viz., 485 cases. It is estimated that it is sufficient to brew 28,875 dozen quart bottles of *fa'a mafu* beer. The total white population of the Territory, as Your Excellency knows, is about 446, and this concoction is not a favourite one among them.

We also quote the report of the Collector of Customs, who on his inspection of trading-stations last year found that "All-in-One" was stocked in the majority of stores throughout Samoa, including those situated in places where there were no whites living in the vicinity. "All-in-One" is used for no other purpose than the manufacture of *fa'a mafu* beer.

The prohibition of the importation of "All-in-One" would not alone suffice to prevent brewing, as other products of the country can be, and sometimes are, used in substitution for it. Spirits also can be, and are, manufactured from pawpaws and cocoa, though the difficulty of distillation and the efforts of the police have prevented the manufacture of spirits becoming a menace. The only course, therefore, to ensure that the spirit of the mandate will be carried out effectively in the future seems to be to prohibit absolutely, as we suggest in the following proposals, the brewing or preparation of any fermented or alcoholic liquor whatever.

Secondly, by allowing a more liberal and reasonable, though a strictly controlled, use of alcoholic liquor by those persons of European and mixed race who can use it without detriment, to overcome the hostility to the Administration and its activities which the present law arouses.

The law is, rightly or wrongly, regarded by many people as a just grievance. If it were amended to allow them to obtain a quantity of liquor sufficient, but no more than sufficient, for their own personal and reasonable consumption, it would command the support of these people, and the Administration would receive from them more co-operation in its efforts for the good of the Territory, and particularly in its efforts to prevent drinking among the Natives and others to whom it is detrimental.

We draw Your Excellency's attention to the fact that under our proposals the total permits issued by the Board would probably be under four hundred. The General Report for 1926, page 26, shows the European population to be 637. Of this number probably at least one hundred would not apply for permits, they having no taste for liquor; a further fifty or so would be rendered ineligible by their police and Court records; and another one hundred at least would be lacking in the qualifications set out in clause 5 of the proposals.

In conclusion, and in order to show our sincerity in the matter we would impress on Your Excellency the necessity for clause 9, which refers to penalties for offences. These we consider are sufficiently drastic to deter would-be offenders from taking risks in trading in alcoholic liquor of any kind. We have made no mention of penalties in connection with brewing, feeling satisfied that this will be dealt with by the Law Department in the event of any change being made in the present system.

Attached herewith please find schedule of before-mentioned proposals.

I have, &c.,
R. J. C.,

For Heads of Departments of the Samoan Administration.

SUGGESTED SCHEME BY HEADS OF DEPARTMENTS OF THE SAMOAN ADMINISTRATION FOR THE ISSUE AND CONTROL OF ALCOHOLIC AND FERMENTED LIQUOR IN THE TERRITORY OF WESTERN SAMOA.

1. *Brewing.*—That the brewing of any fermented or alcoholic liquors whatsoever be absolutely prohibited throughout the whole Territory of Western Samoa, except by special license, and that the importation of preparations primarily intended for the manufacture of alcoholic beverages be absolutely prohibited.

2. *System of Issue.*—That the method of procuring liquor be by permit only.

3. *Board of Control.*—That a permit Board of Control, consisting of official members of the Administration, or official and non-official members, be set up for the purpose of issuing and controlling permits. The members of the Board to be appointed by the Administrator and to hold office during his pleasure. Non-official members to receive remuneration as decided by the Administrator.

4. *Liquor Controlled by Permit Board.*—That the Permit Board have control of spirituous and fermented liquors within the Territory of Western Samoa, with the exception of liquor required for medical purposes, and that the maximum amount which the Board shall have power to grant shall be the equivalent of 2 reputed quarts of spirits per week; and for purposes of this clause 1 of spirits = 3 of wine = 9 of ale or stout.

5. *Eligible Persons.*—That every person registered and living as a European with one-half European blood or more and who is twenty-five years of age or over shall be eligible for consideration by the Board, but not *ipso facto* entitled to a permit. For the purposes of this Act the term "European" does not include Chinese coolie labourers.

6. *Medical Permits.*—That the Medical Department continue to issue medical permits at their discretion.

7. *Tourists and Overseas Shipping.*—In the case of tourists the following shall apply:—

(a) Round-trip passengers, no permit whatsoever.

(b) Stay-over tourists and visitors to be issued with reasonable requirements by and at the discretion of the Collector of Customs, who will report his actions in the matter to the Board at its next regular meeting.

(c) The officers and crew of overseas shipping remaining in port for more than three days to be supplied by the Collector of Customs with reasonable requirements out of the ship's stores for consumption on the ship only.

No liquor to be supplied to the members of any crew from Government stores for consumption ashore. Liquor issued for consumption on the ship on no account to be brought ashore.

8. *Control and Importation of Liquor.*—That the Collector of Customs be the authorized person for the control and importation of liquor under the authority of the Board.

9. *Penalties for Offences.*—That any person found supplying liquor to Natives or unauthorized persons shall, upon conviction by the High Court, be imprisoned without the option of a fine for a minimum of twelve months; and any Native or unauthorized person receiving liquor shall receive the like punishment; and any person convicted by the High Court of any offence committed whilst under the influence of liquor shows himself to be an unfit person, and that the record of the conviction shall be reported to the Board, who will take such action as it may think fit.

EXHIBIT No. 10.

GREAT FON0 OF WESTERN SAMOA.

THE Fono was held in the Market on the night of Friday, 15th October, 1926. This was the first Fono ever held where white people and Samoans combined. This Fono was called by three members of the Legislative Council. Chairman, Taisi Nelson.

Decisions.

1. That a document be prepared setting out the matters of dissatisfaction among all people in Samoa, and to be conveyed to the New Zealand Government.
2. That a committee consisting of six Samoans, six whites, and the three Legislative Councillors be appointed.
3. That a wireless message be sent to New Zealand asking that the Minister be sent to Samoa in November.
4. That the following matters be recorded:—
 - I. That Faipules (F.P.) be appointed on the Legislative Council.
 - II. (a) That the accounts (money matters) of the Government of Samoa be inquired into; that the white officials be decreased, and their salaries.
 - (e) That the debt of the Samoa Government to New Zealand be inquired into: where has this money gone?
 - III. The appeal of the white people for the reestablishment of their custom concerning liquor.
 - IV. (a) The appeal of the Samoans against the cruel oppressive despotic authority of the Government in taking away titles of chiefs' names and the banishment of chiefs to villages other than their own.
 - (e) That the Samoans are dissatisfied with the hospital tax.
 - (i) The distress of the Samoans because of the many cruel oppressive despotic laws prohibiting some of their important Native customs.
 - (o) The strong restrictions on customs that give prestige to the Ali'i and Faipule, such as "fine mats."
 - (u) The prohibiting of Samoans of other villages from living in Apia, where they get work, whether married or not.

SECOND FON0 OF WESTERN SAMOA.

Held in Market on Friday night, 12th November, 1926. Chairman, Taisi Nelson, assisted by George Westbrook and Williams. White committee: S. Meredith, Smyth, Gurr, and Baxter. Samoan committee: Faumuina, Afamasaga, Tuisila, Alipia, Aimu'u, and Tofaeono. Number present—663 Samoans and whites.

The Chairman was about to commence the Fono when an objection was made by the Governor. A letter from His Excellency the Governor was read by the Secretary of the Administration, and the Samoan version read by Laupue.

Speech by Chairman explaining the law as between the Governor and the Government. An exhortation to obey the law on all sides but to carry on the Fono. Many Samoan chiefs added to the opinion of the Chairman, as did whites. On showing of hands many hundreds voted for holding the Fono. Six voted against it. The Fono was accordingly proceeded with.

Resolutions.

1. As instructions have been received from New Zealand that the Minister would not arrive until May, it was decided to send a deputation of the committee in January to convey the matters to the Government of New Zealand.
2. Samoans and whites to contribute voluntary towards expenses of deputation, such to be carried out honourably. (The Solosolo people gave at once £3 and Moanau of Mulifanua gave 2s.)
3. The committee to decide who shall go on this deputation.
4. That a wireless message be sent to New Zealand, to receive the deputation in January, 1927.

Having communicated with New Zealand, the following reply has been received: "The deputation would be received, but matters must first go through the Governor and Faipules." This has been done. Another wireless was sent to the Government of New Zealand conveying the thanks of the committee and country for this courteous reply received. This matter is done with true love for the country: no desire to cause trouble with any one, but with the desire to straighten out things of dissatisfaction to the country. The committee was not appointed by a village or district but represents the whole country. We wish to go in accordance with the law and the maintenance of peace on all sides. The prayer is that God may be with us and guide us, that a dignified status for the country may be attained. Subscriptions will be received at *Nelson's offices* for deputation expenses until 31st December, 1926.

Matafele, 18th November, 1926.

EXHIBIT No. 11.

LETTER FROM G. E. L. WESTBROOK TO JOHN E. WRENCH, OVERSEAS CLUB, LONDON.

UNDER separate cover I am forwarding you two Samoan newspapers, 28th August and 4th September. The first gives a full account of the Prince of Wales's visit, and the other flag-hoisting in Samoa.

You will notice my two letters of the "Samoa Reserve Force," which I think shows up the whole situation here, and the feeling of discontent that is prevailing now that New Zealand is governing this country under mandatory control, and it is the universal wish, both with Natives and Europeans, that the country come under the jurisdiction of the British Foreign Office. There is general dissatisfaction all along the line the way the place is being governed.

The Government here have seized all German properties and deported all the German residents, giving them an order on the German Government for payment. The property is now run by the Government here as the "Crown Estates," and everything is in a general mess. The Government have started their own store in opposition to the merchants and traders. They are running the butchery, barber's shop, cold storage, and the hotel, all against private enterprise. An export duty has been imposed on copra of 20s. per ton, and 40s. per ton on cocoa-beans. Nearly all the British plantations are in bankruptcy, and are either in the Administrator's hands or in the hands of the Public Liquidator. There are men here holding high positions, colonels, captains, majors, &c., who have not even had the experience that we had twenty years ago—ever heard a shot fired in anger. The place is overloaded with Government officials, who are always asking for an increase of salary and claiming tropical allowances. Some of them have more than trebled their former New Zealand salaries while their mates have been away risking their lives on the various battle-fronts where the war was won, not in Samoa.

The Natives are dissatisfied, and presented a petition that some of the obnoxious officials should be removed; this petition they were persuaded to withdraw. Does it not stand to reason that the Natives should be dissatisfied when they lost nearly a quarter of the whole population through the epidemic of last November twelvemonth? Many of those in office have no sympathy with Samoa or the Samoans; their only wish is apparently to "make hay while the sun shines." I have heard them described as "carpet-baggers," arriving with a small one and leaving with a bigger one. Money has been wantonly wasted on what was needed, and many things for the benefit and prosperity of the country neglected.

Misleading reports are made comparing the value of the imports and exports with the German time, which of course is not fair, as the value of the goods imported have increased in value from 3 to 500 per cent., and the export of cocoa and copra have increased from 200 to 300 per cent.

The best thing that could happen to Samoa would be for an experienced Administrator to be appointed, who would be allowed to select a few of his heads of Departments (not in any way to be hampered) from Wellington, New Zealand, come down to Samoa, join up with the residents of these islands who fully understand the situation, and make Samoa a prosperous and paying concern. If this was done everybody would get a fair deal, the Natives would be satisfied, and the country would go ahead and prosper. As it is, the price of all property (landed) is falling in value, there being no competition from outside, and no new arrivals, except Government officials—many of whom cannot stand the climate—and a lot of money is wasted in conveying them backwards and forwards to New Zealand.

Why are not the Crown Estates put up for sale the same as the German properties in the Tongan Islands? This would bring people into the country as well as capital, which is sadly needed to save the country from ruin and disaster.

Now that the Germans have been deported we have lost some of our best customers, who were far more liberal in their expenditure than those who have taken their place, and are going to hold on to all they can get until such times as this country comes under proper control, and the residents here receive some kind of representation.

Fancy a town like Apia not being allowed a Municipal Council, and people of no influence being nominated by Colonel Tate to sit on the Governor's Council. All the Council meetings are apparently (Privy Council) held in secret, as there is never any record published of the meetings. The meetings are not the same respectful Natives that you met on your visit to Samoa, as they have been taught to acknowledge nobody except a man in uniform.

Enclosed please find a copy of a circular letter preparing the New Zealand Chambers of Commerce *re* a deputation that was leaving Samoa to try and gain their assistance.

During the whole period of the war, and practically up to date, the New Zealand public have been kept in ignorance as to what was going on in Samoa, as for a long time everybody's correspondence was censored, while those in power here were able to write flourishing reports to headquarters depreciating the efforts of others and giving glowing reports in favour of themselves, and the good they themselves were doing, &c.

Yours faithfully,

G. E. L. WESTBROOK.

EXHIBIT No. 12.

WESTERN SAMOA (FORMERLY GERMAN SAMOA): HOW NEW ZEALAND ADMINISTERS ITS MANDATE FROM THE LEAGUE OF NATIONS.

By S. H. MEREDITH (Samoa).

WHEN in 1918 the Allies emerged victorious in the Great War and the enemy had to sue for peace, the question of dealing with the overseas possessions of the Germans was settled under the Treaty of Versailles, 28th June, 1919. It was then decided that "a mandate should be conferred on His Britannic Majesty, to be exercised on his behalf by the Government of the Dominion of New Zealand, to administer German Samoa." Under that solemn covenant with the League of Nations the "degree of authority, control, or administration" which New Zealand could exercise was clearly defined, and New Zealand agreed "to promote to the utmost the material and moral well-being and the social progress of the inhabitants of the Territory." Slavery, forced labour, traffic in arms, compulsory military training, and the supply of intoxicants to the Natives was prohibited by the mandate, which also provided that, subject to the "maintenance of public order and public morals, the Mandatory (New Zealand) shall ensure in the Territory freedom of conscience." The Mandatory must furnish an annual report of its trusteeship to the League of Nations, and any disputes arising out of the administration must be submitted to the Permanent Court of International Justice. New Zealand having accepted the mandate, German Samoa passed from the military occupation and martial law of the war period to a new era of peace administration by New Zealand, under which neither New Zealand nor Britain *possesses* Samoa. The League of Nations can agree to return it to Germany at any time, if the majority of signatories see fit. New Zealand now holds it in trust for the nations of the world, and the manner in which New Zealand is carrying out its solemn obligations may be learned from the following brief summary of the situation in Samoa:—

In 1921 the New Zealand Parliament passed an "Act to make provision for the Government of Western Samoa," and within its sixty-two pages and 376 sections are found full provision for everything needed (and many things which were not) in the way of Laws. But the one glaring, wilful, and obvious omission was the total absence of any right for the people of Samoa (Native or European) to a voice in the government of the Territory, or a say in the levying and spending of the revenue raised from them.

The method of government provided by New Zealand is by Ordinance. The Administrator, "acting with the advice and consent of the Legislative Council, may make laws (to be known Ordinances) for the peace, order, and good government of the Territory," and has the same power to levy taxes, rates, tolls, dues, &c. Any Ordinance passed comes into force at once and does not require the approval of the New Zealand Government, which, however, has the power of vetoing any Ordinance within one year of its passing into effect.

The wise proviso quoted above would appear to prevent any possibility of an Administrator becoming a tyrant or a dictator, as he can do nothing without the consent of the Legislative Council. But under the 1921 Act this Legislative Council must be composed of—(a) Not less than four official members, being officers of the Samoan Public Service appointed by the Governor-General; (b) unofficial members (not more in number than the official members) appointed by the Governor-General. The president was to be the Administrator—or his representative. This meant, of course, that the so-called Legislative Council was composed of a majority from the administrative staff of public servants, with others selected from citizens approved of by the Governor-General. There was no provision whatever for any representatives to be elected by either the Europeans or Samoans, who contributed all the revenue.

This institution (which a Lenin or a Mussolini would envy) meant that His Excellency was the Government, the Administrator, the Prime Minister, the Cabinet, and the Speaker. But as Administrator he could make no Ordinances nor levy any taxes without the advice and consent of a legislative body composed of a majority of the public servants (under his orders) and some citizens selected (in effect) by himself.

Naturally this initial attempt of New Zealand to do its duty to Samoa under the mandate was not received in the Territory with unbounded enthusiasm by either Europeans or Samoans, and some citizens promptly declined the honour of becoming a member of this unique body. Dissatisfaction was so loud all over Samoa that two years later the New Zealand Parliament passed an amending Act (of 1923) which increased the number of "official" Legislative Councillors to not less than six, and provided that the "unofficial" members (being not more in number than the "official" members) might be elected or nominated members, or partly elected and partly nominated members, as the Governor-General of New Zealand from time to time determines. At the present time the Council consists of six "official" M.L.C.s, holders of offices in the Samoan Public Service and three M.L.C.s elected by the Europeans of the Territory.

To appease the discontent among the Samoans who had previously been given no voice in their government the Samoan Amendment Act, 1923, set up a Native Advisory Council to be known as the Fono of Faipules, under which the Administrator could select a body of Samoan representatives to advise him on purely Native affairs. This 1923 Act was considered a great advance on the Samoans' hard climb towards self-expression, self-determination, and self-government for those inhabitants and settlers to whom the Territory really belongs, whether the flag of Germany, the three Big powers, the League of Nations, or New Zealand, waves over Apia as a symbol of "protectorship." But while the Act passed by the New Zealand Legislature in 1923 gave the Administrator power to appoint such number of Faipules (Native representatives) as he thought fit to the Fono which would advise him, the same Act also laid down that no "Native shall be appointed as a Faipule who is not qualified in accordance with existing Samoan usage and custom to occupy the position of Faipule in any Council or body having advisory functions." If this proviso in the New Zealand Act of 1923 meant anything at all it made it mandatory that the Faipules must be chosen according to the centuries-old traditions which had governed their election in past times.

In considering this provision for a Fono of Faipules it must be remembered that the Samoans are a proud, intelligent, dignified race of Polynesians, who in their limited island area, through the ages, had handed down from one generation to another an elaborate social system of self-government to which every Samoan submitted as a matter of course. As the result of long experience, this social system had its roots in the family (or clan), represented by the *matais*, from the combination of families into villages or settlements came the union of villages into districts, until the combined districts became an island under a king: a process of evolution in the social system which is not unfamiliar to a student of English, Irish, or Scotch history.

Hereditary traditions and rights as to caste, authority, and precedence were as jealously guarded in Samoa, and observed as strictly, as in any Royal Court of Europe before thrones went into the melting-pot, and when European domination was first established in Samoa by Steinberger in 1874 the initial central Government was brought into harmony with these traditions. The first Native Parliament consisted of an Upper House of fifteen sacred chiefs, whose hereditary privileges over their tribes were fully recognized, and a Lower House of Faipules was then elected with due ceremony by the Samoans in the various villages and districts.

But, while the New Zealand Act of 1923 provided that no Faipule should be appointed by the Administrator unless qualified in accordance with these ancient customs and usages, the ancient traditions and practices among the Samoans have not only been ignored, but have been treated with a contempt and disregard which can only be attributed to the lack of knowledge of a new Administration with a large staff of public servants who know nothing of these traditions. The best evidence of this is the fact that thirty districts out of a total of thirty-three have repudiated the status of the Faipules selected solely by the Administration. The Samoans regard these Faipules as mere nominees of the Administration, who act without any district or tribal authority.

A person who claims that the members of the present Fono of Faipules set up in Samoa are qualified representatives of the Natives merely proclaims his innocence of Samoan traditions, hereditary rights, customs and usages. The treatment accorded to sacred and hereditary chiefs for some time past, and the brutal attempt to smash up the ancient traditions which controlled Samoan social life for scores of generations past, is sufficient to make the Natives' old-time champion of their cause, Robert Louis Stevenson, turn in his grave on the heights of Vailima above his old home, which is now the Government House.

The ruthless manner in which this coercion and suppression is being carried out under the present Administration is provided for by an Ordinance dated 11th September, 1922:—

AN ORDINANCE TO CONTROL CERTAIN SAMOAN CUSTOMS.

WHEREAS by a Proclamation made by the Imperial German Governor dated the sixteenth day of September, one thousand nine hundred and one, the Samoan Natives were forbidden themselves to exercise the custom of local banishment: And whereas powers in that behalf were thereafter exercised by the said Imperial German Governor: And whereas by a Proclamation dated the twentieth day of March, one thousand nine hundred and sixteen, and by a regulation dated the twelfth day of February, one thousand nine hundred and eighteen, made by the Military Administrator of Samoa, provision was made for the manner in which applications for local banishment should be dealt with, and the above-recited Proclamation of the sixteenth day of September, one thousand nine hundred and one, was declared to be in force and its operation was extended: And whereas it is desirable to make the law plain in respect of powers concerning titles: Now, therefore, this Ordinance is made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoan Act, 1921.

1. This Ordinance may be cited as the Samoan Offenders Ordinance, 1922.

2. No Samoan person, whether he be a chief, orator, or Government official, shall expel or take any part in expelling any person from his village or district, under a penalty of imprisonment for a term not exceeding one year.

3. If the Administrator is satisfied that the presence of any Samoan in any village, district, or place is likely to be a source of danger to the peace, order, or good government thereof, the Administrator may, by order signed by him, order such Samoan to leave any village, district, or place in Samoa, and to remain outside of such limits for such time as the Administrator shall think fit, and by the same or any subsequent order the Administrator may order such Samoan to reside in any place specified in such order.

4. When the Administrator in pursuance of the authority conferred by this Ordinance has ordered any Samoan to leave any village, district, or place, he may by the same or any subsequent order, if he is satisfied that such a course is necessary in the public interest, and whether default has been made in compliance with such order or not, authorize the arrest of such Samoan and his removal from such village, district, or place to such other place as may be specified in the order; and thereupon any constable may, without warrant, arrest such Samoan and remove him from such village, district, or place and take him to such other place specified in the order.

5. If any Samoan is found in the village, district, or place defined in any order under clause three hereof in breach of such order after the expiration of such term as may be specified in the order he shall be guilty of an offence, and liable to imprisonment for a term not exceeding one year.

6. (1) The Administrator may from time to time, if he is satisfied that such a course is necessary for the peace, order, and good government of Samoa, or of any part thereof, by order signed by him directed to any Samoan, prohibit the use by such Samoan of any Samoan title or titles named in such order for such time as the Administrator may think necessary.

(2) Any Samoan who after any such order has been served on him uses any Samoan title in breach of such order shall be guilty of an offence, and liable to imprisonment for a term not exceeding one year.

7. Any order made by the Administrator under this Ordinance may be at any time revoked by the Administrator.

8. For the purposes of this Ordinance the word "Samoan" shall have the meaning given to it in section three of the Samoa Act, 1921.

9. No prosecution for any offence under this Ordinance shall be heard save by the Chief Judge of the High Court of Western Samoa.

Assented to this eleventh day of September, one thousand nine hundred and twenty-two,

[L.S.]

R. W. TATE, Administrator.

It needs but an intelligent perusal of this Ordinance (authorized by the New Zealand Act of 1921) to see that it deliberately revives all that was vicious, and worse, in the German regime, without any of the redeeming virtues of some good work which our former enemy admittedly did for Samoa. Under this Ordinance

("made by the Administrator with the advice and consent of his Legislative Council") sacred and hereditary chiefs have been arrested, arraigned, and condemned without trial of any sort. They have been deprived of their hereditary titles, taken from their family homes and banished to other districts, and ordered to assume a name other than that they had a full legal claim to—all this because they held the impression that under New Zealand flag they had a right to criticize the Administration governing them and to discuss various matters of vital interest to Samoa. There is abundant evidence to prove beyond cavil that high-caste Samoans who refused to recognize the "Faipules" selected by the Administration as being true or real representatives of the Samoans have been dragged into submission or silence, under threats of being deprived of their titles and banished from their villages—this without trial or right of appeal, although the New Zealand Act of 1921 makes every provision for dealing with offences ranging from disorderly conduct, rebellion, or sedition to high treason, after proper trial.

The widespread discontent with the extraordinary administration of His Excellency resulted in the Hon. O. F. Nelson, the senior elected M.L.C., interviewing the Prime Minister of New Zealand (Right Hon. J. G. Coates) in Wellington in August, 1926, when the Minister of Internal Affairs (Hon. W. Nosworthy) and the Hon. Sir Maui Pomare were present. Mr. Nelson stated the case to the Ministers and received a sympathetic reply, and the interview ended with the Prime Minister promising that the Hon. Mr. Nosworthy would go to Samoa by the October steamer and investigate the complaints.

The Hon. Mr. Nelson returned to Samoa and reported the result of his Wellington interview, following which the three elected M.L.C.s convened a public meeting to arrange for submitting the grievances of Natives and Europeans to the Minister at his forthcoming visit in a proper form from representative quarters. This meeting (15/10/26) was attended by 250 Europeans and Samoans, and it was then learned that the Minister had postponed his promised trip. The meeting decided to wire the Minister respectfully and urgently requesting reconsideration of the postponement.

The public meeting, with the Hon. Mr. Nelson, M.L.C., in the chair, then elected a Citizens Committee, consisting of the three elected M.L.C.s, six Europeans (representatives of the merchants, traders, and planters), and six Samoan chiefs (representing the Native interests), to draw up reports on the various subjects to be discussed with the Minister. The meeting then adjourned, and the wire urging the Minister to reconsider his postponement was handed into the Administrator's office next day (16th October). As no reply from Wellington had been received by the 27th October the Committee drafted another wire, which was handed in but not sent, as the Administrator explained that a reply to the wire of the 16th October had been received several days previously and been "promptly" sent to the chairman (Hon. Mr. Nelson), but "evidently went astray." An inquiry into the cause this loss was promised, but the result has not yet been published. Later, in a letter, the Hon. Mr. Nosworthy explained that his reply to the telegram urging him not to postpone his promised visit had "apparently been lost in transit between the Administrator's office in Apia and your [Hon. Mr. Nelson's] office." That so important an official document from the Minister could be "lost" in a few hundreds yards in Apia does not speak too highly of the messengers employed by the Administration.

However, the Minister announced that it was "impossible" for him to keep his promise to visit Samoa in October (or November), but "looked forward with pleasure to meeting the citizens of Samoa in May next." (Nothing was said of any urgent private or public business in New Zealand which made it "impossible" for the Minister to meet the Samoans as promised.)

Following this protracted postponement of the promised visit from the Minister, a second meeting of citizens was convened by the committee to consider the position and receive reports from the sub-committees set up. This was held on the 12th November, 1926, when 663 Europeans and Samoans attended. Before the meeting was opened a deliberate attempt was made by the Administrator to suppress the meeting and gag a free expression of public opinion. The Acting-Secretary to the Administrator presented a letter from His Excellency to the chairman asking that a message from him to the meeting should be read and translated. The message stated that His Excellency took no exception to free speech and honest criticism, but the unwarranted attacks on the Faipules, the leaders of the Samoan race, could not be passed over by him. He wished the Europeans present to leave Native affairs alone, and asked the Samoans at the meeting to keep clear of the European affairs. He also wished it clearly understood that he did not approve of any meeting which mixes Native and European politics together.

In spite of the veiled but sinister suggestion in the message from the Administrator, and the police surrounding the hall, only seven withdrew, and the remaining 656 citizens proceeded to consider the committees' reports, and approved of the same. It was then decided by the meeting that, as the Minister could not come to Samoa to meet the committee the committee would go to New Zealand to meet the Minister, and a resolution was carried unanimously respectfully requesting that the Hon. Mr. Nosworthy be asked to receive a representative delegation from Samoa, to arrive by the January steamer and present reports to him on subjects affecting the vital interests of the Territory.

These reports, which has been carefully drawn up by sub-committees fully qualified to consider the various subjects, referred to agriculture and labour, finance, medical, legislature, Native affairs, and prohibition. These reports were fully considered by the meeting, and afterwards submitted to the Administrator for submission to the Minister in New Zealand in advance of the deputation's visit. Matters affecting purely Native affairs were also translated and submitted for the consideration of the Fono of Faipules selected by the Administration and other Samoans interested.

This action was taken by the Citizens Committee in a hearty and loyal response to a telegram from the Hon. Mr. Nosworthy that he was prepared to receive the delegation in January, but would not consider the citizens' representations until they had been submitted to His Excellency for report, and anything affecting Native affairs similarly submitted to the Fono. The Minister also referred, somewhat vaguely, to "an opportunity of personal consultation with His Excellency during my forthcoming visit."

This radiogram from the Minister was received on the 16th November, and in view of the "lost" telegram and the "impossibility" of the Minister being able to reach Samoa before May, the "forthcoming visit" was not considered seriously, but the clear and definite statement of the responsible New Zealand Minister that "I will be prepared to receive delegation in January" was accepted in all good faith, and appointments were made at the meeting for a delegation to proceed to New Zealand in acceptance of the Minister's agreement to receive them. The delegation was composed of two elected M.L.C.s (the Hon. Mr. Nelson and the Hon. Mr. Williams), with Mr. S. H. Meredith and six Samoan chiefs. The Minister was thanked for his telegram, and an assurance sent him that all representations prepared for the delegates would be submitted to the Administrator.

Following on this decision of the committee to send a delegation to New Zealand which numbered six Native Samoan chiefs and three Europeans, a campaign of coercion and intimidation was immediately launched against the Samoan chiefs who had been elected to represent the Natives. These chiefs were visiting their Native districts after the meeting and asking support for their visit to New Zealand when the Ordinance already referred to met them in full blast, and they were at once notified by the police that passports would not be granted them to leave Samoa to meet the Minister in New Zealand. Further, they were arraigned under the Ordinance quoted and disciplined.

These chiefs found every instrument of the law which could be used against them for asserting their rights to voice the grievances of the Samoans was being applied to its utmost, and the elected M.L.C.s wired the Minister on the 7th December strongly protesting against this arbitrary enforcement of the Ordinance. The only reply was, on the following day, that the Minister would be guided by the advice of the Fono of Faipules, then in session (the very body of alleged Native representatives whose *bona fides* and credentials were being challenged by the chiefs).

To this telegram of the Minister of the 8th December the Committee replied next day that the Faipule nominated by the Administrator were not recognized by hereditary right or organic law, and were partisans performing the will of the Administrator. To this the Minister would only reply that he "relied on the Fono of Faipules for his guidance in Native affairs." To the Minister's reply the committee despatched a long telegram on the 6th January, 1927

advising him that his confidence in the Administrator and Faipule would not correct abuses and grievances. The committee declared their loyalty and desire for friendly relations, but claimed that the Minister was declining to accept the popular vote and the Administrator was forfeiting all confidence in the New Zealand trusteeship. The Citizens Committee claimed the right of petition, and would use every endeavour to prevent any breach between the populace and the Administration.

To this long telegram the Minister replied that he was not prepared to receive the Samoan members until he was assured that their views on Native matters were endorsed by the Fono of Faipules. But he would "shortly be visiting Samoa." To this the committee could only repeat their assurance that the Samoan delegates were approved by the Samoan people, and ask the Hon. Mr. Nosworthy "Will you receive them or not?"

The result was a reply, locally, under the Ordinance referred to in this report, and the persecution, suppression and intimidation without trial is still proceeding in Samoa. The writer, one of the European members of the delegation, proceeded to Auckland with the files, reports, and records of the matters referred to and obtained legal advice as to the position. In reply to representations from the Samoan Committee's legal advisers in Auckland, the Minister again evaded the issue, and now seeks shelter behind the plea that he can come to no conclusion without a reference to his official advisers in the Territory which he is arranging to visit in the "near future."

Such is the present-day position. The Samoans were promised a visit by the representative Minister in New Zealand for last October, then it was November, then he found it "impossible" to carry out his promise till "May next," then he would be going down "shortly," now, in the 27th January, he is "arranging to visit Samoa personally in the near future." He promises that he would receive a delegation from Samoa in January, as requested by the Citizens Committee. So soon as the delegates are named the Native members of the delegation are persecuted under an indefensible Ordinance, and refused permission to proceed to petition the responsible Minister in New Zealand.

The citizens of Samoa have therefore no other course than to appeal to the public of New Zealand, and their elected representatives, for a rudimentary measure of justice which is at present denied them, and the right to present any grievances in a respectful form to the Government of New Zealand, which has accepted from the League of Nations the solemn obligation of administering Samoa in the best interests of its inhabitants.

EXHIBIT No. 13.

POLICE *v.* TAGALOA AND OTHERS.

[TELEGRAM.]

To Slipper, Apia. Wellington, 11th August, 1927.
COUNSEL says Ordinance 1922 *ultra vires* and advises appeal. He is writing you this mail.
O. F. NELSON.

Apia, 11th August, 1927.

Judge McCarthy, Crown Solicitor, Apia.

DEAR SIR,—

Police v. Tagaloa and Another.

I have to notify you that this morning I received from New Zealand the following radio referring to the above case: "Counsel says Ordinance 1922 *ultra vires* and advises appeal. He is writing you this mail." As far as I am aware, counsel is Sir John Findlay, K.C. It is now almost certain that I shall proceed with the appeal and I therefore advise you as early as possible of the position. Doubtless I shall approach the Court at an early date to fix security for costs.

Yours,
T. B. SLIPPER.

Wellington, N.Z., 11th August, 1927.

T. B. Slipper, Esq., Solicitor, Box 35, Apia, Western Samoa.

DEAR SIR,—

Re Inspector of Police v. Tagaloa; Inspector of Police v. Fuataga.

Our Sir John Findlay has considered the questions raised in these two cases. He is of opinion that the Statute of Edward I which confirmed Magna Charter and which precludes punishment without trial was in force in England on the 14th January, 1840, and was in force in New Zealand on the passing of the Samoa Act, 1921. He considers that the Samoan Offenders Ordinance, 1922, is *ultra vires* both because it is repugnant to the provisions of the Imperial statute above-mentioned and because it provides for a form of punishment impliedly forbidden by the Samoa Act, 1921. Sir John considers the methods of punishment mentioned in the Samoa Act, 1921, are exhaustive, and that your point about the omission of flogging and whipping is a sound one. Sir John considers you should appeal in both cases.

We regret that time does not permit of our advising at greater length, but as the mail closes in a short time we cannot. We return herewith the judgment, copy of the Ordinance above referred to, your notes of argument, and the notes of evidence. We presume you will take the necessary steps now to obtain leave to appeal, give security, and prepare and transmit the record.

Yours faithfully,
FINDLAY, HOGGARD, COUSINS, AND WRIGHT (per D. R. HOGGARD).

EXHIBIT No. 14.**TRADING LICENSES.**

In the matter of the Taxation, Licensing, and Revenue Amendment Ordinance, 1924, and in the matter of Henry Hunkin, of Sapunaoa, trader.

PURSUANT to the power vested in me by clause 2 of the abovementioned Ordinance, and being satisfied that the holding of a trader's license by the above-named Henry Hunkin, of Sapunaoa, prejudicially affects the peace, order, and good government of the Territory of Western Samoa, I do hereby order that the trading license of the said Henry Hunkin be and the same is hereby cancelled as from the 20th day of August, 1927.

Dated this 20th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

Administration of Western Samoa, Apia, Samoa, 25th June, 1927.

The Taxation, Licensing, and Revenue Amendment Ordinance, 1924.

WITH reference to the recent efforts made to disaffect the Natives in your district and to influence them to support an organization in opposition to the Government, thereby endangering the peace, order, and good government of the Native race of this Territory, I am directed by His Excellency the Administrator to inform you that he is in possession of certain information which necessitates you being called upon to show good reason why your license to trade in this Territory should not be cancelled.

Please forward your reasons direct to me as early as possible.

T. H. BATES, Collector of Customs and Taxes.

To Mr. H. Hunkin, Trader, Sapunaoa.

14th July, 1927.

The Collector of Customs, Customhouse, Apia.

DEAR SIR,—

I have received your letter of 25th June. It reached me on 9th July. I cannot quite make it out unless it means that some one has been saying something bad about me. If so will you please let me know what was said and who said it? I will then be in a position to answer. I cannot do this now as I do not know what there is against me. I have done nothing wrong.

Yours faithfully,
H. HUNKIN.

EXHIBIT No. 15.**TRADING LICENSES.**

Administration of Western Samoa, Apia, Samoa, 22nd July, 1927.

Messrs. O. F. Nelson and Co., Ltd., Apia.

DEAR SIR,—

I enclose herewith orders signed by His Excellency the Administrator cancelling trading licenses of H. Hunkin, trader, of Sapunaoa, and Ale Lui, trader, of Fusi, Safata, in the employ of your firm, as from 20th August, 1927.

Kindly acknowledge receipt of these orders.

Yours faithfully,
T. H. BATES,
Collector of Customs and Taxes.

In the matter of the Taxation, Licensing, and Revenue Amendment Ordinance, 1924, and in the matter of Ale Lui, of Fusi, Safata, trader.

PURSUANT to the power vested in me by clause 2 of the above-mentioned Ordinance, and being satisfied that the holding of a trader's license by the above-named Ale Lui, of Fusi, Safata, prejudicially affects the peace, order, and good government of the territory of Western Samoa, I do hereby order that the trading license of the said Ale Lui be and the same is hereby cancelled as from the 20th day of August, 1927.

Dated this 20th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

22nd July, 1927.

The Collector of Customs, Apia.

DEAR SIR,—

We have for acknowledgment your letter of even date, enclosing orders signed by His Excellency the Administrator cancelling trading licenses of Mr. Henry Hunkin, trader, of Sapunaoa, and Mr. Ale Lui, trader, of Fusi, Safata, as from 20th August, 1927.

Yours faithfully,
O. F. NELSON AND CO., LTD.:
W. M. BURNETT, Secretary.

EXHIBIT No. 16.**TRADING LICENSES.**

Administration of Western Samoa, Apia, Samoa, 25th June, 1927.

The Taxation, Licensing, and Revenue Amendment Ordinance, 1924.

WITH reference to the recent efforts made to disaffect the Natives in your district and to influence them to support an organization in opposition to the Government, thereby endangering the peace, order, and good government of the Native race in this Territory, I am directed by His Excellency the Administrator to inform you that he is in possession of certain information which necessitates you being called upon to show good reason why your license to trade in this Territory should not be cancelled.

Please forward your reasons direct to me as early as possible.

T. H. BATES, Collector of Customs and Taxes.

To Mr. J. Kruse, Trader, Faga, Savai'i.

Faga, 6th July, 1927.

To the Collector of Customs, Apia.

DEAR SIR,—

I am in receipt of your memo. *re* taxation, licensing, &c. I beg to state that I am not aware of having committed myself, as my business kept me employed all the time, without troubling with political matters. I hope this declaration will be satisfactory.

I am, &c.,
J. E. KRUSE.

Administration of Western Samoa, Apia, Samoa, 16th August, 1927.

I, GEORGE SPAFFORD RICHARDSON, Administrator of the Territory of Western Samoa, being satisfied that Mr. J. Kruse, the holder of a license to trade in Fa'asaleleaga, has acted prejudicially to the peace, order, and good government of the Territory of Western Samoa, do hereby, under the authority conferred upon me by section 2 of the Taxation, Licensing, and Revenue Amendment Ordinance, 1924, order that the license held by the above-named person shall be and the same is hereby cancelled as from 16th September, 1927.

GEO. S. RICHARDSON, Administrator.

To the Collector of Customs, Apia.

Administration of Western Samoa, Apia, Samoa, 16th August, 1927.

Messrs. O. F. Nelson and Co., Ltd., Apia.

DEAR SIR,—

I am directed by His Excellency the Administrator to advise you that the license to trade of J. Kruse, Faga, Savai'i, is cancelled as from 16th September, 1927. I enclose copy of order from His Excellency for the information of Mr. Kruse, and I would ask you to please acknowledge receipt of same.

Yours faithfully,

T. H. BATES, Collector of Customs and Taxes.

17th August, 1927.

The Collector of Customs and Taxes, Apia.

DEAR SIR,—

We are in receipt of your letter of yesterday's date advising that the license to trade of Mr. J. E. Kruse, of Faga, Savai'i, is cancelled as from the 16th September, 1927, and also enclosing copy of order from His Excellency.

Yours faithfully,

O. F. NELSON AND CO., LTD.

..... (Secretary).

EXHIBIT No. 17.**TRADING LICENSES.**

Administration of Western Samoa, Apia, Samoa, 25th June, 1927.

The Taxation, Licensing, and Revenue Amendment Ordinance, 1924.

WITH reference to the recent efforts made to disaffect the Natives in your district and to influence them to support an organization in opposition to the Government, thereby endangering the peace, order, and good government of the Native race of this Territory, I am directed by His Excellency the Administrator to inform you that he is in possession of certain information which necessitates you being called upon to show good reason why your license to trade in the Territory should not be cancelled. Please forward your reasons direct to me as early as possible.

T. H. BATES, Collector of Customs and Taxes.

To Mr. Charles Hellesoe, Saddler, &c., Saleufi, Apia.

27th June, 1927.

The Collector of Customs and Taxes, Customhouse, Apia.

DEAR SIR,—

I have your letter of 25th June. Any alleged "recent efforts to disaffect the Natives in my district and to influence them to support an organization in opposition to the Government," &c., are not and never were any concern of mine.

You no doubt recognize that it is quite impossible for me or any one else to "show good reason" why my license to trade in the Territory should not be cancelled, until I have been made aware of some charge that I should answer. The only reasons I can give at present are that (1) I was born here and have lived here most of my life; (2) I am and always have been a law-abiding citizen; (3) I am an honest man and tradesman; (4) I have had a license since about 1914; (5) my current license fee is paid; (6) I have done nothing that I am aware of to entitle the authorities to cancel my license. Your letter refers to "certain information." If you will kindly place that information in my hands at once, or in any other clear and sufficient manner let me know what I am asked to answer, I shall comply with all possible speed. Until I know of something that is held or alleged against me, I am of course quite helpless. The whole proceeding appears to me to be most extraordinary.

Yours faithfully,

C. HELLESOE.

EXHIBIT No. 18.**BANISHMENT ORDER.**

[Translation of Mr. Griffin's Letter to Tamasese.]

Department of Native Affairs, Samoa, 15th March, 1924.

HIS EXCELLENCY yesterday learned of your disobedience of his order with reference to the removal of the hedge. I am instructed to give you to 5 p.m. on this date within which to remove this nuisance. You are therefore hereby notified.

H. S. GRIFFIN.

TAMASESE: BANISHMENT ORDER.

[Translated Precis of Order of Banishment and Loss of Title.]

Dated 24th March, 1924. Banished from Island of Upolu to reside and remain in Island of Savai'i. Ordered to refrain from using the title of Tamasese. No period mentioned either for banishment or title. In future to use the name of Lealofi.

EXHIBIT No. 19.**BANISHMENT ORDER, ETC.**

Administration of Western Samoa, Apia, Samoa, July, 1927.

Order of Banishment and the Place of Exile in accordance with the Law against those who create Trouble, 1922.

I, GEORGE SPAFFORD RICHARDSON, Governor of Western Samoa, am satisfied that: the residing of Alipia (Samoan Native) in the Island of Upolu (with the exception of the Village of Vaiusu) will be a source of danger to the peace and good will and to the good order of the administration of the said island. I therefore, according to the power conferred on me in section 3 of the said law, hereby give orders that the said Alipia should leave forthwith the district of Tuamasaga (excluding the Village of Vaiusu) and every other district in the Island of Upolu, and to remain in the Village of Vaiusu within the period of twelve months, commencing from the date of this order; also, I am quite satisfied that this order is proper for the welfare of every person, and it is issued in accordance with section 4 of the said law, that Alipia should be arrested and be conveyed to the Village of Vaiusu as stated in this order.

Dated this 16th day of July, 1927.

GEO. S. RICHARDSON, Governor.

To the Chief of Police and all constables in Samoa.

ADMINISTRATION OF WESTERN SAMOA.

To Alipia, Leulumoega.

ACCORDING to the power conferred on me by the law, I hereby made this order to you as follows: You are now disallowed to further use the title of Alipia, and that you will be called by your first name, Siaosi.

GEO. S. RICHARDSON, Governor.

Dated this 16th day of July, 1927.

EXHIBIT No. 20.**BANISHMENT ORDER, ETC.**

Administration of Western Samoa, Apia, Samoa, 16th July, 1927.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of one Umaga (a Samoan Native) within the Islands of Savai'i and Upolu (save and except in the village of Satalo) is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the power conferred on me by clause 3 of the said Ordinance, order that the said Umaga forthwith leaves the Island of Upolu and remain outside the said island, and outside all other districts in the Islands of Upolu and Savai' (save and except the Village of Satalo), and remain in the said Village of Satalo for a period of twelve months from the date of this order; and furthermore, being satisfied that such course is necessary in the public interest, do hereby, under clause 4 of the said Ordinance, authorize the arrest of the said Umaga and his removal to the Village of Satalo as herein specified.

Dated this 16th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

To the Inspector of Police and all officers of police in Samoa.

ADMINISTRATION OF WESTERN SAMOA.

To Umaga Pau, of Leulumoega.

By virtue of the powers me thereunto enabling I prohibit the use of the title Umaga by you, the person originally known by the name of Pau.

GEO. S. RICHARDSON, Administrator.

Dated the 16th day of July, 1927.

EXHIBIT No. 21.**BANISHMENT ORDER.**

Administration of Western Samoa, Apia, Samoa, 18th September, 1924.

Order for Local Banishment under the Samoan Offenders Ordinance, 1922.

To Fala, a Samoan male of the Village of Fa'atoialemanu, Upolu.

I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of you, Fala, within the district hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that within ten days from the date hereof you leave the district of Tuamasaga in the Island of Upolu, Western Samoa, and reside and remain in the Village of Lefaga, in the Island of Upolu, Western Samoa, during my pleasure; and furthermore, you will cease from using the title Fa'amau Sili, and will in future be known by your original name of Fala.

Witness my hand, at Apia, this 18th day of September, 1924.

GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 22.**BANISHMENT ORDER.**

Administration of Western Samoa, Apia, Samoa, 18th May, 1925.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Molio'o, a Samoan male of the Village of Faleapuna, Upolu.

I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of you, Molio'o, within the district hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you leave the district of Faleapuna, in the Island of Upolu, in Western Samoa, within seven days from the date hereof, and that you remain and reside in the district of Aleipata, in the Island of Upolu, in Western Samoa, during my pleasure; and, furthermore, that you cease from using the title Molio'o, and in future be known by your original name of Saoletai.

Witness my hand, at Apia, this 18th day of May, 1925.

GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 23.

INQUIRY INTO THE COMPLAINTS MADE BY THE CHIEFS AND ORATORS OF FALEAPUNA AGAINST FONOTI, F.P., BEFORE THE COMMITTEE OF FAIPULES.

The District Committee of Fagaloa is also called.

Tuesday, 16th November, 1926.

Aiono : Exhortation. Can it be reconciled ?

Savusa : It is now reached to the day appointed ; we could not do anything.

Toelupe : We will proceed with the case, and you are to explain clearly the five charges which you made against Fonoti.

Tialavea Faitile : (1) Appointment : We have asked him for a Fa'amasino. The answer was, " All right, I will ask the Governor." We believed that he is working for us. (2) Application for Molio'o to be pardoned : He asked what is our opinion about Molio'o, and Tialavea, P.N., replied, " Well, let us discuss about that." The discussion was ended, and our letter was handed to him. Fonoti said, " All right, when the Governor arrived I will let him know." Up to the present time nothing has been done, and Molio'o was not pardoned. Fonoti has made a promise during the time of Tauaa's case ; stated, " When we reconciled he can bring Molio'o on the following week." (3) He is no use to the village affairs. (4) He is no use to the Church affairs. (5) Lie (a), in Molio'o's case, our village was not remodelled, (b) he told our village to wait still, but he will do it and advise us of the result. We were not advised at all.

Fonoti was called. The District Committee of Fagaloa—namely, Su'a, Olaaiga, Fea, Satiu, Alai'a, Filiane, Palelei, and Punua—were also called.

Toelupe : Fonoti, will you answer to these charges against you : (1) The appointment.

Fonoti : This is the practice when an application is made to be sent to the Governor : it will then be sent there. The reply we received, that Falefa Village will get the appointment, and that will include Falefa, Lufilufi, and Faleapuna.

Tialavea Faitile : It is correct. During the time of this application we heard a bad remark which Fonoti has said : " No one is entitled to that appointment." Those were the words said by Fonoti to Ta'inau, and Ta'inau told to me.

Fonoti : I do not remember such conversation with Ta'inau.

Toelupe : Do you suggest to call Ta'inau ?

Tialavea, F. : Thanks.

Toelupe : When was that conversation ?

Tialavea, F. : In July, 1925, in the Church of Lufilufi.

Toelupe : Did you ask Fonoti about it ?

Tialavea, F. : No.

(2) Application for Molio'o :—

Fonoti : I have submitted the petition of our village together with my petition to Mr. Griffin, and Mr. Griffin sent for me. I came there, and Mr. Griffin told me that the Governor agreed to it, but wait for a few days until the question about the land is settled (that is, the land of Falefa and Lufilufi). I do not wish to speak about that matter because of the Falefa people.

Savusa : Why was not our village notified ?

Fonoti : It is rather difficult, because Faleapuna is Falefa.

Savusa : He should not fear about that. Announce it, and then make a warning.

Fonoti : I have asked Savusa and Pasui about Molio'o, but they replied, " Never mind about him ; what he can do when he comes ? "

District Council :—

Fea : He explained about Faleapuna leaving the District Council and not attending the reception to the Governor.

(3) Village affairs :—

Fonoti : That is not clear.

Tialavea, P.N. : It is about the work of digging the drain and the swamp, and work on the road to the plantation.

Sevuli : Did you tell Fonoti about that ?

Tialavea, P.N. : No.

(4) Church affairs :—

Fonoti : My opinion is that my brother and his children are there.

Toelupe : We are not judges for Church affairs ; leave that to the Churchmakers.

(5) Lie :—

Fonoti : With regard to houses, the committee understand about that. The Governor has pointed out the site for the village, and that is the position. About the case of Tauaa and my wife and Faleapuna, I have forgotten the reason why I did not go to Saleufi.

Aiono : Exhortation.

T. Laupus : Read the evidence.

Toelupe : The case is adjourned until Tuesday, 23rd November, 1926. You are to return and try to settle your trouble. Can you apologize to your Faipule, because you have charged him without reason ?

Please, the committee wishes to call Tainau, F.P., Tialavea, Faitile, and Fonoti to appear on a suitable day.

T. LAUPUS, Secretary to the Committee.

I hereby certify that the above is a true and correct copy of the original translation and that such translation is a correct one.—R. H. ALLEN, Native Department.

CHIEFS AND ORATORS OF FALEAPUNA v. FONOTI, F.P.

23rd November, 1926.

Tainau, F.P., of Lufilufi, is not present ; he went to Aleipata.

Toelupe : Address of thanks. Opportunities were given to you to settle this matter. Many words from the Bible applied to this matter : " Peace is a good thing." No village or family can remain in good position if they are disunited.

Savusa : Address of thanks. You were waiting to hear what settlement will be. May you please, with regard to an apology to Fonoti or reconciliation between us, we absolutely refuse to do those suggestions.

Toelupe : Your request is that Fonoti be dismissed and removed from Faleapuna, but we were unable to find any reasonable charge against Fonoti to be reported to the Governor from all you have brought in.

Fonoti : I am sorry to say before you that we could not have a settlement. These things were not known to me. I am very sorry. I love my people, but they are now in a different position. I could not do anything to satisfy them, because they have not placed their complaints to the Secretary for Native Affairs through me in accordance with the law, but they themselves came direct to Secretary for Native Affairs.

Toelupe : What can Fonoti do to satisfy you ?

Tialavea, F. : The days are over ; we cannot do anything. We will not revoke our dissatisfaction.

Toelupe : What we desire to do, we do ; let the Faipules be leaders of prosperity in order to prosper others. Our inquiry is finished.

Tialavea : Do what you wish in your decision. We will be quite satisfied with it. We are tired of coming so often.

Decision.

The opinion of the Committee of Faipule will be forwarded to His Excellency the Administrator for consideration. The committee find that there is absolutely no proper ground for their complaint against the Faipule (Fonoti). They showed disrespect to His Excellency the Administrator in regard to these matters (charges): (a) They have not put their complaint to the Faipule to be passed by him to the Secretary for Native Affairs; (b) they refused to remodel the village in accordance with the instruction of the Administrator; (c) the strong urging of the Faipule to have Molio'o returned; (d) defied the committee in regard to the conciliation with the Faipule, whom they charged out of malice; (e) not attending the reception to the Governor at Fagaloa.

1. The appointment of *pulevu'u* is to be taken away from Tialavea, because he did not properly uphold his position.
2. The *malai* titles of Savusa Fa'avela, Tialavea Faitele, and Tialavea Vevesi to be taken away from them.
3. Send away from Faleapuna to their families—Savusa to his family in Tuana'i and Tialavea Faitele to his family in Falefa.
4. A fine in money should be inflicted on the whole village, if agreed to by the Governor.

We are the Committee of Faipule,
TOELUPE, AIONO, SEIULLI, and ASI MAMA.

I hereby certify that the above is a true and correct copy of the original translation and that such translation is a correct one.—R. H. ALLEN, Native Department.

Faleapuna, 8th October, 1927.

To His Honour Mr. Lewis, S.N.A.
YOUR HONOUR,—

We write the following petition to your Honour: In the matter concerning the oppressive rule of Salatai, who has given the title of Pouli without the knowledge of the family of Molio'o: this matter referring to Salatai is already before the Government, in that he is still under Government punishment, he having been deprived of the title of Molio'o, and that he has no further authority in matters concerning the family of Molio'o. Therefore we petition to your Honour, cannot an authoritative order of the Government be made holding up the title of Pouli, and preventing its use by that young man Setu? This is all.

Soifua.
MOLIO'O LOI. SEUVAIPOLA.
SAVUSA. LENIU.
TIAVO.

I certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Accountant, Native Department.

Faleapuna, 8th October, 1927.

His Honour Mr. Lewis, Secretary for Native Affairs.

WITH respect we bring before your notice the matter of the unjustified action of Salatai, who was deprived of this title of Molio'o by authority of the Governor. Nevertheless he has done a thing that will cause a breach of the peace of the family and also of the village. He has bestowed the title of Lepouli upon the *uaile'ale'a* Setu. We object to his making use of that name. Because of this we pray as follows: It is the desire of the family in conclave that Salatai shall not return to tend the family at Faleapuna. He should be removed altogether, as he is person who does unjustified things, causing a breach in family peace. Farewell.

We are the family in conclave:

TAAVELE. SIVAIPOLOA.
TISELA. LENIU.
TIAVO.

I certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Accountant, Native Department.

EXHIBIT No. 24.**BANISHMENT ORDER.**

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Tialavea, F., a Samoan male of the Village of Faleapuna. I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of you, Tialavea, F., within the village hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that within seven days from the date hereof you leave the Village of Faleapuna, in the Island of Upolu, in Western Samoa, and reside and remain in the Village of Falefa, in the Island of Upolu, in Western Samoa, during my pleasure; and, furthermore, that you cease from using the title Tialavea, and in future be known by your original name of Faitele.

Witness my hand, at Apia, this 29th day of December, 1926.

GEO. S. RICHARDSON, Administrator.

FAITELE,
Tes. 31, 1926.

EXHIBIT No. 25.**BANISHMENT ORDER.**

Administration of Western Samoa, Apia, Samoa, 27th April, 1925.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Moananu Fa'afai, a Samoan male of the Village of Mulifanua, Upolu. I, GEORGE SPAFFORD RICHARDSON, Administrator of the Territory of Western Samoa, being satisfied that the presence of you, Moananu Fa'afai, within the district hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that within ten days from the date hereof you leave the district of Aiga-i-le-Tai, in the Island of Upolu, Western Samoa, and remain and reside in the Village of Lotogo, in the Island of Upolu, Western Samoa, during my pleasure; and, furthermore, that you cease from using the title Moananu, and in future be known by your original name of Fa'afai.

Witness my hand, at Apia, this 27th day of April, 1925.

GEO. S. RICHARDSON, Administrator.

MOANANU.

EXHIBIT No. 26.**DECISION MADE BY THE COMMITTEE OF MULIFANUA VILLAGE.**

THE Committee has decided to report to Your Excellency the Administrator as follows:—

As it is well known that troubles in Mulifanua were always caused by Moananu and Fa'ateaina, we desire that you will use your power and remove them from Mulifanua.

Charges.

1. Fa'ateaina has continually discussed genealogies. He opened the genealogy of Leiataua and stated that the title of Leiataua is not a Manono title, but was obtained in Savai'i. Please note that the Leiataua genealogy is a sacred one, and no one in Manono is permitted to talk of it, because the title is guarded by Manono and many Samoans. (One discussing this title is liable to immediate attack, as it is a "protected" title.)

2. Fa'ateaina has opened the genealogy of Ifopo and stated that they are strangers and not the proper heir to the title, Moananu being the proper heir. We have had patience because of the Government; you are aware of the punishment (*fa' a-Samoa*).

3. Moananu and Fa'ateaina have opened the genealogy of Tauti, *pulemu'u*, stating that he is of Nofalo'i and does not belong to Mulifanua.

4. Moananu and Fa'ateaina have discussed the genealogy of Toa.

Decision of the Village Committee of Mulifanua.

The committee has decided to petition Your Excellency the Administrator.

Charges.

1. Moananu has cast aside the desires of the committee. Moananu opposed and brought to the Government a matter which had already been agreed and decided upon by the family in conclave and the village.

2. Moananu has used insulting language to Mau'u, which has broken the peace.

We conclude our letter with the following opinion: May it please Your Excellency, we desire that Moananu and Fa'ateaina be sent away from Mulifanua.

Chiefs and Orators of Mulifanua

TOGIA POUVI.	TAULA, L.	MAUMASI.
LEULUAI.	VAITIUOLA.	IFOFO.
FUATIA.	MAU'U.	TONIA.
TAUTI.	TAUTI, P.N.	TAULA, T.
FUANOFONOFO.	MAUGATU.	FALEFAU.

1st March, 1925.

Your Honour, Mr. Griffin, Secretary for Native Affairs.

All these names are chiefs and orators of Mulifanua, and who confirm those matters concerning Moananu and Fa'ateaina which have been reported to you. Long life.

THE CHIEFS AND ORATORS OF MULIFANUA.

I certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Accountant and Inspector, Department for Native Affairs.

EXHIBIT No. 27.**BANISHMENT ORDER.**

Administration of Western Samoa, Fagamalo, Savai'i, 27th July, 1923.

To Moananu, F.M.P., Sato'alepai.

I HEREBY order you and your *malaga* party to leave Matautu and proceed at least as far as Lealatele to-day. You are not to stay in this district any longer, nor are you to stay in Salcaula. You have broken the law by making this *malaga*, and you are to return to Mulifanua as soon as possible.

G. BIGG-WITHER, Resident Commissioner of Savai'i.

EXHIBIT No. 28.**BANISHMENT ORDER.**

Administration of Western Samoa, Apia, Samoa, 11th June, 1925.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Autagavaia, Samoan male of the Village of Palauli, Savai'i.

I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of you, Autagavaia, within the village hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that within ten days from the receipt of this notice by you you leave the Village of Palauli, in the Island of Savai'i, in Western Samoa, and reside and remain in a village in the district of Itu o Tane, in the Island of Savai'i, in Western Samoa, during my pleasure; and, furthermore, that you cease from using the title Autagavaia and in future be known by your original name of Siaupiu.

Witness my hand, at Apia, this 11th day of June, 1925.

GEO. S. RICHARDSON, Administrator.

EXTRACT FROM MINUTE OF INTERVIEW WITH MR. GRIFFIN.

8th June, 1925.

Autagavaia: Remembers the occasion when he appeared before His Excellency with the F.P. Remembers H.E.'s decision that he would not be punished now, but that if at any time the Faipule reported him for causing trouble he would be dealt with summarily; that H.E. would not again give him the opportunity of apologizing.

Trouble occurred in the village: I apologized for these troubles as ordered by the F.P. I *ifo'd* (i.e., made an abject apology) to the village. I do not know why the F.P. has reported me. I apologized on Friday, 29th May, to the village.

I certify that the above is a true copy of extract from the minute of the interview as quoted above.—R. H. ALLEN, Accountant, Native Department.

EXHIBIT No. 29.

CORRESPONDENCE WITH MAU.

[TRANSLATION.]

Lepea, 21st June, 1927.

To His Excellency George S. Richardson, Administrator of Samoa.

YOUR EXCELLENCY,—

We, the undersigned, are the committee elected by the Mau of Western Samoa to act on its behalf.

Since we placed our grievances before the honourable Minister we have remained in Apia at the wish of our country. Those who have dispersed have done so by order of Your Excellency, which was issued through Lago Lago and the Chief Faumuina of Lepea on the 14th June, 1927.

We, the representatives for Western Samoa, pray to Your Excellency as follows :—

With reference to your orders to Faumuina and Lago Lago to depart for Apolima, we pray Your Excellency to have patience until we have an opportunity of placing our views before you for your consideration.

(a) Faumuina and Lago Lago obeyed your orders and caused the people to disperse although they wanted to remain.

(b) The Mau was not founded by Faumuina and Lago Lago, but they only took part as members of the committee so elected by Western Samoa. Therefore they can only obey your orders, but they cannot disperse the people or alter the wish of the people which they represent.

(c) We who are part of the main body of the Mau feel this way : We, the main body of the Mau, think that we should ask for an investigation before our representatives are deported. Also the penalty should fall on us all (who are the main body of the Mau), but should not fall on individuals such as in the case of Faumuina and Lago Lago, because they are only representatives and we are the main body.

(d) There is likely to be a disturbance of the peace if the deportation takes place before an investigation is made to clear up the matter for the benefit of the people.

This petition is also made on behalf of Pasia, Tofilau, Tagaloo, &c. In our opinion the whole body of the Mau should be penalized and not individuals, because these individuals were working at the wish of the Mau of Western Samoa.

We trust that we shall have your opinion on this letter before the orders are carried out.

We are your humble servants, but representatives of the Mau of Western Samoa :

TUIMAVAVE, M.	TOFAEONO.	TAGALOA.
J. TO'OMALATAI.	VA'AFUSU.	VAELUU.
T. TAMASEU.	SOLIA, N.	T. FAAMATUAINA.
TOFA.	LUAMANU TOFA.	LEUA, M.
LIMU.	VUI, P.	ALE.
TUATO.	ASI SAGAGA.	ATANOA.
TAFEA.	TUFUGA.	LEUTELE.
MASOE TAFA.	FAL.	LANAI.
TUAOI AUTANAVAIA.	MELEI.	ALIPIA.
VELE.	UNA.	UNE, G. P.
MATAMUA.	PUAALATAMAI.	MAMEA, I.
PATU, P.	SITA.	LAVEA.
TUISILA.		

Office of Native Department, Samoa, 23rd June, 1927.

IN reply to your letter to His Excellency the Administrator, I am requested to state that His Excellency is very pleased to receive the letter which you and other Samoan chiefs have written.

The subjects you have mentioned are receiving careful consideration, and it gives His Excellency great pleasure to know that you wish to meet him.

I am asked to tell you that His Excellency the Governor will be glad to meet you, and, as he will commence his *malaga* round Upolu on Monday next, he will soon be in your district, and hopes to meet you together with the Faipule. You may then bring up any subject you wish. It is His Excellency's delight to meet and discuss matters with the Samoan people, and he always makes a practice of accepting the invitation of a district or a village to come and explain any matter. Therefore if you wish to see His Excellency when on his *malaga*, arrangements will be made accordingly.

FRANK G. LEWIS, Secretary for Native Affairs.

[TRANSLATION.]

Lepea, 25th June, 1927.

To His Excellency the Administrator of Western Samoa, Apia.

YOUR EXCELLENCY,—

We beg to reply your letter of 23rd instant through Secretary for Native Affairs.

We have been feeling very good and thankful when we received and read your letter, but we have also again another feeling, and it come to our minds that we must advise Your Excellency as to the following :—

(a) We did write a letter and sent to Your Excellency, and it was a letter of the whole Samoan Mau. The selected Samoan committees have been signing all their signatures on that letter.

(e) We received your reply, but you did not send replies straight to us who written the previous letter and give trouble to some persons who are the same as the others Samoans belonging to the Mau.

(i) We did request Your Excellency to meet you before the High Court or in your office in Apia before the dispersing of those who have been ordered to return home, but you ordered some of us to return home and you said that you will meet us there.

We therefore write you again, as it seems to us that Your Excellency did not quite understand about our decision that was forwarded, so we beg to forward our opinions to Your Excellency, as thus: (1) All punishments received by each person who has already been punished must be put all upon us, as we are representatives of the whole Samoan Committee (Mau). (2) We wish to have investigation before we are going to be punished.

We beg to request for some food-supply to be given by the Government for Faumuina and Lago Lago, who are now treated as prisoners and living in a place the same as a gaol, like Tuvao.

Very respectfully, your obedient servants—

Name.	Residence.	Name.	Residence
1. LAVEA	Safotu.	41. MELEI	Lotofaga.
2. ALIPIA	Leulumoega.	42. GISA	Tufu.
3. TU'ISILA	Mutiatele.	43. MATOFAI	Aaopo.
4. LAGAIA	Palauli.	44. FIU	Letui.
5. AINU'U	Apia.	45. FITIOALO	Safotu.
6. M. SALETAI	Mutiatele.	46. TIMU'A	Safotu.
7. P. LE'AUPEPE	Faleasi'u.	47. TAITO	Manase.
8. TUAO	Matautu Lefaga.	48. FAALAVAA'A	Safotu.
9. TUILETUFUGA LIMU	Apia.	49. FAUMUI	Safotu.
10. AUTAGAVAIA	Palauli.	50. UTUMAPU, T.	Safotu.
11. FIU	Sili.	51. TALIA'U	Lepea.
12. NOTOA	Taga.	52. MAMEA	Safune.
13. LEOTA	Gautavai.	53. MOANA	Safune.
14. TALO .. ..	.. ..	54. TAULEALEA	Safune.
15. AUTAGAVAIA	Palauli.	55. TUGAGA, M.	Safune.
16. TAMASEU, T.	Apia.	56. LOTU	Safune.
17. FAVALO	Apia.	57. AUA	Safune.
18. TAMASEU, F.	Apia.	58. TATEA	Sala'ilua.
19. TUFEO	Solosolo.	59. TUIMAVAE	Solosolo.
20. TULIA	Gataivai.	60. TUATI	Sala'ilua.
21. FAITAU	Sataua.	61. PAA'A	Foa.
22. SU'A	Sataua.	62. ALE	Toamua.
23. TUTAU, T.	Asau.	63. TOFA	Saipipi.
24. SILIA	Falcalupo	64. TOFILAU, F.	Iva.
25. FUIONO	Falcalupo.	65. MATAMUA	Salelologa.
26. VAOLITO	Sataua.	66. PASIA	Safotulafai.
27. LEUTELE	Falefa.	67. LUAMANAVAE	Salelologa.
28. NUA	Moata'a.	68. TUA'IMALO	Matautu Apia.
29. FA'I, S.	Noiafu.	69. LUALUA	Asaga.
30. ASIATA	Satupa'itea.	70. VA'AFESU	Sa'asa'ai.
31. FUATAGA	Lalomanu	71. ASI, V.	Moata'a.
32. MANU'E	Saleaula.	72. TOFAONO	Vaiala.
33. SEUAMULI	Fagamalo.	73. LAUOFO	Luatuanu'u.
34. FETAUA'I	Satupa'itea.	74. TAGALOA	Saluafata.
35. TALEU .. ..	.. ..	75. TAUASA	Matautu Apia.
36. VELE	Lepea.	76. MOANANU	Matautu Apia.
37. FALEALILI	Tufutafoc.	77. TO'OMALATAI, S.	Matautu Apia.
38. SITA	Lotofaga.	78. INU	Lufilufi.
39. SAUVAO	Faleasi'u.	79. LAGAIA	Palauli.
40. LEMAUGE	Lotofaga.	80. TUAO, T.	Lefaga.

Office of Native Department, Samoa, 30th June, 1927.

IN reply to your letter to His Excellency the Administrator, I am requested to state that His Excellency is very pleased to receive the letter which you and other Samoan chiefs have written.

The subjects you have mentioned are receiving careful consideration, and it gives His Excellency great pleasure to know that you wish to meet him.

I am asked to tell you that His Excellency the Governor will be glad to meet you, and as he commenced his *malaga* round Upolu on Monday last, he will soon be in your district, and hopes to meet you together with the Faipule. You may then bring up any subject you wish. It is His Excellency's delight to meet and discuss matters with the Samoan people, and he always makes a practice of accepting the invitation of a district or a village to come and explain any matter. Therefore if you wish to see His Excellency when on his *malaga* arrangements will be made accordingly.

WM. BELL,
For Secretary for Native Affairs.

[TRANSLATION.]

Apia, Samoa, 5th July, 1927.

His Excellency General Geo. S. Richardson, K.B.E., Administrator of Western Samoa, Apia.

YOUR EXCELLENCY,—

We, the selected representatives for the whole of Western Samoa in the matter of the Mau, with due respect, advise Your Excellency of our opinions, which are endorsed by all Western Samoa, and which are as follows:—

As we have now been separated from our European brother members of the committee by an order from Your Excellency, we feel now that we are not absolutely satisfied in that it is now eight months, and Your Excellency has not investigated the matters about which we are dissatisfied. The following are the most important opinions agreed to by us which we wish to place before Your Excellency:—

(a) While we have been supporting the Mau in order to bring before Your Excellency matters about which we are dissatisfied, Your Excellency has absolutely disregarded us—the whole country. Therefore we, the proper representatives of the whole country, will no longer assist in matters of administration until a proper investigation has been made regarding our matters.

(b) We formed the Mau and continued to support all the laws of the Government for the past seven months, but in doing that we have belittled ourselves in your opinion. Therefore we have decided to remain gathered together in Apia until we receive the decision which we are expecting, and none shall depart until the answer we are waiting for shall be received.

(c) These ideas will be upheld by all the people in the Mau in the country. Therefore, if any of the people in the country disobey any orders and Your Excellency deems it right to punish them, throw the punishment on our shoulders—that will be on the whole country.

We conclude, with due respect, we are,

LAVEA KOMITI FAATONU.	MOANANU.	LEAUPEPE.
TUISILA KOMITI FAATONU.	MOLIO'O.	LEUTELE.
LAGAALA KOMITI FAATONU.	ATANGA.	FUONO.
ALPIA KOMITI FAATONU.	SUMULETO.	TAGALOA.
AINU'U KOMITI FAATONU.	TILIALA.	ASIATA.
TOKA.	TU'U.	PASIA.
J. TO'O.	TAFEA.	LAUFOFO.
FUATAGA.	TUFUGA.	LEATO.
SEUAMULI.	TUAO, T.	

EXHIBIT No. 30.

BANISHMENT ORDER.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Leilua Avau, a Samoan male of the Village of Safotulafai, Savai'i.
I, GEORGE SPAFFORD RICHARDSON, Administrator of the Territory of Western Samoa, being satisfied that the presence of you, Leilua Avau, within the village hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that within fourteen days from the date hereof you leave the Village of Safotulafai, in the Island of Savai'i, Western Samoa, and remain and reside in the Village of Iva, in the Island of Savai'i, Western Samoa, during my pleasure; and furthermore, that you cease from using the title Leilua, and in future be known by your original name of Avau.

GEO. S. RICHARDSON, Administrator.

Witness my hand, at Apia, this 23rd day of November, 1925.—W. M. B.

EXHIBIT No. 31.

AVAU AND THE LEILUA FAMILY.

Fusi, 2nd November, 1925.

To His Excellency the Governor, and the Secretary for Native Affairs, and the Resident Commissioner.
WE, the family of Leilua, have honour and respect for the Government of Great Britain. We forward before your respected Honours our petition that the Government will show love, and order that L. Avau drop our title and return to his own family, as he desires to break the peace of this family and the principal chief, Leilua Faipule. To day, the 2nd November, 1925, our statements have been given before the Faipule of Fa'asaleaga; and now we again pray, have compassion, respected Excellency—send this man to his own family, and leave the title of Leilua, otherwise this peaceful family will be spoiled.

Long life.

The family in conclave. We are—

1. LEILUA, F. P.	4. L. TITA'E.	7. PAU, P. N.
2. LEILUA LEO.	5. L. TEMI.	8. LEILUA KAVIUNI.
3. L. FAGUPO.	6. T. LEILUA TUA.	9. L. IELI.

I hereby certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Native Department.

Safotulafai, 2nd November, 1925.

To His Excellency the Governor, and the Secretary for Native Affairs, and the Resident Commissioner: Greetings.
WE have to-day investigated the matter concerning Avau and the family of Leilua, of Safotulafai. It is apparent to us that he desired to kill some one, break the law, and abused Leilua, Faipule—witness the many bad statements he has hurled at Leilua, Faipule. We know that Leilua, F. P., has endeavoured to prevent new debts being contracted and to have old debts liquidated, but Avau has placed many difficulties in the way of the Faipule's instructions to the village and the district.

We find that Avau is in the wrong, and has not behaved befittingly before this inquiry. We have received a petition from the whole of the Leilua family requesting Your Excellency the Administrator, the Secretary for Native Affairs, the Resident Commissioner, and the Faipules to remove this man Avau and send him to his other family, and drop the title Leilua, otherwise the family peace will be disturbed by this man.

We are forwarding this matter for a decision.

Long life. We are—

1. TAIMALELAGI, Faipule.	3. UNASA, Faipule.
2. SUA L., Faipule.	4. SUA M., Faipule.

I hereby certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Native Department.

EXHIBIT No. 31A

VEVESI: PROHIBITING USE OF TITLE TIALAVEA.

ADMINISTRATION OF WESTERN SAMOA.

To Tialavea Vevesi, of Faleapuna.
By virtue of the powers me thereunto enabling, I prohibit the use of the title Tialavea by you, the person originally known by the name of Vevesi.

GEORGE RICHARDSON, Administrator.

Dated the 29th day of December, 1927.

EXHIBIT No. 32.**BANISHMENT ORDER.***Order of Local Banishment under the Samoan Offenders Ordinance, 1922.*

To Tagaloa, a Samoan male of the village of Saluafata.
I, JAMES WILLIAM HUTCHEN, Acting-Administrator of Western Samoa, being satisfied that the presence of you, Tagaloa, within the Island of Upolu (save and except in the Village of Saluafata in the said island) is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you forthwith leave the district of Tuamasaga I Matu, on the Island of Upolu, and remain outside the said district and outside all other districts in the Island of Upolu (save and except the village of Saluafata, in the Island of Upolu), and reside in the said village of Saluafata for a period of three months from the date of the signing of this order.

J. W. HUTCHEN, Acting-Administrator.

Witness my hand, at Apia, this 5th day of July, 1927.

EXHIBIT No. 33.**INFORMATION.**

In the High Court of Western Samoa.—Between A. L. Braisby, informant, and Tamaseu, defendant.
A. L. BRAISBY, of Apia, Inspector of Police, informs the Court that he has just cause to suspect and does suspect that Tamaseu, of Apia, did on the 20th day of June, 1927, at Apia, in the hearing of a number of Samoans, speak the following words: "We will not obey orders of the Government; we will not search for beetles; we will not pay taxes; we do not attend any more at district meetings held by the Faipule"—or words to the like effect, such words being calculated or likely to undermine the authority of the *pulenu'u*, the Faipule, and other Native authority, contrary to clause 3 of the Maintenance of Authority in Native Affairs Ordinance, 1927.

Dated this 13th day of July, 1927.

A. L. BRAISBY, Inspector of Police.

EXHIBIT No. 34.**CLAIM OF TIMU: RESISTANCE OF MAU.**

Department of Native Affairs, Apia, Samoa, 24th August, 1927.

The Resident Commissioner, Fagamalo.

[TRANSLATION.]

Safotu, 24th August, 1927.

I WRITE with due respect to your Honour in connection with the claim of Timu, to which case are called Faoa, Faleiva, and Olo. I wish to point out that evidently your Honour the Resident Commissioner does not know the wish of the Mau of Samoa, that everything in connection with the Court or law will be resisted, such as the present Court case. Thus I write to inform your Honour, please, these boys will not attend the Court owing to the decision of the Mau. Thus I have forbidden the boys to go. That is my advice.

Soifua.

LAVEA (COMMITTEE) OF THE MAU.

EXHIBIT No. 35.**BANISHMENT ORDER.**

ADMINISTRATION OF WESTERN SAMOA.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Savusa, a Samoan male of the village of Faleapuna.
I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of you, Savusa, within the district/village hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that within seven days from the date hereof you leave the district/village of Faleapuna, in the Island of Upolu, in Western Samoa, and reside and remain in the district/village of Tuanai, in the Island of Upolu, in Western Samoa, during my pleasure; and, furthermore, that you cease from using the title Savusa, and in future be known by your original name of Tauvela.

Witness my hand, at Apia, this 29th day of December, 1926.

GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 36.**BANISHMENT ORDER.**

ADMINISTRATION OF WESTERN SAMOA.

Order under the Samoan Offenders Ordinance, 1922.

To Faumuina, a Samoan male of the Village of Lepea, at present in the Island of Savai'i.
I, GEORGE SPAFFORD RICHARDSON, Administrator of the Territory of Western Samoa, being satisfied that the presence of Faumuina within the Island of Savai'i is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you the said Faumuina do forthwith leave the Island of Savai'i and reside and remain in the Village of Lepea, in the Island of Upolu, for the period of three months from the date of this order.

Dated this 25th day of November, 1926.

GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 37.

LETTER FROM FAUMUINA AND LAGO LAGO TO HIS EXCELLENCY THE ADMINISTRATOR OF WESTERN SAMOA: PROCEEDINGS OF MAU.

[TRANSLATION.]

His Excellency Sir Geo. S. Richardson, Governor of Western Samoa.

YOUR EXCELLENCY,—

We, the undersigned, continue to pay our respects concerning the message from the Minister of External Affairs which you conveyed to us in Mulinu'u on 14th June, 1927.

At 4 o'clock on the afternoon of that day chiefs and orators of the Mau assembled in Lepea, and the proceedings were as follows:—

1. LAGO LAGO stood up and reported to them the order of the Minister of External Affairs to himself and Faumuina. The chairman of the *fono* rose and gave a clear report of all that was happening, including the letter which the European committee had received. He conveyed the wishes and decision of the committee as to what should be done, as follows: "Chiefs and orators, representing the largest section of the Samoan community, you who are classed together under the name 'the discontented,' hear the wish of the committee. The business you came here for is now concluded—King's Birthday celebrations, welcome to the Minister of External Affairs. Therefore, return now to your homes and attend to your regular work, and wait hopefully concerning our complaints placed before the Minister of External Affairs. The committee beg you to maintain peace and harmony, as you have done from the beginning up to the present time, and pray that with God's help the foundations of our cause may be established for the future."

3. Faumuina rose and spoke strongly supporting the statement of the chairman and committee, and tried to comfort and explain and satisfy the gathering, asking them not to be angry because of the special instruction that he and LAGO LAGO had received as though the Mau was only the concern of themselves, or that they two were more important than the rest, especially the four other members of the committee.

4. The assembly, out of respect to Pasia, agreed that he should first respond. Pasia thanked the committee and chairman for their work in bringing their subjects before the Minister, but, replying to the suggestion that the Mau should now disperse, such was not their view. They should remain together still and await the verdict from New Zealand. If the storm smote them, let it strike them all together. That was their true desire.

5. The chairman again rose and made another address, further explaining the wisdom and correctness of the committee's resolution. He used strong words in order that they would be contented and obey.

6. Various representatives from each district then contended to make known their dissatisfaction and their districts' opinions. The following spoke: Veletaloola (Tuamasaga), Leoli (Aana), Tu'u'u (Siumu), Lavea (Le-ali'i-o-le-itu), Asiata (Satupaitea), Inu (Atua), Autagavia (Palauli). All these speeches showed their opposition to the order concerning us two, as though we controlled the Mau, and we both tried to change their wrong opinions and make clear that we were as ourselves, unchanged, and had not left the Mau.

7. We point out that it was not only at this gathering that we both worked for the fulfillment of the order, but we very carefully explained to many chiefs and orators the real meaning of the wisdom of obedience to the order.

Your Excellency the Governor, you now have the report of the both of us to carry out the high order of the Minister, but we ask you to further hear our statement concerning the heavy burden that is placed upon our backs:—

(a) We begged of the committee and chairman that they would stand together with us and make known this special order, because doubtless the league would rise in anger and oppose it.

(e) We both could not change the minds of the league, but the Spirit of God; nevertheless we both worked faithfully together with the committee and the chairman in accordance with our appointment at the public meeting in the Market Hall last year.

(i) We are both happy to use the wisdom God has given us for others (as you have frequently advised us) when we see the good way set up by the committee, in accordance with customs of great Governments—for people to express their dissatisfaction with their Government—that this should be a step in Samoa's education.

(o) Many districts were in the habit of expressing in their addresses to Your Excellency matters on which they were not satisfied, and also Faipules. Thus it is evident that for a long time they have been complaining and bearing up under their discontent, and it is not long since they have joined with the committee to find a new way for them to express their discontent.

(u) Our hearts are full of surprise at the harsh and threatening treatment towards us, while no proper investigation has been made by you, or no trial held, that both sides may be heard in accordance with British justice and in accordance also with the chief law of the Kingdom of God.

(f) We would express to Your Excellency that our fear and groaning are before God because of what now is apparent—namely, that, no matter whether for good or bad, whether satisfied or not with any operations of the Government, such as the great *mamalu* given to Faipule or other officials, we are still to obey and continue.

(g) We both beg to point out further: Let not the blame for matters on Samoan affairs be charged to the European committee, for no Samoan or no man anywhere in the world is ignorant of how to show dissatisfaction, but because of some being unaccustomed to expressing themselves before dignitaries, and lest they transgress the law and propriety, the European committee was used as a means.

Thus Your Excellency hears our reply to the order of the Minister, together with our statement in which we both have expressed our own real thoughts as directed by the Spirit of God, and we remember the parable of Jesus which says: A visitor arrived at a certain man's house at midnight, and he got up and went and knocked at the door of the store where bread could be bought. He wanted bread for the visitors who had just come to his house. His request was not heeded at first because it was so late at night, but the man continued knocking persistently, until at last the storekeeper got up and opened the door and sold him the bread.

We close our humble report with great respect.

Your humble servants,
FAUMUINA,
LAGO LAGO (T. AFAMASAGA).

I certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Accountant, Native Department.

EXHIBIT No. 38.

MEDICAL TAX.

[TRANSLATION.]

Vaiusu, 27th August, 1923.

His Excellency the Administrator of Western Samoa. WE, the Ali'i and Faipule of Faleata respectfully inform Your Excellency as follows: Your notification regarding the medical tax is accepted with pleasure. That is our reply to Your Excellency. Live long!

ALI'I AND FAIPULE OF FALEATA:
SEIULI, F.P.

I hereby certify that the above is a true copy of the original—ROBT. H. ALLEN, Accountant, Native Department.

EXHIBIT No. 39.

DIVISION OF LAND: DECISION OF DISTRICT COUNCIL.

District Council of Faleata, 22nd April, 1925.

Decisions of the District Council to be brought before the Fono of Faipule and His Excellency the Governor.

[EXTRACT.]

It is the desire of this district that uncultivated land shall be divided as is done in Tonga. The Government shall control such division of land and distribute to each taxpayer an area (his acres) to work.

SEIULI, British Faipule.

I hereby certify that the foregoing is a true translation of the above copy of the original document—R. H. ALLEN, Accountant and Inspector, Department of Native Affairs.

EXHIBIT No. 40.

FALEATA DISTRICT COUNCIL: DISTRICT LAWS.

Appeared—Sciuli, F.P.; Aulacenui, P.N.; Nu'u, P.N.; Faumuina—representing the Faleata District Council.

The following district laws were passed by the Council in September, 1924.

1. Every man, woman, and child in Faleata to pay 1s. for the maintenance of the Council and the furtherance of its work.

2. Any one who does anything to break the peace of Faleata will be brought before the Council for inquiry.

If the charges are proved he will be banished from the district.

3. All the *tauleleu* are to obey the authority of the *matai*. The result of disobedience will be banishment.

4. All must obey the curfew bell at 10 p.m. Any offenders to be fined by the Village Committees.

5. Every person to obey the call of Faumuina to the Fetu. To be brought before the Secretary for Native Affairs, or the Samoan Fa'amasino, at Faumuina's discretion.

A. B. ROSS, Assistant Secretary, Native Affairs.

I certify that the above is a true and correct copy of the original minute.—R. H. ALLEN, Native Department.

EXHIBIT No. 41.

BANISHMENT ORDER, ETC.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Ainiu'u Tasi, a Samoan male of the Village of Apia.

I, SIR GEORGE SPAFFORD RICHARDSON, Major-General, K.B.E., C.B., C.M.G., C.B.E., Administrator of Western Samoa, being satisfied that the presence of you, Ainiu'u Tasi, within the islands of Upolu and Savai'i (save and except in the Village of Malie, in the Island of Upolu) is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you forthwith leave the Village of Apia, on the Island of Upolu, and remain outside the said village and outside all other villages in the islands of Upolu and Savai'i (save and except the Village of Malie, in the Island of Upolu), and reside in the said Village of Malie for a period of twelve months from the date of the signing of this order.

Witness my hand at Apia, this 20th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

ADMINISTRATION OF WESTERN SAMOA.

To Ainiu'u Tasi, of Apia.

By virtue of the powers me thereunto enabling, I prohibit the use of the title Ainiu'u by you, the person originally known by the name of Tasi.

GEO. S. RICHARDSON, Administrator.

Dated the 20th day of July, 1927.

EXHIBIT No. 42.

BANISHMENT ORDER, ETC.

Order of Local Banishment under the Samoan Offenders' Ordinance, 1922.

To Papalii Ulu, a Samoan male of the Village of Apia.

I, SIR GEORGE SPAFFORD RICHARDSON, Major-General, K.B.E., C.B., C.M.G., C.B.E., Administrator of Western Samoa, being satisfied that the presence of you, Papalii Ulu, within the islands of Upolu and Savai'i (save and except in the Village of Vaialele, in the Island of Upolu) is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you forthwith leave the Village of Apia, on the Island of Upolu, and remain outside the said village and outside all other villages in the islands of Upolu and Savai'i (save and except the Village of Vaialele, in the Island of Upolu), and reside in the said Village of Vaialele for a period of twelve months from the date of the signing of this order.

Witness my hand, at Apia, this 20th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

ADMINISTRATION OF WESTERN SAMOA.

To Papalii Ulu, of Apia.

By virtue of the powers me thereunto enabling, I prohibit the use of the title Papalii Ulu by you, the person originally known by the name of Faasiusiu.

GEO. S. RICHARDSON, Administrator.

Dated the 20th day of July, 1927.

EXHIBIT No. 43.

BANISHMENT ORDERS, ETC.

NOTICE.

Administration of Western Samoa, Faa'ali, Apia, Samoa, 20th July, 1927.

To

You are hereby summoned to appear at the Native Office, Mulinu'u, on Tuesday, the 26th day of July, 1927, at the hour of 9 o'clock in the forenoon, to show cause (1) why your title should not be taken away, and (2) why a banishment order should not be made against you.

Dated this 20th day of July, 1927.

SECRETARY FOR NATIVE AFFAIRS.

This notice sent to all persons named hereunder: Tofaeono Vaiala; Tuala Tulo Lepea; Tevaga Patasala Leauva'a; Sala Setasiu Leauva'a; Tuala Faraniko Leauva'a.

ADMINISTRATION OF WESTERN SAMOA.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of one Tuala Tulo (a Samoan Native) within the islands of Savai'i and Upolu (save and except in the Village of Lealatele) is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the power conferred on me by clause 3 of the said Ordinance, order that the said Tuala Tulo forthwith leave the Island of Upolu and remain outside the said island and outside all other districts in the islands of Upolu and Savai'i (save and except the Village of Lealatele), and resides in the said Village of Lealatele for a period of twelve months from the date of this order; and, furthermore, being satisfied that such course is necessary in the public interest, do hereby, under clause 4 of the said Ordinance, authorize the arrest of the said Tuala Tulo and his removal to the Village of Lealatele as herein specified.

Dated this 28th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

To the Inspector of Police, and all officers of police in Samoa.

This is the order mentioned and referred to in the annexed affidavit of Corporal Aiono, sworn to before me this 26th day of October, 1927, at Apia.—A. B. L. R. TATTERSALL, Registrar.

This is the order referred to in the attached affidavit of Corporal Fonoti, sworn at Apia this 25th day of October, 1927, before me—A. McCarthy, Judge, Apia.

In the matter of the Royal Commission, and in the matter of one Tualo Tulo.

I, AIONO, of Apia, Corporal Native Police at Apia, make oath and say:—

1. That attached hereto is the order under which the above-named Tualo Tulo was arrested and banished to Savai'i.

2. That Corporal Fonoti and myself effected the arrest.

3. That I read over the order to Tualo and explained it to him, and he fully understood the same; that at the same time I tendered him a copy in the Samoan language for his own information, and he refused to take the same.

4. That the said Tualo was escorted by Corporal Fonoti to Savai'i.

CPL. AIONO.

Sworn at Apia, this 26th day of October, 1927, before me—A. B. L. R. Tattersall, Registrar, High Court, Apia.

In the matter of the Royal Commission, and in the matter of one Tualo Tulo.

I, FONOTI, Corporal of the Native Police at Apia, make oath and say:—

1. That attached hereto is the order under which the above-named Tualo Tulo was arrested and banished.

2. That Corporal Aiono assisted me in connection with the arrest, which took place on the 1st day of August, 1927. Tualo was taken by me in the launch "Mulifanua" to Fagamalo, where I delivered him to Resident Commissioner.

3. The order was read over in the Samoan language to the said Tualo Tulo, and he understood fully the purport of the order.

4. Other people were present at the time of the arrest and understood what was being done.

5. Tualo was inclined to resist the order at first, but after a talk with us he agreed to come with us without any trouble.

6. The Samoan copy of the order was handed in to the station sergeant at Apia after execution of the order.

FONOTI, CPL.

Sworn at Apia, this 25th day of October, 1927, before me—A. McCarthy, Judge, High Court.

EXHIBIT No. 44.

BANISHMENT ORDER, ETC.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Matau Karauna, a Samoan male of the Village of Apia.

I, SIR GEORGE SPAFFORD RICHARDSON, Major-General, K.B.E., C.B., C.M.G., O.B.E., Administrator of Western Samoa, being satisfied that the presence of you Matau Karauna within the islands of Upolu and Savai'i (save and except in the Village of Papa, Sataua, in the Island of Savai'i) is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you forthwith leave the district of Tuamasaga on the Island of Upolu, and remain outside the said district and outside all other districts in the islands of Upolu and Savai'i (save and except the Village of Papa, Sataua, in the Island of Savai'i), and reside in the said Village of Papa, Sataua, for a period of twelve months from the date of the signing of this order.

Witness my hand, at Apia, this 20th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

ADMINISTRATION OF WESTERN SAMOA.

To Matau Karauna, of Apia.

By virtue of the powers me thereunto enabling, I prohibit the use of the title Matau by you, the person originally known by the name of Karauna.

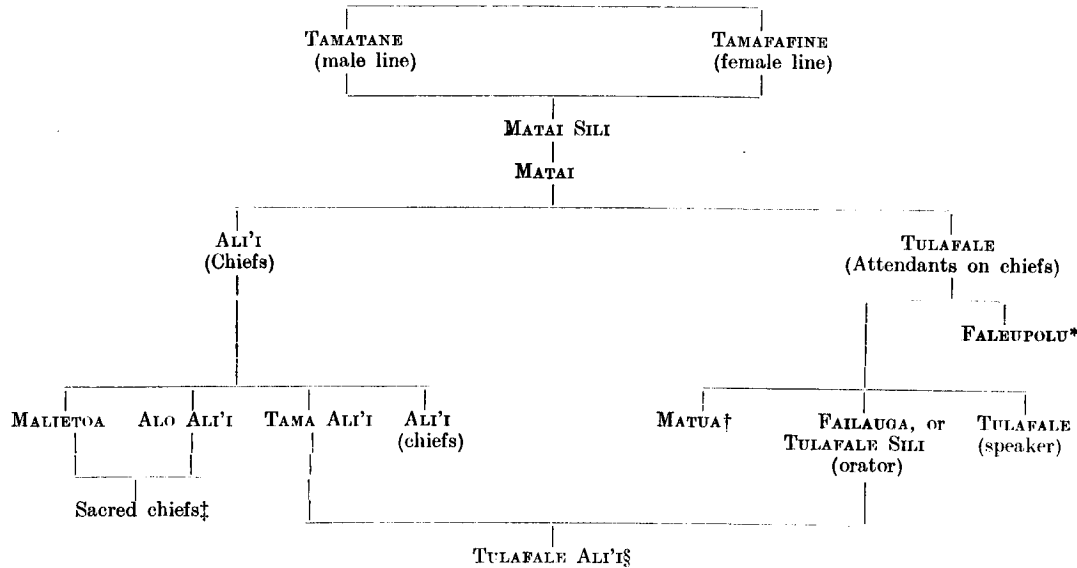
Dated the 20th day of July, 1927.

GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 45.

SHOWING THE SOCIAL DIVISIONS OF SAMOA ORIGINATING FROM THE FAMILY BASIS, WHICH INCLUDES BLOOD RELATIONS, ADOPTION, COLLATERAL BRANCHES, AND VOLUNTARY SUBJECTION.

AIGA: THE SAMOAN FAMILY.



* The *faleupolu* is the select *tulafale* attached to high chief and the *laumua* (capital).

† The *matua* are few, and they possess extensive powers over the Samoans.

‡ Upon the sacred chiefs the *Ao* or princely titles may be conferred. They are: *Tulafua*, *Tulaana*, *Gatoaitete*, and *Tamasoaalii*. If one of these sacred chiefs obtains the whole four titles he is entitled to the kingship of Samoa. *Malietoa* title is not an *Ao*, but one of significant standing and honour.

§ The *tulafale ali'i* is a chief who has taken the name of a *tulafale* and gives him stronger powers.

In all Samoan assemblies and functions there should be a chief with his *tulafale* to represent their village or district. This does not apply to a *tulafale sili* or to a *matua*; these can stand alone at meetings.

EXHIBIT No. 46.

EXPENDITURE OF FIJI AND SAMOA COMPARED.

	Fiji.				Samoa.			
	Expenditure (Blue-book).		Expenditure, Year ended 31st March, 1926.		Estimated Expenditure 1926-27.			
	Total.	Per Head.	Total.	Per Head.	Total.	Per Head.	Total.	Per Head.
Permanent charges	£ 35,552	s. d. 4/2 — 1/6	£ 6,385	s. d. 3/2 — 1/3	£ 7,700	s. d. 3/10 — 1/5	£ 7,700	s. d. 3/10 — 1/5
Administrator, Government House, and Legislature	4,658	—/6 — 1/2	4,934	2/5 — 1/2	5,000	2/6	5,000	2/6
Secretariat	10,775	1/3 — 1/4	2,394	1/2 — 1/3	2,120	1/- — 3/4	2,120	1/- — 3/4
Native affairs (Fiji as District Administrator)	23,088	3/8 — 5/8	16,740	8/4 — 1/2	16,650	8/4	16,650	8/4
Treasury and Audit	12,566	..	2,118	..	2,200	..	2,200	..
Post Office and Savings-bank	27,689	..	4,951	..	5,300	..	5,300	..
Radio .. .. .	..	..	6,731	..	4,450	..	4,450	..
	40,255	4/8 — 7/8	13,800	6/11	11,950	6/-	11,950	6/-
Customs, taxes, and Marine	14,400	1/8 — 1/3	10,218	5/1 — 1/3	9,550	4/9 — 3/10	9,550	4/9 — 3/10
Justice	7,680	—/10 — 7/8	2,650	1/3 — 9/10	2,740	1/4 — 2/5	2,740	1/4 — 2/5
Police and Prisons	26,484	3/1 — 1/3	7,969	3/11 — 3/4	7,750	3/10 — 1/2	7,750	3/10 — 1/2
Health	48,520	5/8 — 1/2	25,762	12/10 — 1/2	25,000	12/6	25,000	12/6
Agriculture	40,320	4/9	3,187	1/7 — 1/8	3,250	1/7 — 1/2	3,250	1/7 — 1/2
Chinese .. .. .	..	..	1,640	—/9 — 5/6	1,790	—/10 — 3/4	1,790	—/10 — 3/4
Education	28,462	3/4 — 1/6	9,130	4/7	9,700	4/10 — 1/5	9,700	4/10 — 1/5
Miscellaneous	55,785	6/8	11,952	5/11 — 3/4	7,400	3/8 — 2/5	7,400	3/8 — 2/5
Lands and Survey	7,840	—/11	2,372	1/2 — 1/4	2,400	1/2 — 2/5	2,400	1/2 — 2/5
Public Works—General and maintenance	58,369	6/10 — 1/3	17,668	8/10	14,400	7/2 — 2/5	14,400	7/2 — 2/5
Public Works—New works	10,643	1/3	8,887	4/5 — 1/3	6,100	3/- — 3/5	6,100	3/- — 3/5
			145,688		133,500		133,500	

EXHIBIT No. 47.

FALEFA LAND.

EXTRACT FROM MINUTE IN *re* FALEFA LAND.

Secretary of Native Native Affairs, Samoa, 20th April, 1925.

ALI'I and Faipule of Falefa (chiefs and orators) appeared before His Excellency this morning, and after His Excellency's address and instructions the meeting adjourned for fifteen minutes. Upon reassembling the Ali'i and Faipule (chiefs and orators) of Falefa withdrew their objection to surveying their land and apologized for what they had done, and promised to obey the orders to have the land surveyed.

H. S. GRIFFIN.

(NOTE.—Present at this meeting were Leutele, Alaia, P.N., Moeono, Iuli, P.N., Faaonu'u, Salanoa, Taua'a Lelafu, and about fifty others.

I hereby certify that the foregoing is a true copy of that portion of the original minute which appertains to the question of Falefa land.—R. H. ALLEN, Accountant and Inspector, Department of Native Affairs.

Apia, Samoa, 5th May, 1925.

Memo. for His Excellency the Administrator, Apia.

Re Falefa Land.

HEREWITH I have the honour to report as follows concerning the Falefa land matter :—

Court grants 925 and 931 were originally owned by an American company, and were sold to the late G. Kunst. These were sold, as per papers enclosed, on the 30th April, 1908, to the German Government, on trust for the Natives of Falefa, Falevao, and Lalomauga ; but previous to this date negotiations had been entered into between the Mormon Mission and the Kunst Estate agent, whereby the mission agreed to purchase and, as a matter of fact, paid all or part of the purchase-money. Before the transfer was effected, however, the mission people agreed to withdraw in favour of the Falefa Natives, and hence the transfer to the German Government in 1908. Mr. Voigt, the representative of Kunst, does not remember details—neither do the present representatives of the mission ; but the explanation is, I think, that the mission applied for two leases (see Nos. 3 and 4 of details of title in Mr. Klinkmueller's letter). The proposal than was that these should be granted as fully-paid Court leases to the mission, and they, in compensation, would buy the Court grants referred to—Nos. 925 and 931—and convey same to the Natives, the prospective lessors. The leases, however, were objected to, and were never completed, and then the Natives requested the German Government to assist in purchasing the two Court grants on their behalf. The certificate "A" shows that the Government advanced the money, and was, it is alleged, repaid by the Falefa Natives, and the lands were transferred to the Government. These lands are well known to me, and are situated half-way between Falefa and Falevao, and are quite distinct from the lands ordered by Your Excellency to be surveyed for Lufilufi and Falefa : the presumption is that the receipt produced by the Natives for payment of the lands referred to Court grants Nos. 925 and 931 only. There can be no doubt about the location of these grants, and a Native can no more alter the location than could a European holder of the title.

The only doubt at present in my mind in connection with this case is as to whether the Mormon Mission was repaid the money which they paid to the Kunst Estate ; but this does not affect the present ownership of the lands in Court grants 925 and 931. However, the president of the mission is writing to headquarters to get such information as may be there available. Although the representative of Kunst says he transferred the lands in these grants to the mission, no records exist of such, and the presumption is that before recording the transaction other arrangements were entered into whereby the transfer was enabled to be made directly to the German Government for the Falefa Natives.

I enclose herewith letter and enclosures referring to title from Mr. Klinkmueller, whom I engaged to assist in tracing the titles.

NORMAN H. MACDONALD, Licensed Surveyor.

I certify that the above is a true and correct copy of the original.—R. H. ALLEN, Native Department.

Apia, Samoa, 28th April, 1925.

Norman H. Macdonald, Esq., Apia.

DEAR SIR,—

Re properties of the Mormon Mission : I have searched the Samoan land records and the files of the Court. Joseph F. Smith, of Salt Lake City, as trustee in trust for the Church of Jesus Christ of Latter-day Saints, is registered as owner of two pieces of freehold land :—

- (1) Court grant No. 281 : Land called "Uta" and "Alitia," in Saluafata : 293 ha. 53 a. 59 qm. (See plan in file D 262.) This land is bounded in the east, south, and west by land of Salanoa and Tagalao ; in the north by the property described under No. 2. Former owner, D.H. and P.G. Conveyed to Joseph Smith on the 17th February, 1906. Purchase price, 25,000 m.
- (2) Court grant No. 327 : Land in Saluafata, called "Uta" : 52 ha. 66 a. 38 qm. (See plan in file D 190.) This land is bounded in the south by the property described under No. 1, and as to the rest by land of Salanoa and Tagalao. Former owner, Gustav Kronfeld. Conveyed to Joseph Smith on the 17th February, 1906. Purchase price, 5,000 m.
- (3) *Uncompleted*.—Leaschold agreement concerning the land "Leifilemutua" and "Taleva" : 86 acres. Preliminary agreement dated the 20th January, 1905, between Faifai of Manunu and the Church of Jesus Christ of Latter-day Saints. Seutatia Salanoa Muliufi objected against the lease. The parties were notified. No further motion was filed. (See file XIV, 117.)
- (4) *Uncompleted*.—Leaschold agreement concerning the land called "Aalaitia" : 30 acres. Preliminary agreement dated the 12th February, 1906, between Salanoa and the Church of Jesus Christ of Latter-day Saints. Pulepule and Faifai objected. The parties were notified. No further motion was filed. (See file XIV, 130.)

Yours, &c.,
G. KLINKMUELLER.

I certify that the above is a true and correct copy of the original.—R. H. ALLEN, Native Department.

Apia, 28th April, 1925.

Norman H. Macdonald, Esq., Apia.

DEAR SIR,—

Re Lands "Alatui" and "Vaiala," acquired by the Falefa Village.

I beg to enclose copies of Court grants No. 925 and 931. From the entries in the Samoan Land records is shown that these properties were conveyed to G. Kunst on the 12th April, 1901, and afterwards to the Government on the 30th April, 1908. The certificate, filed with D. 303 (page 3), shows that the said properties are held in trust for the Village of Falefa. A translation of the certificate is attached. It is not shown by the records of the Court where the Falefa people did finally raise the sum of 6,860 m. (equal to about £340).

Yours, &c.,
G. KLINKMUELLER.

I certify that the above is a true and correct copy of the original.—R. H. ALLEN, Native Department.

[TRANSLATION OF PAGE 3 OF FILE D 303.]

Imperial Governor of Samoa.

J. No. 6210/11.

Certificate.

The village of Falefa has acquired the properties called "Alatui" and "Vaiala," situate in Falefa (Court grants Nos. 925 and 931) from the beneficiaries in Kunst's estate. To enable the village to pay the purchase price they received from the Fiscus of the Protectorate of Samoa a loan of 6,860 m. The properties have been conveyed by protocol dated the 30th April, 1908, by Kunst's beneficiaries to the Fiscus. The Village of Falefa has now repaid the loan of 6,860 m., therefore the Fiscus is now holding the properties only in trust for the Village of Falefa. In the name "Falefa" are also included the inland villages Falevao and Lalomauga, as far as it belongs to Falefa.

Apia, the 22nd day of November, 1911.

THE ACTING IMPERIAL GOVERNOR: SCHULTZ.

Correct translation.—Apia, 28th April, 1925.—G. KLINKMUELLER.

I certify that the above is a true and correct copy of the original.—R. H. ALLEN, Native Department.

EXHIBIT No. 48.

DISTRICT COUNCIL, VAA-O-FONOTI, FAGALOA.

[EXTRACT.]

2. THE surveying of any village should be made by the instruction of Ulualoifaiga, F.P., and committee must do the work; follow to a plan or a map made by the Government. The building of houses of any village should be built by the people of the same village. Any village or any body disobedient to this rule must be punished.

4. The question *re* the dividing of Samoan lands should be forwarded to Faipule Fono for a right result. The wish of Fagaloa district is that to survey their lands by the authority of Ulualoifaiga, F.P. The committee should be instructed to divide among the people lands which are fit to plant coconuts. It does not matter whether plenty or little—give to each taxpayer one piece of coconut land for a plantation.

I hereby certify that the above is a true copy of translation of extracts from the original document.—R. H. ALLEN, Native Department.

EXHIBIT No. 49.

Lepa, 19th February, 1927.

His Excellency the Governor, Father of Samoa.

YOUR EXCELLENCY,—

We retain due respect for Your Excellency, and would advise upon the following matter:—

We have completed the discussion of the matter regarding a Faipule for us, as was expressed by Your Excellency. The result of our deliberations is as follows: The chiefs and orators of our district unanimously agree that Tupuola of Aufaga shall be our Faipule. This discussion was carried out in harmonious agreement.

In confirmation of our satisfaction we sign herewith. Farewell.

THE CHIEFS AND ORATORS OF LEPA:

AUELUA, F.	FATALOFA, P. N.
PULETIU, P. N.	FAALOTOI, F. M. P.
TAOAI.	LOLOFIE.
SAGALE.	MALIE-LEGAOI.
TUILAEPA.	L. L. AUELUA.
TAGO, U. P. N.	TAGOA'I.

I certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Native Department

EXHIBIT No. 50.

O. F. NELSON AND CO., LTD.: ACCOUNTS.

Estimated Marketing Costs of Copra per Ton.

	Copra purchased in Apia at 3 Cents (12s. per 100 lb.)	Copra purchased in "A" District at 2½ Cents (10s. per 100 lb.)	Copra purchased in "B" District at 2½ Cents (9s. per 100 lb.)	Copra purchased in "C" and "D" Districts at 2 Cents (8s. per 100 lb.)
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Trader's salary	0 15 0	0 10 0	0 10 0	0 10 0
Trader's commission (4s. per 1,000 lb.) .. .. .	..	0 8 11	0 8 11	0 8 11
Nominees' commission, &c. .. .. .	..	0 2 0	0 2 0	0 2 0
Handling, bagging, and loading, &c., at station (4s.) .. .. .	..	0 8 11	0 8 11	0 8 11
Unloading at Apia, 2s. 6d.; cartage to store, 2s.; and unloading at store, 6d. .. .. .	..	0 5 0	0 5 0	0 5 0
Weighing, rebagging, and handling at store, Apia .. .. .	..	0 2 6	0 2 6	0 2 6
Freight to Apia .. .. .	..	1 2 5 (at 10s.)	1 13 7 (at 15s.)	2 4 10 (at 20s.)
Losses on coastal craft and station boats .. .. .	..	0 2 0	0 10 0	0 15 0
Marine insurance to Apia .. .. .	..	0 2 0	0 2 0	0 2 0
Wharfage at Apia .. .. .	..	0 0 6	0 0 6	0 0 6
Shrinkage at station .. .. .	..	1 2 5 (at 10%)	1 5 2 (at 12½%)	1 6 8 (at 15%)
Transit shrinkage from station to Apia .. .. .	..	0 5 6 (at 2½%)	0 5 0 (at 2½%)	0 4 6 (at 2½%)
Fire insurance in shed	0 1 9	0 1 9	0 2 0	0 2 3
Rent of sheds and copra-shed licenses .. .. .	..	0 5 0	0 5 0	0 5 0
Purchase price	13 8 10	11 4 0	10 1 7	8 19 3
Cost landed in Apia	14 5 7	16 2 11	16 2 2	15 17 4
Shrinkage at shed in Apia	1 10 0 (at 10%)	0 16 0 (at 5%)	0 16 0 (at 5%)	0 16 0 (at 5%)
Storage in Apia (two months)	0 6 0	0 6 0	0 6 0	0 6 0
Fire insurance (two months)	0 2 0	0 2 0	0 2 0	0 2 0
Loading and cartage to wharf	0 3 0	0 3 0	0 3 0	0 3 0
Lighterage to overseas steamers	0 6 0	0 6 0	0 6 0	0 6 0
Sacks and twine (17 sacks to ton)	0 19 0	0 19 0	0 19 0	0 19 0
Export duty	1 0 0	1 0 0	1 0 0	1 0 0
Cost f.o.b. steamer	18 11 7	19 14 11	19 14 2	19 9 4
Freight to London	3 10 0	3 10 0	3 10 0	3 10 0
Insurance to London (½ per cent. on £30)	0 3 0	0 3 0	0 3 0	0 3 0
Brokerage and commission of London agent (1½ per cent. on £26)	0 7 10	0 7 10	0 7 10	0 7 10
Shrinkage in transit (2½ per cent. on £21)	0 10 6	0 10 6	0 10 6	0 10 6
Bank exchange on thirty days sight draft (2½ per cent. on £21)	0 10 6	0 10 6	0 10 6	0 10 6
Interest on draft and freight (1 per cent. on £24 10s.)	0 4 11	0 4 11	0 4 11	0 4 11
Weighing, sorting, stacking, and arbitration	0 5 0	0 5 0	0 5 0	0 5 0
Interest on money for purchaser from producer to date of shipment	0 3 9	0 3 9	0 3 9	0 3 9
London Market	24 7 1 26 0 0	25 10 5 26 0 0	25 9 8 26 0 0	25 4 10 26 0 0
Net profit	1 12 11	0 9 7	0 10 4	0 15 2

Copra Outturn, 1925.

CONSIGNMENTS TO EUROPE.

Date.	Consignment.	Quantity.	Net Proceeds, London.
1925.		Tons. cwt. qr. lb.	£ s. d.
Mar. 20	No. 205	860 16 3 26	20,711 12 1
May 20	No. 206	1,023 15 0 25	24,165 7 6
June 27	No. 207	907 1 3 27	21,904 2 3
Sept. 12	No. 208	1,274 3 0 27	31,477 18 2
Dec. 7	No. 209	1,079 10 3 18	26,775 14 3
		5,145 8 1 11	125,034 14 3

COPRA ACCOUNT.

Dec. 31.		£ s. d.	£ s. d.
By Sales as above .. .. .		..	125,034 14 3
To Purchase price		106,162 7 2	..
Copra sacks		4,962 0 0	..
Local expenses		12,832 0 0	..
Estimated net profit on copra on hand		600 0 0	..
Gross profit		8,524 14 3	..
By Copra on hand, 31st December, 1925 .. .. .		..	8,046 7 2
		<u>£133,081 1 5</u>	<u>£133,081 1 5</u>

COPRA PROFIT AND LOSS ACCOUNT.

Dec. 31.							£	s. d.	£	s. d.
By Gross profit									9,124	14 3
Overestimated net proceeds, consignments 208/209									246	7 7
'Surplus on consignments, 202/204									104	9 7
To Arbitration allowance							119	19 2		
Net profit							9,355	12 3		
							<u>£9,475</u>	<u>11 5</u>	<u>£9,475</u>	<u>11 5</u>

Copra Outturn, 1926.

CONSIGNMENTS TO EUROPE.

Date.		Consignment.		Quantity.		Net Proceeds, London.	
				Tons cwt. qr. lb.		£ s. [d.	
1926.							
Feb. 18	No. 210			832	10 3 14	20,364	0 1
April 30	No. 211			798	0 0 8	19,050	2 3
Aug. 20	No. 212			1,613	4 3 7	35,560	18 10
Oct. 20	No. 213			827	15 2 21	16,680	3 11
1927.							
Jan. 27	No. 214			706	18 0 21	14,725	14 0
				4,778	9 2 15	106,380	19 1

COPRA ACCOUNT.

Dec. 31, 1926.						£	s. d.	£	s. d.
By Sales as above								106,380	19 1
To Purchase price						93,841	3 2		
Copra sacks (78,173)						5,261	0 3		
Local expenses						8,071	12 9		
By Difference between estimated and actual net proceeds, 212/214								1,183	3 3
Gross profit						3,515	6 2		
Copra on hand, 31st December, 1926								3,125	0 0
						<u>£110,689</u>	<u>2 4</u>	<u>£110,689</u>	<u>2 4</u>

COPRA PROFIT AND LOSS ACCOUNT.

Dec. 31, 1926.						£	s. d.	£	s. d.
By Gross profit								3,515	6 2
To Overestimated net proceeds, consignments 208/209 (1925)						246	7 7		
Loss on Crown Estates copra						637	2 7		
Arbitration allowances on consignments 210/211						217	12 1		
Net profit						2,414	3 11		
						<u>£3,515</u>	<u>6 2</u>	<u>£3,515</u>	<u>6 2</u>

Branches and Stations.

SHRINKAGE AND OUTTURN, 1926.

Branches and Stations.	Shrinkage, 1926 (Twelve Months).				Outturn, 1926 (Twelve Months).	
	Per-centage.	Weight.	At per Cent.	Value.	Net Profit.	Gross Loss.
<i>Savai'i.</i>		lb.		£ s. d.	£ s. d.	£ s. d.
Safune Branch—						
1. Faleolo Station	13 $\frac{9}{10}$	14,942	10s.	74 12 2	..	104 1 11
2. Maugaloa Station	13 $\frac{1}{16}$	58,138	10s.	290 13 10	389 12 6	..
3. Sasina Station	16 $\frac{1}{4}$	32,135	10s.	160 13 6	112 13 11	..
4. Matautu Station	15	28,787	10s.	143 18 8	..	4 15 1
5. Safotu Station	14 $\frac{1}{10}$	36,963	10s.	184 16 4	0 19 1	..
6. Asau Station	7 $\frac{3}{8}$	9,219	10s.	46 1 10	35 2 0	..
7. Sataua Station	11	24,074	10s.	120 7 5	45 8 4	..
8. Falealupo Station	11 $\frac{3}{4}$	26,776	10s.	133 17 7	14 13 3	..
Salailua Branch—						
1. Satuiatua Station	17 $\frac{3}{4}$	44,880	12s.	269 5 7	..	309 0 10
2. Samata Station	13	36,322	12s.	217 18 10	..	160 16 7
3. Neiafu Station	17 $\frac{3}{16}$	43,150	12s.	258 18 0	..	191 12 7
Palauli Branch—						
1. Vaitoomuli Station	15 $\frac{3}{8}$	39,192	11s.	215 11 1	220 1 5	..
2. Faaala Station	12	19,207	11s.	105 12 9	..	63 3 11
3. Satupaitea	13 $\frac{3}{8}$	17,121	11s.	94 3 4	..	35 9 5
4. Tufu Station	13 $\frac{1}{2}$	38,965	11s.	214 6 1	4 7 11	..
Faasaleleaga Branch—						
1. Faga Station	12 $\frac{7}{8}$	33,291	11s.	183 2 0	194 11 4	..
2. Saasaai Station	16 $\frac{7}{8}$	46,330	11s.	254 16 4	84 6 9	..
3. Lano Station	17 $\frac{1}{8}$	57,060	11s.	313 16 7	119 11 5	..
4. Tuasivi Station	12	36,602	11s.	201 6 2	82 16 0	..
5. Eve Eve Station	14 $\frac{1}{2}$	25,679	11s.	141 4 8	..	9 3 4
6. Lalomalava Station	17 $\frac{1}{4}$	25,456	11s.	140 0 1	..	112 1 0
7. Iva Station	11 $\frac{1}{4}$	34,418	11s.	189 5 11	53 17 3	..
8. Salelologa Station	13 $\frac{1}{4}$	23,686	11s.	130 5 6	..	96 8 0
Total Savai'i		752,393	..	4,074 14 3	1,358 1 2	1,086 12 8

Branches and Stations—continued.
SHRINKAGE AND OUTTURN, 1926—*continued.*

Branches and Stations.	Shrinkage, 1926 (Twelve Months).				Outturn, 1926 (Twelve Months).	
	Per-centage.	Weight.	At per Cent.	Value.	Net Profit.	Gross Loss.
<i>Upolu.</i>						
Aleipata Branch—		lb.		£ s. d.	£ s. d.	£ s. d.
1. Malaela Station	12 $\frac{1}{8}$	52,484	11s.	288 13 3	..	5 7 7
2. Amaile Station	16 $\frac{3}{4}$	21,455	11s.	118 0 0	287 17 7	..
3. Vailoa Station	13	43,713	11s.	240 8 5	32 4 0	..
4. Lepa Station	13 $\frac{3}{8}$	17,165	11s.	94 8 1	15 16 4	..
5. Aufaga Station	16 $\frac{1}{8}$	20,985	11s.	115 8 4	..	164 9 11
Falealili Branch—						
1. Sapunaoa Station	14 $\frac{1}{2}$	22,369	11s.	123 0 6	..	71 6 11
2. Lotofaga Station	15 $\frac{1}{8}$	36,530	11s.	200 18 4	..	27 3 6
3. Samuilalo Station	16 $\frac{1}{4}$	26,683	11s.	146 15 1	..	72 17 6
Safata Branch—						
1. Mulivai Station	16 $\frac{5}{8}$	44,943	11s.	247 3 9	..	4 1 7
2. Siumu Station	11 $\frac{3}{8}$	26,900	11s.	147 19 0	94 2 1	..
3. Fusi Station	14 $\frac{7}{8}$	33,786	11s.	185 16 6	103 18 10	..
4. Lefaga Station	13 $\frac{1}{8}$	64,337	11s.	354 7 0	377 19 10	..
North Upolu Branch—						
1. Mulifanua Station	6 $\frac{1}{2}$	5,225	12s.	31 7 0	59 15 7	..
2. Magia Station	32 $\frac{7}{8}$	43,002	12s.	258 0 3	..	62 1 2
3. Fasitoo Station	9 $\frac{3}{8}$	9,579	12s.	57 9 6	..	13 11 11
4. Faleasi'u Station	10 $\frac{1}{2}$	10,559	12s.	63 7 0	..	10 5 7
5. Saleimoa Station	10 $\frac{1}{4}$	10,032	12s.	60 3 10	27 3 11	..
6. Vaimea Station	6 $\frac{1}{4}$	1,952	14s.	13 13 3	..	28 2 7
7. Falefa Station	10 $\frac{3}{8}$	23,205	12s.	139 4 7	..	83 8 9
Total Upolu .. ..	..	514,904	..	2,886 3 8	998 18 2	542 17 0
<i>Totals.</i>						
Savai'i Stations .. ..	..	752,393	..	4,074 14 3	1,358 1 2	1,086 12 8
Upolu Stations .. ..	..	514,904	..	2,886 3 8	998 18 2	542 17 0
		1,267,297	..	6,960 17 11	2,356 19 4	1,629 9 8

Working Accounts of Motor-vessels for 1926 (Twelve Months).

		Loss.
"Siliafai" (1st January to 5th July, engine-room)	Total loss by fire on 5th July, caused through explosion in	£ s. d. 147 7 1
"Sina" .. ..	.. ..	251 6 1
"Jessie" .. ..	.. ..	368 16 11
"Calmar" .. ..	.. ..	759 16 7
"Fasitoo" .. ..	.. ..	385 19 1
		<u>£1,913 5 9</u>

EXHIBIT No. 51.

CORRESPONDENCE BETWEEN THE MINISTER OF EXTERNAL AFFAIRS, HIS EXCELLENCY THE ADMINISTRATOR, AND THE CITIZENS COMMITTEE.

Department of External Affairs, Apia, Samoa, 13th June, 1927.

Hon. O. F. Nelson, Chairman, Citizens Committee, Apia, Samoa.

DEAR SIR,—

I telegraphed to the Right Hon. the Prime Minister a report of my interview with your committee on Saturday, and advised him that, in my considered judgment, it was necessary to take prompt and drastic action if the present attempt by the European members of your committee to disaffect and disunite the Samoan people did not at once cease.

I have now to inform you and your European associates that I am in receipt of a reply from the Prime Minister to the effect that—(a) Clause 6 of the Samoa Immigration Order is being amended to enable the Administrator, if so directed by His Excellency the Governor-General in Council, to order any person to leave Samoa in any of the cases provided for in the clause; and (b) I am to warn Mr. Nelson, Mr. Williams, Mr. Westbrook, Mr. Smyth, Mr. Gurr, and Mr. Meredith that the New Zealand Government must, pursuant to the mandate for Western Samoa, exercise its power to deport any or all of you from this Territory unless you and your associates abstain from your present course of action.

In accordance with my final warning given to you on Saturday, you must not only forthwith cease from your present activities with regard to the Native people, but satisfy His Excellency the Administrator that you are doing your utmost to undo the trouble that you have already caused. This is my last word to you.

Yours faithfully,

W. NOSWORTHY, Minister of External Affairs.

(Forwarded through His Excellency the Administrator.)

Department of External Affairs, Apia, Samoa, 13th June, 1927.

Hon. O. F. Nelson, Chairman, Citizens Committee, Apia, Samoa.

DEAR SIR,—

I have your letter of even date requesting, on behalf of your committee, that permission be given for a deputation to visit New Zealand for the purpose of petitioning Parliament with respect to Samoan affairs.

I do not propose to consider any further matter from your committee until I know what action you and the European members of your committee intend to take pursuant to my final warning on Saturday to cease your present agitation in the attempt to disunite and disaffect the Samoan people, and to undo the trouble you have already caused.

Yours faithfully,

W. NOSWORTHY, Minister of External Affairs.

(Forwarded through His Excellency the Administrator.)

Apia, Samoa, 17th June, 1927.

His Excellency the Administrator, Apia.

YOUR EXCELLENCY,—

I would request you to advise the Hon. the Minister of External Affairs that I duly received his letter of the 13th instant regarding an amendment to the Immigration Order, 1920, and that I have informed the other gentlemen mentioned in the letter of its nature.

We are all entirely at a loss in endeavouring to understand the reasons for, or the necessity of, such a law as that which has been brought into force on the recommendation of the Minister. We know of no state of affairs which justifies the providing for the deportation of permanent residents without any form of trial or right to be heard.

The Citizens Committee has consistently followed the policy of showing full respect to all duly promulgated laws and of having every regard for properly constituted authority. In accordance with this policy we have requested the Natives who assembled to learn the Minister's decision to return quietly to their homes and to respect the law. To avoid any mistake we addressed a letter to them, a copy of which is enclosed for your information. You will notice that we have worded it in a manner calculated to persuade them to disperse quietly.

From the nature and tone of the Minister's letter it is evident that your Government suspects us—Messrs. Williams, Westbrook, Smyth, Gurr, Meredith, and the writer—collectively and individually, of disloyalty and of seditious utterances. Such charges cannot but come as a surprise to men who have not knowingly transgressed, who have considerable stakes in the country, and whose material well-being depends upon a stable Government for that country. We feel that facts must have been wilfully or unintentionally misrepresented to you. We would therefore respectfully request Your Excellency to acquaint us of the details of our alleged transgressions, so that we may be given the opportunity to clear ourselves in your eyes and take such steps as may be necessary to protect ourselves in the future.

I have, &c.,

O. F. NELSON, Chairman, Citizens Committee.

Apia, Samoa, 17th June, 1927.

His Excellency the Administrator, Apia.

YOUR EXCELLENCY,—

Further to my letter of to-day's date, I have to advise you that on receipt of the Minister's letter of the 13th instant in answer to the Committee's request for a delegation to proceed to New Zealand, the European section of the Citizens Committee was immediately called together and the attached letter to the Samoan people was decided upon and duly signed. Shortly after this was done the second letter from the Minister of the 13th instant advising the committee of the amendment to the Immigration Order, 1920, came to hand, and it was then decided that the European section of the Citizens Committee meet the Samoan chiefs on the same day and personally acquaint them with the position that had arisen through the orders of the Minister. The Citizens Committee then and there did all that was possible to get the Natives to disperse to their homes peacefully and act according to the wishes of the Minister.

I have, &c.,

O. F. NELSON, Chairman, Citizens Committee.

Apia, Samoa, 18th June, 1927.

To His Excellency the Administrator, Western Samoa.

YOUR EXCELLENCY,—

We, the undersigned signatories, respectfully offer to you the following facts and opinion :—

1. We are the European members of the Citizens Committee.
2. In accordance with instructions from the Hon. the Minister of External Affairs of 13th instant to the Hon. O. F. Nelson, we have ceased from activities with regard to the Native people as therein requested.
3. As you are already informed, we have taken all steps possible to disperse the people and keep the peace. We are confident that up to the present we, with the co-operation of the chiefs, have been successful in these matters.
4. We are now aware of Your Excellency's Proclamation of the 15th June, 1927, which Proclamation appears to have been made public for the first time to-day. We note that it is printed in large type and in the Samoan language evidently intended for distribution amongst the Samoans.
5. We ask leave to say that in our earnest and considered opinion the distribution and publication of this Proclamation is reasonably likely to create unrest and result in possible violence. We regret exceedingly that we feel it our duty to you and to ourselves to say this. We believe that the best means of preserving the peace is to let well alone.

We have, &c.,

O. F. NELSON, M.L.C.

ARTHUR WILLIAMS, M.L.C.

G. E. L. WESTBROOK, M.L.C.

S. H. MEREDITH.

A. G. SMYTH.

E. W. GURR.

20th June, 1927.

To the Citizens Committee, Apia.

GENTLEMEN,—

Two letters have just been received from the Administrator in reply to correspondence from us, and it is important that the Citizens Committee (European Section) should meet at 3 p.m. to discuss these letters, and if necessary reply to them. I am inviting Mr. Baxter to be present.

Yours faithfully,

O.F.N., Chairman.

To Hon. A. Williams, Hon. G. E. L. Westbrook, E. W. Gurr, Esq., S. H. Meredith, Esq., A. G. Smyth, Esq., F. D. Baxter, Esq.

Apia, Samoa, 20th June, 1927.

Hon. O. F. Nelson, M.L.C., Chairman, Citizens Committee, Apia.

DEAR SIR,—

1. In reply to your letter of 17th June, I have to inform you that a copy thereof has been forwarded to the Hon. Minister of External Affairs for his information.

2. Your statement that you are at a loss to understand the reasons or necessity for such a law as that recently brought into force, and that you know of no state of affairs which justifies the deportation of persons who have been responsible for causing disaffection amongst the Natives, is not consistent with the information recently given to the Hon. Minister by Mr. Westbrook—one of the members of your committee—who stated that not since 1900 had there been such a serious crisis in this Territory.

3. If the Minister is led to believe this information conveyed in a letter to him by a prominent member of your committee, he is certainly justified in taking the steps he has done. Furthermore, I am perfectly satisfied, and no one knows better than yourself, that you and the European members of your committee are solely responsible for creating that crisis.

4. Your statement that you had every regard for properly constituted authority is not borne out by facts, for you and your committee totally disregarded the warning issued by such authority as far back as November last, and members of the organization you have set up have persistently worked against the authorities ever since that time by spreading false information around the islands, with a view to making the Natives dissatisfied with their Government and to ignore their own authorities and look to the Mau as an organization or Government which would lead them.

5. You are fully aware that in no other country in the world where the Natives are in a corresponding stage of development would Europeans be allowed to act in the way you have done. You were aware that the Government responsible for the care of the Samoan race did not approve of your action; furthermore, in your capacity as a Legislative representative of the European community you were told very definitely by me in March last that a continuation of your attempts to disturb the Natives would not be tolerated.

6. In spite of these facts you and the members of your committee have obstinately unheeded the warnings of the authorities who are responsible for the peace, order, and good government of the Natives, and have continued to disregard what you knew to be the right course of action in the interests of the Native race, as well as in the interests of the European community.

7. You mention the care you have taken to convey to the Natives that have been disaffected by your organization the wishes of the authorities in order that they might disperse quietly, but I am fully aware that the instructions contained in that letter do not agree with those given verbally to the Natives, some of whom have been so influenced by your committee that they are now more disaffected than formerly.

8. No backward Native race can be administered by two organizations, the one trying to develop and uplift them, and the other endeavouring to disaffect them, which is the position in Samoa to-day. It should therefore be no surprise for you and the members of your committee to learn that the Government, after nine months' patience and repeated warnings, has decided that, in the interests of the Natives, the time has arrived for action.

9. It may be true that some of those concerned have considerable stakes in the country, as it is well known that some persons have greatly accumulated their interests in Samoa while under the protection and administration of the very Government they have endeavoured to stir the Natives up against. This, however, does not give those persons any advantage in the eyes of the law over those who have lesser or even no personal interests at stake in this country.

10. As to the details of your alleged transgressions which you ask to be supplied with, it is unnecessary for me at the present stage to supply you with the mass of details in my possession. After what the Hon. Minister has already told you it should be sufficient for me to say what you already know—viz., that the organization you have set up amongst the Natives, and for which you are primarily responsible, has done its utmost to spread sedition amongst the Samoan people and disaffect them. It has circulated lies about the Government and the Native authorities to such an extent as to fully justify action against those responsible. As to the steps necessary to protect yourselves in the future, they are all included in the Hon. the Minister's instructions to undo the harm you have done. I am well aware of the various agencies which you can, if you will, employ for this purpose, and am waiting to see them so employed.

Yours faithfully,

GEO. S. RICHARDSON, Administrator.

Apia, Samoa, 20th June, 1927.

Hon. O. F. Nelson, M.L.C., Chairman, Citizens Committee, Apia.

DEAR SIR,—

In reply to your letter of 18th June signed by yourself and your colleagues of the Committee which has been responsible for disaffecting a number of Natives:—

Para. 2: I am not satisfied that you have ceased from activities in regard to the Native people, or that you have endeavoured to rectify the harm you and your colleagues have done, as instructed by the Hon. Minister of External Affairs.

The verbal instructions given to Natives by members of the Mau, and the tone of certain articles circulated amongst Samoans in the newspaper edited by a prominent member of your committee, go to prove that previous warnings are being unheeded, and appear to indicate that you have no intention of carrying out the spirit or letter of the Minister's instructions.

Para. 5: I am pleased to note that you have, after nine months' agitation against the Government, considered that you have a duty to me, as the responsible authority for the care and government of the Natives in this Territory, and whose peace and progress has been disturbed by you and your committee.

If the Natives that you and your committee have disaffected are in such a state of mind that they are likely to use violence after learning the contents of the Proclamation referred to, it goes to prove that you and your committee have been guilty of a very serious crime, for which you will be held personally responsible.

Yours faithfully,

GEO. S. RICHARDSON, Administrator.

22nd June, 1927.

His Excellency the Administrator, Apia.

YOUR EXCELLENCY,—

On behalf of the European members of the Citizens Committee I have to acknowledge your letter of the 20th instant. Under the same date you wrote me another letter in reply to one signed by the European members of the Citizens Committee. In replying to that letter I have virtually replied to your letter now under notice. However, additional points arise, and I ask leave to deal with them in order.

Neither I nor my committee (as such) can accept any responsibility for any utterance of Mr. Westbrook, except so far as those utterances have been reduced to a resolution carried by my committee. You do not suggest that any such resolution was passed. Further, neither I nor the committee believe or agree with the statement that "not since 1900 had there been such a serious crisis in this Territory."

Paragraph 3 of your letter states that you know and I know that the European members of the committee are responsible for creating that crisis referred to. We cannot agree with your Excellency's statement, and we emphatically deny any responsibility you impose upon us in this connection.

No attempt has ever been made by the Citizens Committee to disturb the Natives. We have never done or said anything that would not be accepted as constitutional in any other British colony or protectorate known to us.

We do not regard the warning of November last as constitutional, and so up to the time of the notice of the amendment to the Samoa Immigration Order, 1920, we felt justified in the attitude taken up by us. After the passing of that amendment, which by the interpretation contained in the Hon. the Minister's letter gives you the power to deport us, we have no alternative but to comply with any future warning of that nature. We submit that the amendment cannot be retroactive. While we recognize that "the authorities" are responsible for the peace, order, and good government of the Natives, we desire further to add that we endeavoured by constitutional means, when other efforts had failed, and claiming to know something of the Native mind, to assist and advise in the representation to the New Zealand Government of already existing grievances. We regret to note that for this you charge us with creating disaffection.

We further note that you decline to give us a statement of the "mass of details" in your possession as to our alleged "transgressions." We urge you to reconsider your decision. If we or any one of us were to be tried by British law we should of course apply for and be given "particulars." However, as deportation appears to be almost without trial, we feel confident that you will give us details as to our alleged transgressions.

We deny having "circulated lies" about the Government, which is an unwarranted and unsupported statement. You further state that since November last, members of the organization we have set up have persistently worked against the authorities by spreading false information around the islands, with a view to making the Natives dissatisfied with their Government, and to ignore their own authorities and look to the Mau as an organization or government which would lead them. To this we desire to reply: (1) We have set up no organization in opposition to the Government. (2) We deny having worked against "the authorities." (3) We deny having spread "false information." (4) We have no view beyond the good of Samoa. (5) We have large stakes in this country—not accumulated under the present Administration, but brought into existence before Your Excellency was pleased to accept the guidance of Samoan affairs. (6) We cannot agree with the interpretation which you put on our words when we state that we have large stakes in the country. Our words cannot properly be construed to mean that men of substance should have an advantage in the eyes of the law over those who have lesser or even no personal interests at stake in this country. What our words were intended to show, and what they do show, is that the Citizens Committee is not composed of irresponsible agitators, but of men who have more to lose than any one else if the stability of the Government of this Territory is upset. (7) It is unjust and improper for you to suggest that our organization is intended as a "Government." This spells treason. We ask, Can persons not express their honest views without this sword being dangled above their heads? We asked to be heard. Your Excellency insists upon putting our humble requests in the light of treason.

You say that "you are fully aware that in no other country in the world where the Natives are in a corresponding stage of development would Europeans be allowed to act in the way you have done." You also refer to a "backward race." We regret that we must meet this extraordinary statement by saying, (1) there is no competent authority to say what is a "corresponding stage" or a "backward race." It is clear that peaceful Samoa, in her small and unpretentious way, may possibly give some kindly advice to those great nations among whom our Mandatory is included. It is further clear that not another nation under the sun is so far forward (not backward) as Samoa in the matters of (a) food, (b) clothes, (c) shelter, (d) political development, (e) social life. We feel that the use of the word "backward" is unfortunate as applied to these very highly advanced people.

You say, "I am well aware of the various agencies which you can, if you will, employ," &c. We respectfully ask, sir, that you will tell us of them in set terms. We shall be glad to learn. Up to the present we know nothing more than those already employed by us to get the people to return peaceably to their homes, even to the extent of diverting coastal craft for the purpose.

(On behalf of the committee,

Yours faithfully,
O. F. NELSON, Chairman.

22nd June, 1927.

His Excellency the Administrator, Apia.

YOUR EXCELLENCY,—

On behalf of the European members of the Citizens Committee, I have to acknowledge yours of the 20th instant.

We note that you say in effect that the committee of which we are members has been responsible for disaffecting a number of Natives. We desire to say that this charge is completely unfounded. We regret that we are unable to discuss this question freely with you, for the reason that you have made any such discussion, whether by representatives or by the people *en masse*, a highly punishable offence. We must, however, protest against the assumption that if there is any "disaffection" we have called it into being. We wish to point out that dissatisfaction existed long before the existence of the Citizens Committee.

Referring more particularly to the details of your letter, we respectively ask leave to note and observe as follows:—

1. You are "not satisfied" that we have ceased activities in regard to the Native people. We can only regret this. Notes of what was said to the people at Lepea were taken. We should be pleased if you would ask to peruse them.
2. You refer to "the harm you and your colleagues have done." We can only deny having done any harm.
3. You refer to "verbal instructions given to Natives by members of the Mau." The suggestion is that something underhand has been done by the committee. We respectfully ask that you will place before us any allegations that you feel it necessary to make. We emphatically deny that any instructions have been given by us or any of us in opposition to or derogation from the actions we have taken to disperse the people peacefully.
4. You refer to a newspaper "edited by a prominent member of our committee." We respectfully ask that you will be good enough to inform us as to any untruth or even careless inaccuracy as to political matters that has appeared in the paper of which you complain. We feel that the press is a real and vivifying factor in life, and that the "fourth estate" is not a nonentity.
5. You state that certain events "go to prove" that previous warnings are being unheeded. We ask leave to say that we would not fear an investigation before an independent tribunal.
6. You say that you are pleased "to note that after nine months' agitation against the Government you consider that you have a duty to me." We desire to say that whatever representations have been made have been put forward along constitutional and reasonable lines. Where differences of opinion exist they should, we apprehend, be expressed with a view to settlement. Unfortunately, Your Excellency seems to regard any contrary opinion as "disaffection," "disloyalty," "harm," and the like.
7. Your remarks concerning our owing a duty to you had no basis except that of our "earnest and considered opinion" that the publication and circulation of your most recent Proclamation might have a disastrous effect. Nevertheless, we not only admit but also proclaim that we owe a duty to you as the representative of the New Zealand Government. We regret, however, that you should have taken our remarks with apparent ill-will.
8. In regard to our suggestion that Your Excellency's Proclamation was likely to create unrest, it was intended to be a further proof of our earnest desire to do our duty to you and your Administration by pointing out what we felt might have become a source of trouble.

Your Excellency's statement "goes to prove" that Your Excellency's express view is that the committee has stirred up trouble among the Natives. We desire to say that—(1) The Natives were dissatisfied and have been for a long time past; (2) the committee has done nothing except to "hold" them and guide their activities into constitutional and law-abiding channels; (3) in doing this the committee felt confident it was performing the best service in its ability for the peace, order, and good government of Samoa—for you, Sir, for New Zealand, for His Britannic Majesty, and for the League of Nations. The committee respectfully invite the highest impartial authorities to examine our actions and our motives.

We are aware of the high powers conferred on you by the New Zealand Cabinet. If we must be punished, without trial, for something that we have not done—well, then, we must be punished. But even this grave and deplorable eventuality will not lessen our regard for and reliance upon His Britannic Majesty and all the free institutions that have blossomed under his benignity.

On behalf of the Citizens Committee.

Yours faithfully,
O. F. NELSON, Chairman.

EXHIBIT No. 51A.

CORRESPONDENCE *re* DEPORTATION.

Mr. A. G. Smyth, Apia.

Office of the Administrator, Apia, Samoa, 24th June, 1927.

DEAR SIR,—

I understand you have applied for a passport to leave Samoa, and intend sailing by the s.s. "Lady Roberts," leaving Apia on or about 5th July. Before departing, let me remind you that your activities as a member of the Citizens Committee have helped to cause great unrest among the Samoan people. Signs of that unrest still exist, and I am not satisfied that you used your best efforts to undo the harm that was caused. Therefore take notice that on your return circumstances may cause you to suffer immediate deportation under clause 6 of the Samoa Immigration Consolidation Order as recently amended.

Yours faithfully,
GEO. S. RICHARDSON, Administrator.

His Excellency the Administrator, Western Samoa.

Apia, Samoa, 30th June, 1927.

SIR,—

I am in receipt of your letter of 24th instant, accusing me of causing great unrest among the Samoan people, and threatening me with immediate deportation on my return to Samoa.

I am very surprised at the tone of your letter and at the allegations you make therein. I am not conscious of having done anything up to the present which would justify an order by the Governor-General in Council for my deportation, nor can I see how I can do anything while I am away from Samoa which could be regarded as dangerous to the peace, order, and good government of this Territory. I conscientiously and honestly deny that I have ever done or said anything likely to prejudicially affect the peace of this Territory, and I protest that, in conjunction with the other members of the European section of the Citizens Committee, I have used my best efforts to persuade the Samoans to abide by the laws and to respect the wishes of the Hon. the Minister of External Affairs.

It is evident that my acts have been misrepresented to you. Would you, therefore, please do me the favour of advising me of any allegations made against me, in order that I might have an opportunity of showing innocence.

Yours faithfully,
A. G. SMYTH.

Hon. O. F. Nelson, M.L.C., Apia.

Office of the Administrator, Apia, Samoa, 24th June, 1927.

DEAR SIR,—

I understand you have applied for a passport to leave Samoa, and intend sailing by the T.S.S. "Tofua," leaving Apia on or about 1st July. Before your departure let me remind you that your activities as chairman of the Citizens Committee were greatly instrumental in causing much unrest among the Samoan people. Signs of that unrest still exist. I am satisfied that you have not used your best efforts to undo the harm done. Therefore take notice that on your return circumstances may cause you to suffer immediate deportation under clause 6 of the Samoa Immigration Consolidation Order as recently amended.

Yours faithfully,
GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 52.

FIRST PUBLIC MEETING OF CITIZENS HELD IN THE APIA MARKET HALL, 15TH OCTOBER, 1926, 8 P.M.

Chairman: Hon. O. F. Nelson, M.L.C., assisted by Hon. G. E. L. Westbrook and Hon. A. Williams. Attendance: about 250 Europeans and Samoans. The chairman, Hon. O. F. Nelson, opened the meeting.

The Chairman: Ladies and gentlemen, so soon as your representatives in the Legislative Council learnt that we are to be honoured by a visit of the New Zealand Minister of External Affairs they set to work to test the feelings of the people as to the advisability of making certain representations to the Minister in respect to the many phases of the administration of this Territory with which we do not agree. The information of the Minister's visit came about in this wise: When I was in New Zealand I made a special visit to Wellington, and at my request the Prime Minister graciously granted me an interview, together with the Minister of External Affairs and the Minister for the Cook Islands. In this interview I represented certain features of the New Zealand Administration of Samoa which were considered by the people of Samoa as not being to the best interests of the Territory. My statements were received with sympathetic interest, and the Right Hon. the Prime Minister there and then requested the Minister of External Affairs to come to Samoa by early steamer. I was then told by Mr. Nosworthy that he could not get away until the October steamer, but he would certainly do his best to take that chance to visit the Territory. On inquiring at the Administrator's Office we were told that a telegram had come through of the definite postponement of Mr. Nosworthy's visit until the autumn, which would mean next March or April. This rather upsets calculations; but I feel confident that if the New Zealand Government knew the Minister's visit was awaited here with such keen interest by the citizens the matter might be reconsidered with a view to letting him come earlier. Before this information came to hand the elected representatives, acting on the consensus of opinion of such citizens as they had time

to consult, had convened this public meeting, to give the people an opportunity to discuss the matter, and if necessary elect a committee to properly prepare any points which may be agreed upon for presentation to the Minister on his arrival here. If the Minister does not come until the autumn the committee would have plenty of time to do their work and present same to another public meeting before the Minister comes.

In sending the Minister of External Affairs to Samoa the New Zealand Government is conferring on us an honour, as it may be taken as a recognition of our further progress in the legislation of our own affairs. In calling this public meeting we learnt that leaders of the Samoan Natives would like to be included. Until the Samoans are represented by their own elected members in the Legislative Council we feel that we represent the Europeans and Natives alike, so therefore could not exclude them from this public meeting. Twenty-six years of colonial government must place the Samoan Native in a position where he should be recognized to have sufficient intelligence to make common lot with the European in working out the future of his own native country. This can be done here, as in other countries, without losing sight of the peculiar requirements of the two races in some things.

In New Zealand, and in all self-governing dominions, the government is formed by the party who hold the majority in Parliament. They are representatives of the people, who are recognized to be the fountain source from which the powers of government spring. The success of any Government to do the best for the people largely depends on the opposition it has in the Legislature. A good strong, sane, and sound Opposition acts as a check on human weakness, or its tendency to autocracy. Government without a strong Opposition often does rash things, which ultimately lands it on the rocks of the political sea, and another Government is formed by representatives of the people, who would then have the opportunity to bring about such reforms as they advocated while in opposition.

Samoa is not considered to have reached the stage in colonial development which would entitle it to self-governing status, and is not likely to for some considerable time. In the interval Government functions under powers received from sources other than those of the people over whom it rules. The Government remains the Government, and your representatives are ever in opposition. The measures which are brought up before the Council are not dealt with according to the dictates of the conscience of those who sit in the Council, but are dealt with according to the policy laid down by the Administrator or the Mandatory Power. Your representatives in the Legislative Council can never reach the stage when they can control Government policy or bring about such reforms as you may direct them to do. For that reason we have no alternative but to appeal to higher authority. That higher authority is vested in the New Zealand Government, and exercised through the Minister of External Affairs.

We can hardly blame any one in particular for these conditions. We must blame the status of Samoa, or the system of government which that status is said to be entitled to. There is nothing constitutionally wrong in our advocating the gradual advancement of the political status of this country and its people. It is the duty of every Samoan and every citizen. The New Zealand Government is sympathetic with our aspirations, but we must prove we are worthy of them. We can only do this by uniting in a common cause to bring this about, and the visit of the New Zealand Minister of External Affairs to Samoa can be made to mark another big step towards this goal if we avail ourselves of this opportunity in the true British spirit.

The proud positions held by the Dominions and other territories within the British Empire have not been brought about altogether by the generosity of the Imperial Government. They have emanated from representations made and occasional pressure made by the Colonial Governments and people. In New Zealand and Australia, and even in Great Britain, you see and hear people at street-corners and in parks speaking to large gatherings, criticizing and even condemning the Government of the day and the system of government. In Samoa you have only to open your mouth in criticism of some Government act when some one runs to headquarters and reports. (Applause.) Then there is talk of Bolshevik meetings—the Administrator is angry, and the like. Ladies and gentlemen, the people who do that are not worthy citizens of a free British community. They depreciate British liberty and demoralize the Administrator. Fortunately His Excellency is too sensible of democratic principles to listen to such evil-minded talk. We must not take notice of such attempts at intimidation, anyway.

The objects of to-night's meeting are to consider points for representation to the Minister and to elect a committee to prepare them. The elected members have decided to bring before the meeting the following points: (1) Legislative Council; (2) Expenditure; (3) assistance to planters; (4) Native policy; (5) prohibition. You will no doubt have other matters to propose, and it is hoped this meeting will be imbued with that spirit of goodwill which is necessary to enable us to appreciate one another's viewpoint and to coincide our views for the one common goal, to assist the Powers that be to arrive at a satisfactory system of government for the good of all.

In introducing the first point for your consideration we have in mind the fact that the elected representatives of the people play a very mean part. Before asking for nomination I consulted elected members of the Legislative Council in Fiji, and was told that theoretically the elected members had no power, but in practice they had a dominating influence, insomuch that where they stood firm together in any measure in opposition to the official members the matter was subject to review, and even revision, by the Secretary of State for the Colonies. That condition does not apply here, and until it does your representatives in the Council will continue to play a very unworthy part in the Legislature of the Territory. Then there is the matter of Native representatives. This has been brought up in the Legislative Council and turned down.

The next item in our list is "expenditure." Firstly, the estimates are now discussed by the Legislative Council by courtesy and not by right. I think the time has come when the estimates should be subject to the Legislative Council's approval by right and not by courtesy. The present constitution of the Council precludes any chance of an item being cut down or wiped out (and has not been done) by public representation, but it is, however, a step forward to make it the right of the Legislative Council to consider the estimates. We have protested against the excessive Government expenditure, and this has been admitted by some retrenchments having been made some years ago, but these have now been exceeded by other extravagance. You will, however, have an opportunity to discuss this matter now.

The third item is "assistance to planters." The people on the land are the backbone of the country. This is true of Samoa as in other places. The principal planter is, of course, the Native. Let us hope he will continue to be. The European planter, however, is the man who in the past brought capital into the country, and some are sinking capital right now. They are endeavouring to create new capital out of the soil, but the difficulties they encounter are practically insurmountable. The export duty of £2 per ton on cocoa, and the heavy overhead charges on the Chinese coolies, add to their troubles. The export duty should be removed, and the overhead charges reduced to half at most. Even then the actual cost of recruiting and repatriation of the coolies should be more than covered. Nearly half the cocoa plantations are situated along the Lotopa and Tafaigata roads, but, with the exception of the £1,000 (donated by the late Mr. Moors), virtually wasted on the Lotopa Road, nothing has been done to improve transport from that part. The planters, however, can best talk on this matter.

The fourth point which we suggest for discussion to-night is "Native policy." By this it is meant the Government's Native policy. The advent of the white man in Samoa, as in all other countries occupied by coloured races, irreparably disturbed conditions existing before they came. The result is that the Native of to-day appreciates his dependence on the European, whether that European is a religious missionary, professional mechanic, trader, or Government official. In Tonga, where the Tongans have their own Government, with only a few Europeans employed in the Government service, trade and commerce are still controlled and carried on by Europeans. The trader there is not considered an enemy of the Native. The European resident and settler has a stake in the country, and has all along realized that the advancement of the Samoan Native is essential to his own well-being. The interests of the Natives are practically identical with his own. It is the hope of the best elements of the two races that they will ever live together in peace and harmony, and, in the realization of the dependence of one on the other, will work conjointly for the advancement of the Territory and all its peoples. The administration of Native affairs is deplorable. When a white man commits an offence he is arraigned before the Court and punished accordingly. The same thing happens to a Native, in addition to which he is likely to be deprived of his citizen's rights by the removal of his

hereditary family name and banishment to another village. Many of his most-time-honoured old customs have been abolished, with the assistance of the Government-appointed House of Faipules. A medical tax of £1 per adult male has been imposed on him, very much against his will. Drastic reforms, such as the Fetu movement and model villages, are being rushed through, even though it will take an age for the Samoan to appreciate their significance and several ages to recognize their utility. The doctrine of hatred against the non-official European, particularly the trader, is being preached to him. Many of his leading men would like to protest against these conditions, but they are barred by official positions given them, which they fear they would lose if they uttered the least protest, and the rest of them are cowed. The officials claim they all love the Natives, or otherwise they would not be in Samoa. The traders and others claim the interests of the Natives are theirs. Let us put these professions to the test. Are we all prepared to sign an official protest against these conditions, which would not be tolerated in New Zealand or elsewhere? We shall see.

Lastly there is the question of prohibition. Since the drastic imposition of this most unconstitutional, unjust, and unpopular law in 1919 there has been a strong and consistent protest from the people interested. There will be some people who would again say that prohibition, though brought in last, is really the first and only real object of this meeting. Those who say that only prove their absolute lack of interest in the vital points essential to the progress of this country. Last year the matter of prohibition was again raised in the Council, and was followed by correspondence which will be read to you later on in the evening. I trust I have not kept you too long, but after a short *résumé* of my address to our Samoan friends present we will consider the objects for which this meeting was called.

Chief Faumuina: It is a source of great pleasure to the Samoans to be permitted to attend this public meeting to-night. We heard there was to be a meeting of citizens to-night to discuss various features of the administration of this country, and feared we would again not be given the opportunity to attend. It was, however, the wish of many of us to join the Europeans in such meetings which deal with matters affecting the government of our own country. The Samoans note by the kind reception we receive here to-night that the Europeans recognize our right to discuss with them these matters, and we only hope the Government will concede to us the same right. It should have been done long ago. We feel we are entitled to it; and besides, how are we ever to learn of the matters affecting the government of our country if we are not allowed to discuss them openly in such meetings as these. We fully appreciate the many good things done by the Administration, and the many good features of the administration of this country which tend to advance us in civilized government, but there are also several matters with which we are not quite satisfied. I feel sure a better knowledge of these matters will enlighten us to the extent of our better understanding their good and bad points, and thus helping us to accept them for what they are really meant to be. The Samoans are a law-abiding race, and it is my earnest hope they will always remain such. I exhort all those present to-night to freely participate in all discussions tending to bring out in a lawful manner all such grievances they may have, with the view of assisting the Government to bring about such reforms as are necessary without in any way causing a disturbance to-night. I pray that God may guide this meeting in all its stages, and that this may be the nucleus of a better understanding between all factions in Samoa—the Europeans, the Samoans, and the Government.

The Chairman [Speaking in Samoan and in English, the Chairman thanked Chief Faumuina for his speech, and said]: The matter for this meeting to decide is whether we should make representations to the New Zealand Government through the Minister of External Affairs; and, if so, we should elect a committee to prepare the reports and agree on the subjects on which reports should be made, but these may be added to by this meeting or by the committee.

Hon. A. Williams: I move, That this meeting proceed to elect a committee and work up some points to be sent to New Zealand. The postponement of the Minister's visit till the autumn makes it too long to wait, so I propose we send the reports on to Wellington as soon as they are ready.

Mr. A. G. Smyth: I think we should go a little further and request the Minister to come to Samoa by the next steamer.

Hon. A. Williams: I will withdraw my motion in favour of Mr. Smyth's, but I should add that if the Minister does not agree to come by next steamer, the reports be sent on to Wellington.

Mr. A. G. Smyth: I propose, That this meeting authorize the chairman to send a telegram to the Acting Prime Minister, respectfully requesting the visit of the Minister of External Affairs, to take place a month hence instead of in the autumn. In the event of this request not receiving favourable consideration, the committee should proceed to draft out these points and forward them on to Wellington, but before doing so they should submit them for approval to another public meeting.

Chief Afamasaga: I have pleasure in seconding the motion.

The Chairman: I suggest the telegram be sent to the Minister of External Affairs direct instead of through the Acting Prime Minister.

Mr. A. G. Smyth: I agree to the alteration.

The motion was put to the meeting, and carried unanimously.

The Chairman: The first subject in our list is "Legislative Council": should this be one of the subjects in our report?

Hon. A. Williams: The Legislative Council of Western Samoa consists of three elected members and six nominated members: the balance of power is consequently with the latter. Are you aware that you do not receive adequate and proper representation through your elected members by virtue of the fact that we have practically no say in many important matters? That is to say, if we do not agree with the Administration it makes no difference whatever, as the nominated members can outvote us at all times. What we require is executive powers; or, in other words, that no measure be adopted when the three elected members vote against it, but that it be sent to the Minister of External Affairs for his consideration, together with a summary of the discussions held on the subject. Take a case in point. The "Alcazar," which was built since the war, and which cost approximately £10,000, was sold at auction together with ice-cream plant, electric-light plant—in fact, lock, stock, and barrel—for £1,800, the Administration being the purchaser. It is estimated that the electric-light plant alone was worth more than £2,000 when purchased. The elected members could do nothing to prevent the Government from buying the "Alcazar" (if they knew anything about it); and, in view of the wonderful prosperity of this country (if we are to believe the Administration) there would have been investors ready to purchase this property had the Government given them an opportunity to do so. We do not consider that the Government should have the power to adopt these high-and-mighty tactics without first consulting and obtaining the sanction of the people's representatives, otherwise there might just as well be no representatives at all. Prohibition might be cited as another case proving the hopelessness of the elected members getting anywhere. This question was brought up by the honourable the first and second members, and the nominated members argued in favour of it, although it is very much open to doubt if they are prohibitionists at heart. However, being members of the Administration, they were not prepared to vote according to the dictates of their consciences. The Native community is in an exactly similar position to the European in that they believe they are represented by their Faipules. Now, who elects the Faipules—the Natives themselves, or is it left to the discretion of the Administrator? If the latter, then it is no wonder that the Samoans do not regard the Faipules as their true representatives. Furthermore, do these Faipules express the desires of their people, or do they act in a manner which would indicate that they are following the dictates of some one high in authority? Laws have been made through the Faipules, who are not the true representatives of the people, which, were they represented by men whom they had sent in, would never have been passed. The European community is not represented, nor is the Native, in the Legislative Council of Western Samoa. The position is farcical in the extreme, and calls for immediate correction. Are we, the elected members, to have executive powers, or are we to remain with our hands tied, as at present?

Mr. Perrin : Are the Natives of Fiji represented on the Legislative Council of Fiji ?

The Chairman : They have been represented in the Legislative Council for many years by members of their own race. I am told by good authority that six Fijians are elected by the Natives, and out of these six names the Governor selects two.

Mr. Cobcroft : How many nominated and how many elected members are there on the Legislative Council of Fiji ?

The Chairman : The Governor presides, and he appoints ten official members. There are also ten unofficial members, seven being elected by the Europeans, two by the Fijian Natives, and one by the Indian community.

Mr. Perrin : Have the Native members the same privileges on the Council as the European ?

The Chairman : They certainly have. The motion is whether the powers and membership of the Legislative Council be one of the subjects.

Motion put, and carried unanimously.

The Chairman : We will now consider the next subject. Will " Finances " be another subject.

Mr. Smyth : Mr. Chairman, ladies and gentlemen, I should like to give some comparisons of expenditure, which I think will interest those present this evening. I want those officials who are here to-night to know that my remarks are not personal ones. The whole system of the expenditure of our colony is, to my mind, wrong. I consider that our elected members should have a say in the expenditure as of right. The Legislative Council must have executive powers. In 1901 the German Administration showed a gross revenue of £14,250, and an expenditure of £24,700. Ten years later the revenue had increased to £41,350, and this Administration had shown surpluses since 1903. It received donations from the Imperial Government until 1908, but two years later Samoa started to contribute to the expenses of the Samoa Branch of the German Colonial Office. In 1915-16 our total revenue amounted to £68,663, and after providing for the issue of £53,000 currency notes the year closed with a Treasury balance of £2,664 in hand. In 1916-17 the revenue amounted to £74,596, and in 1918-19 to £88,295, with an expenditure of £89,778. The estimates for 1926-27 show an estimated revenue of £133,500. Expenditure : This has jumped from £66,765 in 1915-16 to £133,500 (estimated) for 1926-27, an increase of £66,735, and therefore double the amount only eleven years previously. Our permanent charges on " public debt " are now £7,700, made up as follows : Interest and sinking fund on New Zealand loan of £100,000, £6,600. (It is interesting to know that this £100,000 is now completely spent—at least the estimates say so. Where has the money gone ? What can you see for £100,000 ?) Interest and sinking fund on New Zealand loan of £32,000 (part called up) for Native water-supply and new wharf and export shed, £600. Interest and sinking fund on New Zealand loan for public works (authorized to borrow £16,000), £500. The Government estimate an expenditure this year of £10,000 on Native water-supplies and £10,000 on the wharf. A further £10,000 is to be spent next year—out of the loan of £32,000—on more water for the Natives, and £2,000 on a new export shed—badly needed. This will wipe out Loan No. 2. The expenditure under the heading of " Administrator and Legislature " has increased from £2,221 in 1915-16 to £5,000 (estimated) for 1926-27. Vailima accounts for £2,670. This amount does not include the Administrator's salary, or the salary of the A.D.C., or the £200 allowed for travelling-expenses. Domestic servants and outdoor staff eat up £1,185—almost £100 per month ; upkeep of motor-cars (£350) and a chauffeur at £170 make up another £520. Secretariat expenses for 1915-16 are included in " Administrator and Legislature " expenditure for 1915-16. This year this Department shows estimated expenditure of £2,120, making a total for the Administrator and Secretariat of £7,120 for 1926-27, against £2,221 for 1915-16. The Fiji expenditure for 1925 on " Governor and Legislature " was £4,658. Native Department : The expenditure for this most important Department has jumped from £10,810 in 1915-16 to £16,650 for 1926-27, an increase of £5,840. Just imagine this Department costing the country £16,650. Treasury, £2,200 : This Department shows a reduction in expenditure for 1926-27 as compared with 1915-16, and in my opinion the expenditure could be still further reduced. Customs, taxes, and Marine : Expenditure in 1915-16 was £2,048. This year it is estimated at £2,620, the increase being accounted for by increased revenue, which necessitates a larger staff. Harbour Department : The expenditure for 1915-16 was £1,223. This year it is estimated at £6,930, the increase being largely accounted for by better harbour facilities and by the cost of running the " Lady Roberts," the estimate for which is £3,530. This vessel, as you know, was driven ashore on the 1st January, and in March she was towed to Fiji by the " Hinemoa " for overhaul. She returned to Apia six months later, and the repairs, towage, and master's and engineer's wages, I am told, cost over £5,000. This huge expense is, we are told, to be spread over several years. Fiji spent on its port and Marine Department in 1925 £5,912. Justice Department : 1915-16, £2,454 ; 1926-27, £2,740. Police and Prisons : 1915-16, £5,788 ; 1926-27, £7,750, an increase of almost £2,000. Medical Department : 1915-16, £5,339 ; 1926-27, £25,000, an increase of £19,661. Fiji expenditure for 1925 was £18,916, or £6,000 less than ours. Agriculture Department : 1915-16, £2,493 ; 1926-27, £3,250. Chinese Department, £1,790. There are 923 coolies employed in Samoa to-day, and it costs the country nearly £2 per head to run an office to keep a tally of them. Post Office and Savings-bank : 1915-16, £2,875 ; 1926-27, increased to £5,300—a jump of £2,425. £1,700 of this increase is accounted for by interest payable to depositors and exchange on investments, but on these investments the Savings-bank will receive £2,000 in interest. Radio Station : 1915-16, £1,643 ; 1926-27, £4,450. The estimated revenue for 1926-27 is £4,015. This Department is practically self-supporting, and one that we could not do without. Education Department : 1915-16, £871 ; 1920-21, £3,176 ; 1926-27, £9,700. Why is such a huge sum spent on education ? Are the children of Samoa receiving £9,700 worth of education, in addition to the work of the missions ? Miscellaneous : 1915-16, £2,940 ; 1926-27, £7,400. Civil servants' expenses, including fares and allowances to and from overseas, is estimated to cost this year £1,800. Lands and Survey and Public Works : 1915-16, £8,705 ; 1926-27, £14,400, plus new works £6,100, making a total of £20,500. Personal emoluments account for £6,432 ; sea-wall accounts for £1,500 ; and public buildings account for £2,300. How many public buildings does this Government require ? The latest addition is the garage and workshop. Is this huge building necessary ? £1,000 is to be spent on a residence for an " Inspector " at Fagamalo. Is such an expensive building necessary to house an Inspector ? The Public Works Department, if all loan-moneys authorized are spent, will be handling some £56,500 during the financial year. Any private individual conducting a business with a turnover of this magnitude who did not keep proper books would soon find himself in the Bankruptcy Court, and would be liable to a term of imprisonment for failing to keep proper accounts. I understand that the Public Works Department have not a proper accounting system. In my opinion it is impossible for any body to spend the large sum of money mentioned above to the best advantage without proper accounting, as this is the only means whereby it is possible to keep a check on wasteful expenditure, and to effect savings in connection with those small items which, when added together, soon mount up to large sums. New wharf : Can any one tell us when the wharf will be completed and its ultimate cost ? £7,000 is to be spent on new roads, Upolu, and £4,000 on new bridges. I agree with this expenditure of £11,000 provided the work to be done is properly supervised. What I would like to see is a good road running round Upolu. £2,500 is provided for a new metallic-circuit telephone system. Hurray ! I welcome this. Our present telephone system is very unsatisfactory. Savai'i is to have some new roads and bridges at a cost of £2,000. The estimates state that it is expected that the No. 3 loan (of £16,000) for new roads and new bridges and for the new telephone system will be spent during 1926-27. It will be noted that the purchase of the Alcazar buildings, the cost of the new buildings to be occupied by the Engineering, Transport, and Electric Light Department, and which is to be used also for technical classes, has been passed on to the New Zealand Reparation Estates. Why should a planting concern be called upon to run an Electric Light Department, or an Engineering and Transport Department ? It has been agreed by the New Zealand Government that surplus profits from Samoa Crown Estates funds are to be available for expenditure in and for the benefit of Samoa generally. There will not be any surplus profits if the Samoa Crown Estates has to carry an Engineering and Transport Department and an Electric Light Department. It is to be hoped that the elected members will have some say in the expenditure of the proposed hydro-electric scheme. Let them find out first if the people of Samoa want it. Fiji population, 31st December, 1925, estimated at 169,667 (Fijians,

88,431; Indians, 68,136; Europeans, 4,061); Samoa population, census 1926, 36,688. Fiji expenditure, 1925 (including a charge of £35,552 for public debt and £19,438 for pensions) is £465,212. Samoa expenditure, 1926-27, is £133,500.

Mr. Cobcroft: If the revenue derived from these plantations was given by the Government of New Zealand to the Government of Samoa for the advancement of the Territory, should not our representatives have some voice on the Board of Control. The revenue from the three plantations amounts to about £10,000 a year, and the spending of the revenue from these plantations should be on the plantations. Is it not possible to recondition these plantations? We should have some voice in the spending of these profits.

The Chairman: If the New Zealand Government has been good enough to pass the profits of the Crown Estates to the Samoan Treasury, then I think it comes under the rights of the people to have a say in that legacy. According to the previous speakers, if the Crown Estates launch out in a series of speculation, it is very likely we will only hear about the revenue, but get nothing.

Hon. A. Williams: We are told that the "Alcazar" was bought by the Crown Estates. Since this time the Engineering Department have taken up their quarters there, and that has also been turned over to the Crown Estates. We have nothing to say in that expenditure.

Mr. Perrin: Who are the personnel of the Board of Control of the Crown Estates?

The Chairman: His Excellency the Administrator, Colonel Hutchen, and, I think, Mr. N. H. Macdonald.

Hon. A. Williams: Officially I know nothing about the Board of Control.

Mr. Perrin: The Administration have sent Colonel Hutchen to Java and the Malay States to investigate conditions there. Has he any qualifications to justify this?

The Chairman: Until such time as our representations have been successful and we get some control of the expenditure we have not the right to criticize the Board of Control. The revenue of the Crown Estates cropped up in respect to the revenue and expenditure of the Territory, and when it becomes a portion of our revenue, then the Legislative Councillors should have control of the Board of Control. We must get the control first before doing anything else. Should this matter of the reparation of the estates be one of the subjects of our reports?

Mr. Cobcroft: I move that the New Zealand Reparation Estates revenue, having been given to Samoa, should be considered a portion of our revenue, and therefore come under the jurisdiction of the Legislative Council.

Hon. A. Williams: I come now to the question of the new wharf, and, in order, that you may know the attitude I adopted when this matter was first raised, I shall read you a few excerpts from the last Address in Reply: "I would ask Your Excellency to understand that under this heading I am expressing my own personal opinions and not necessarily those of my colleagues. Personally, I consider that the expenditure involved is unjustifiable, taking into consideration the fact that no boat of any decent size will be able to come alongside the wharf when completed. Furthermore, instead of only one handling of cargo we will have two—*i.e.*, under the present system the lighter comes to the shore and the cargo is removed to the Customs shed direct, whereas with the establishment of the wharf it will mean that the cargo will have to be dumped on the wharf, placed on trucks, and brought to the Customs House. I feel that it would be better to establish a suitable dredge at comparatively little cost to the Government, which would mean that at least two more lighters could be worked, resulting in a material tonnage increase per hour. Without wishing it to appear that I am treading upon controversial egg-shells, I wish, with all deference to Your Excellency, to submit a few figures in connection with the present rate of tonnage per hour by the Apia Stevedoring Co., Ltd. They really appear illuminating. Taking the last 'Tofua' as a basis for my calculations, I find that no less than 620 tons of general cargo were handled by this company in eighteen hours actual working-time, or an average of 34½ tons per hour, or in other words, an increase of 14½ tons per hour on the figures set down by Your Excellency as the minimum amount of cargo that can be handled under existing arrangements. Now, why is it necessary for us to have a new landing-wharf in view of the performance such as the foregoing. A few hundred pounds spent on a suitable dredge and the above figures would be greatly increased—would, in fact, make the 40 tons which it is estimated will be handled per hour following the completion of the new wharf look mighty small. The general consensus of opinion appears to be that if the new wharf is to be a success a dredge will be necessary. Why not provide a dredge now and see what follows in the way of increased tonnage per hour. It is at least worth trying out before embarking on a work involving the expenditure of a great deal of money." You will therefore see that at the outset I was opposed to the building of this wharf, and I still maintain that it is going to cost a sum which is totally unwarranted in view of the somewhat doubtful advantages which will follow its construction. If large boats could come alongside the wharf it would be a different matter, but I fail to see how, when one considers that lighters will still have to be used, there is going to be any increase in the present tonnage rate per hour. Furthermore, there is also a possibility of the wharf running into considerably more than was originally estimated, owing to the difficulty which the contractors are experiencing in striking bottom. I understand that bottom was guaranteed to be reached at a depth of from 10 ft. to 12 ft., whereas to date they cannot find bottom. It is now rumoured that instead of using single piles, two piles are to be driven in scissors fashion in order to overcome the difficulty. Just what this will mean by way of additional expense I cannot say, as the Government has maintained absolute secrecy about the whole matter. I do not know what the Government intend doing—whether they are going to persist in building the wharf or whether they have decided to abandon it. Personally, I hope they have decided in favour of the latter course. I should be very pleased to hear your views in this connection.

Chief Afamasaga: I support very strongly this subject be put forward by the committee. That is one of the bones of contention; we do not know where the money goes. Most of the estimates are published in English and we do not understand them. They should be published for the benefit of all concerned, and the Samoans particularly. If the Government is allowed to squander money, the time will come when Samoa will have a heavy mortgage.

It was resolved, and carried unanimously, that finances be one of the subjects of the report.

The Chairman: We now come to the matter of assistance to planters, which really means Labour and Agriculture. We hear of the hard times the planters are having, and they have got to be assisted.

Mr. K. Meyer spoke of the impossibility of meeting overhead charges, and suggested that efforts should be made to find a cheaper market for labour. Surely Chinese labour could be obtained more cheaply. The roads ought to be put in a better state; transport for six miles cost £1. He considered the export duty should be abolished. (Further remarks were made regarding the Government Estates paying a bonus of £2 per ton.)

Mr. Cobcroft: We are directly interested in the agricultural pursuits of the country. The Government derive direct and indirect taxes on every ton of cocoa and copra shipped. On 8,000 tons of copra they derive a revenue of £8,000. The copra shipped from the country is about 16,000 tons, so they derive a revenue of £16,000 from that. In order to maintain the revenue from these agricultural pursuits the planters should have more assistance. Whilst they fully realize the assistance rendered them by the Administration, the planters' lot is not an easy one. The cost of labour has gone up and the market price of his produce has gone down. It is true the Government have not pressed the planters for their overhead charges on coolies, but we have to pay overhead charges on coolies when they have been in the Territory some fourteen years. Sixpence a head should be sufficient to repay the Government for the cost of introduction and repatriation. We will still be paying 6d. a head in another sixteen years' time. We pay now on a big proportion of labourers who have been in the country for some six or seven years. We consider, in view of the fact that the Government derives 80 per cent. of its revenue of the country from agricultural pursuits, that they should give the planters cheaper labour and better conditions, and improve our transport conditions. Most of the planters live along the Tafaigata Road, which is in a very bad state, and practically nothing has been done to it for years. We have to pay £1 per ton for four miles to get our produce into Apia, besides the double cost in taking goods to the plantations.

It was resolved, and carried unanimously, that labour and agriculture be one of the subjects of the report.

The Chairman : We now come to the question of the Government's Native policy. The Natives have many points to bring forward. Many of their points, no doubt, are on subjects that have already been discussed, such as expenditure, Legislative Council, and other points. This particular subject is confined to Native affairs.

Chief Afamasaga : With the points the Natives have in hand it will take three nights. They have been summarized, and the main points will be taken up in two or three papers.

Paper No. 1 (as translated).—They are not satisfied with the appointment of the Faipules; they should be elected so that they have the authority of the districts. They should not be appointed by the Administrator or the Government. It is claimed that the powers that have been conferred on the Faipules has been the means of their advising banishments, &c., according to their own discretion, which have not been handed to them by the Samoans themselves. They also question the knowledge of some of the very old Faipules, who have hardly ever learnt to write their own names, and yet these same gentlemen are asked to inspect schools and hospitals and report that such institutions are very satisfactorily conducted. Doctors and nurses are very numerous, but attention to patients is very slow. They strongly protest against the continuance of the tax. Since the imposition of this tax there has been less attention paid to the Samoans, because there is no further fee to pay; it is already paid. Protest is made against the lack of careful control of ships coming into port so as to prevent diseases coming in. The Administrator has promised a Faipule for every two thousand people, and he would lessen the number of white officials. Lands which have been given to them are leasehold. Boys were sent to New Zealand to be educated, but on their return had not received as much education as they could have received here.

Paper No. 2 (as translated).—It is time for the Samoans to be represented in the Legislative Council. Representatives should be by the will of the Samoans themselves, and not nominated. So long as there is a House of Faipules the Faipules should also be elected by the Samoans, that they may truly represent all the Samoans' interests. So long as the Faipule remains nominated by the Administrator, so long will he find it impossible to be true to the interests of the country and maintain his job. Even in old Samoan Governments the Faipules have always been really representatives of the districts, inasmuch as they were appointed by those districts. The medical tax is a most unpopular one, and should be stopped. It was originally put up to the Faipules as a temporary tax to see how it worked, but it is now a permanent one. To-day the people of certain portions of Savai'i have no access to a doctor and still have to pay £1 a head, just the same as those who are near a hospital. The only means by which the Medical Department would be of service to the Samoans would be to try and encourage private doctors. Protest is made against the very severe examination of Samoans' personal luggage, and they are made to pay duty on all sorts of little things, whereas the Europeans are not so severely searched. It is claimed that the time has come, with the very high national debt, that every means of introducing economy should be brought about, and that the officials that are required by the Administration should only be brought from abroad where such positions cannot be filled by local people. Removal of Native hereditary titles and the banishment of chiefs to other districts is protested against, also the inequality of treatment of Samoans and Europeans in respect to offences. One Samoan, without any trial, but just on his own admission, was sentenced to a life imprisonment in New Zealand, but a white man was just quietly sent out of the Territory and is now free, while the Samoan still serves his time in gaol. Protest is also made against prisoners being used to drag wagons from Apia to Tuvao. Individualization of lands: They consider the time is not ripe for that. There are many ways by which the Administration can assist the Samoans who have no lands to acquire them. Prohibition has, instead of being a blessing on the Samoan people, become a curse. Where the Samoans could not and would not buy good liquor, they have now all learned to make *fa'amafu*. Some means should be brought about whereby the Europeans should have this privilege restored to them, and thus save the Samoans from the *fa'amafu* habit. Model villages are all very nice, but we cannot all afford them; the system being introduced does not suit all the villages. The Fetu movement has been the means of the flower of the land being wasted whilst they are out on all these little jaunts of theirs. It is painful to see them doing no real good—to see poor boys standing in the sun without even being an ornament. Time-honoured customs of the Samoans should not be abolished without a large majority of the people voting for it.

(Several speeches by Samoan chiefs were given after the reading of these papers, strongly protesting against the Government's Native policy, and asking for this to be one of the subjects of the report.)

It was resolved that "Native affairs" be a subject of the report, and carried.

Mr. Williams suggested that the Medical Department be a subject for report, which was carried unanimously.

The Chairman : Prohibition is our next subject for discussion. We have protested against this unconstitutional measure since the very beginning. We must continue to protest. It is now before the meeting for discussion.

Mr. Westbrook : I consider prohibition should be a subject for the report.

Mr. Cobcroft : The New Zealand people have voted that we have prohibition, but I think we should have a vote. I had occasion to travel right throughout Rabaul. There is no prohibition there, but I saw no ill effects, and most certainly the Natives had not become addicted to the use of it.

The Chairman : The people of New Zealand have had an opportunity for three years to impose prohibition on themselves, and every time it has been turned down by a popular vote. Why should they impose it on us? I think we should continue to protest until we are given the right to vote on the matter.

Mr. Perrin : We have listened to the various remarks made, but we want some practical suggestion. I suggest a petition be got up and signed by all those in favour of lifting prohibition, and sent to the New Zealand Government for their consideration.

The Chairman : We have sent countless petitions. Even a delegation was sent. Also, a special petition sent forward on the matter was brought up before the Parliamentary Party, before the Cabinet in New Zealand, by residents, and also by members of Parliament there. If another petition is considered necessary, let it be put to the meeting. The idea is that we make this one of the subjects for submission to the New Zealand Government, and that it be one of the subjects for the committee to consider.

Mr. Perrin : Take a vote.

Mr. Tibbo : I suggest State control.

The Chairman : We have not had State control. We have had liquor before, and it has been taken away, and my idea is that we ought to get it back before there is any question of State control. We should not compromise, as by doing so we admit that there is some justice in the prohibition of free indulgence of alcoholic liquors.

Mr. Butler : I am the only missionary present, and I realize that I am amongst a strong anti-prohibition gathering. Some of the other missionaries go to the Administration, but I believe that the Europeans of Samoa should have the right to vote upon prohibition, and in any country where they vote as a majority they should have it. In my own country I will admit that prohibition has brought many evils, moral degeneration, &c., to a certain extent, but I believe in prohibition and I am a prohibitionist. It has been a godsend to Utah.

The Chairman : It is resolved that prohibition be one of the subjects of the report.

Motion was carried unanimously.

The Chairman : We will now proceed to elect a committee.

Chief Afamasaga : I propose the committee should consist of six Europeans, six Samoans, and the three elected members of the Legislative Council.

This was carried unanimously, and the following were elected: S. H. Meredith, A. G. Smyth, E. W. Gurr, F. D. Baxter, A. R. Cobcroft, and K. Meyer on the European side, besides the three elected members—Hon. O. E. Nelson, Hon. G. E. L. Westbrook, and Hon. A. Williams. On the Samoan side the following were elected: Chiefs Faumuina, Tofaono, Tuisila, Ali'ia, Afamasaga, and Aina'u.

The meeting closed at 12.30 a.m. with a vote of thanks to the chairman, which was carried by acclamation.

SECOND PUBLIC MEETING OF CITIZENS, HELD IN THE APIA MARKET HALL, 12TH NOVEMBER, 1926.

Chairman : Hon. O. F. Nelson, M.L.C., assisted by Hon. G. E. L. Westbrook and Hon. A. Williams. Attendance : 663 Europeans and Samoans.

The Chairman opened the meeting, and said : In the last public meeting we—

Mr. McCarthy : Mr. Chairman, might I interrupt for one moment. I crave the attention of the meeting for a few minutes. I have been directed by His Excellency the Administrator to address you for a few moments and hand in a letter for the chairman from His Excellency, and I wish to address a few words to the public servants to save complications. (Letter handed by Mr. McCarthy to Chairman.)

The Chairman : The meeting has been interrupted by Mr. McCarthy, acting in accordance with instructions from His Excellency the Administrator. This is the letter addressed to the Chairman :—

“ DEAR SIR,—

“ I have asked Mr. McCarthy, Acting-Secretary to the Administration, to attend this meeting and read a letter from me to the people. The letter will also be read in Samoan by a Native interpreter. Kindly arrange for this to be done prior to the discussion taking place. Thanking you,

Yours faithfully,

GEO. S. RICHARDSON, Administrator.”

I do not think there should be any objection to this letter being read, so will ask Mr. McCarthy to proceed.

Mr. McCarthy : Before reading this letter I wish to point out to all public servants that they are not allowed to take any active part in this meeting.

Letter from His Excellency the Administrator was read by Mr. McCarthy, and the Samoan translation was read by Laupu'e, as follows :—

“ To the people of Samoa : I regret to inform the people that owing to the Natives being drawn into the recent political meeting misunderstandings have occurred, and the Natives are unsettled on certain matters. Being Administrator of these islands and personally responsible for the peace, order, and good government of the country, I consider a serious error has been made in asking the Samoans to discuss politics which affect only the Europeans. Freedom of speech and honest criticism of the Government are not barred in any way : they are British privileges to which no exception can be taken. Unwarranted attacks, however, on the Faipules, the leaders of the Samoan race, cannot be passed over by me without it being misunderstood by the Natives. I wish certain persons to clearly understand that. The effect of bringing the Natives into the European political arena is unwise and likely to cause trouble. It is a simple matter to upset a Native race which is composed of many factions like the Samoan race, and I ask Europeans not to do it. If you persist, you are doing a thing unheard-of in the annals of colonial administration, and are almost certain to discredit the European community in the eyes of the outside world. The inevitable result must be to disturb the peace, order, and good government of the Territory. Every person knows what that means. I ask the Europeans to confine themselves to those matters which concern them, and to leave alone those matters which concern them not. To the Natives I wish to inform them that they have the fullest freedom to bring their complaints before the Government by the proper channels. I cannot, nor can the New Zealand Government, receive complaints from the Natives save those coming through their own properly constituted channels, such as the District Councils and Fono of Faipule. Every Native can rest assured of the fullest hearing and the utmost consideration in any matter brought forward in the proper way. Chief and *taulele'a* are treated alike, and both have the same rights of redress for injuries as the Europeans. I ask the Natives to refrain further from co-operating with the Europeans in their agitation on certain matters which do not concern the Samoan. I wish all people here to clearly understand that I do not approve of a political meeting which mixes Native politics with European politics, as its tendency must be to disturb the peace, order, and good government of the Natives. GEO. S. RICHARDSON, Administrator.”

The Chairman : A message has been received from His Excellency the Administrator, and I as chairman of this meeting feel it necessary that we have to consider this message. In countries where they have a certain amount of self-government such a message would have come through the people's elected representatives. Our status does not permit of this, and it comes through a Government official. We have heard the message from His Excellency exhorting Europeans to refrain from mixing in politics that concern Samoans. The same exhortation is also given to Samoans to keep away from politics that appertain to Europeans. The question for this meeting to decide is whether the interests of the Samoans and the Europeans can be separated, or are they identical. His Excellency states that there are various matters in which the Samoans have no business, and likewise that the Europeans should not interfere in Samoan affairs. It is difficult to see where the sphere of Samoans and Europeans begins and ends. If we speak about financial matters, have not the Samoans the right to know about financial matters, as they represent 95 per cent. of the population. Has a statement of the country's finances ever been published in Samoan ? We have to consider the fact that His Excellency the Administrator is his own leader of Parliament and Speaker of the House. In other countries of higher status than ours these positions are not held in the same person. Consequently the Government may be easily criticized. We have not reached that status. To-day we have in the person of His Excellency the Prime Minister and leader of the Government. As the representative of His Majesty he is supreme ; as leader of the Government he is open to criticism. We are told that no Europeans have dabbled in Native politics in other British colonies. Indians and Fijians are in the Legislative Council in Fiji, consequently they legislate and deliberate on matters that are the welfare of the Territory as a whole. In New Zealand the same thing happens. New Zealand is a self-governing Dominion, and we do not wish to compare ourselves in any way with New Zealand. Fiji is not ; it is a Crown colony, with the same status as ours. Fijians and Indians are in politics there. In India it is just the same. So I say that in other countries where there is a Crown colony with Natives they certainly legislate and deliberate with Europeans in matters appertaining to politics. We are told that there are certain proper channels through which the Samoans can lodge their complaints. I know, on the contrary, of Samoans who have tried to reach His Excellency and have not been able to do so because these channels have been barred. When New Zealand accepted the mandate of Western Samoa she accepted a solemn obligation to conduct the affairs of the Territory to the best interests of all the inhabitants, and to see that the Native inhabitants received impartial justice and fair treatment. The same mandate also imposes upon the European settlers (especially the British) who have made their homes in Samoa a sacred duty, which is to see that the Natives do get this fair treatment. Are we then to stand by and see the many harsh and oppressive acts perpetrated on the weaker race without some form of protest ? In every British country there are all sorts of Courts of Appeal, and finally the Privy Council to appeal to. Have the Samoans been told that they may go to a higher Court than His Excellency ? Have they ? I say No. Indeed, as to the politics belonging to the Europeans and those which belong to the Samoans, I say, which belong to which ? Whose interests are finances ? Do they belong to the Europeans ? I say No ; the Samoans are the largest taxpayers. When we talk of the Legislative Council, who deliberate and legislate on the Territory's finances, should they have the power to legislate for the Samoans, who have 95 per cent. of the population, when the Samoans are not represented in that Legislative Council. Everywhere we look we find the two interests mingle, and they should. The interests of the one race are the interests of the other. The welfare of the Samoan is the welfare of the European. Yet we are told that in many of the speeches made by His Excellency to the Natives he has denounced the Europeans, particularly the trader. He has informed the Natives that the European trader is the “ enemy ” of the Samoan Native. That is a very unwise policy, and some years back it might have been well considered a very dangerous policy. It is meant to cause dissension between the two races. We have been told from the housetops that the primary duties of the Administration in Samoa are to promote the welfare and further development of the Samoan, and that he should be taught to learn how to govern his own country. In which way is he to learn to advance along proper lines towards self-government ? By intimidation ? I say No. Is not His Excellency open to criticism ? As the Administrator and His Majesty's representative I say No ; as Prime Minister I say that he is open to criticism, and the Samoans have a right to criticize. Are we going to submit to intimidation ? The British flag was not made for

that. The Samoans have always been a free people, and a free people they shall remain. They certainly should be allowed to state any grievances they may have. It is up to you, gentlemen, to decide as to how the actions of the Administrator as leader of this Government are to be taken. The matter before the meeting, gentlemen, is how far we are to take the message from His Excellency the Governor. As I have already stated before, as Administrator we have not the right to resist his orders, but I contend that as Prime Minister and leader of the House we have the right to criticize even his speech from the throne. Would any one—

Mr. Carter : As the meeting has not yet opened I am entitled to speak. Would it not be possible in the face of that letter from His Excellency the Administrator for the gentlemen who are responsible for convening this meeting to adjourn for about a quarter of an hour and then come back with their decision. I feel that the letter is a serious one and should have the consideration of those who are responsible for calling the meeting.

The Chairman : This meeting is out of the hands of the original conveners. It is simply a continuation of the first meeting, for the purpose of reporting on the actions and reports that the committee then elected were asked to make as a further step to achieving those aims and advantages for which the first meeting was called. The meeting is in the hands of the citizens present—Samoans and Europeans—as to what steps should be taken in regard to this letter from His Excellency the Administrator. As far as I am concerned the meeting may proceed but not without the consent of the rest of the meeting.

Mr. Carter : The meeting has not yet been opened.

The Chairman : The meeting has already been opened, and if we went out and deliberated for three hours it would still remain in the hands of the citizens present as to what steps be taken in regard to this letter from His Excellency the Administrator. If I inferred otherwise it must have been a grammatical error. As far as I am concerned the meeting may proceed, but not without the consent of the rest of the meeting.

Hon. A. Williams : This meeting was called as a citizens' meeting, and as a citizen I think that the Samoans have just as much right here as the Europeans. We are here to-night not to discuss matters affecting the rights of the Europeans or the Samoans, but affecting the whole community. I fail to see where this meeting is out of order.

Hon. G. E. L. Westbrook : I would like to propose that the meeting go on. We must obey the Administrator, but have the right to criticize the Prime Minister, as he criticized us Europeans.

Chief Faumuina : Europeans and Samoans, we have heard to-night the message from His Excellency, and I exhort all here not to take lightly this message, for he is the representative of the mandatory Power and the King, and as Governor we should obey him. This is only a continuation of last meeting. We must regard the Governor as the father of us all and obey him. But he should look after his children, and we know that sometimes we cannot get access to our father. I exhort you to obey our father, but if there is anything we regard as being wrong we must complain to him, and if that door is closed we may complain to New Zealand. As mentioned by Mr. Nelson, we would all like to hear more about financial matters. It is quite right for us to pay our taxes, but we should like to know more about the financial problems of our country, and these matters have never been disclosed to the 95 per cent. of this country's population.

The Chairman : The motion before the meeting is whether the meeting be carried on or shall it be closed.

Hon. A. Williams : I second the motion that the meeting be carried on.

The Chairman : It has been proposed and seconded that we proceed to further business. Any amendment?

Une (of Vaimoso) : You have heard the remarks of the previous speakers and also the letter from His Excellency the Administrator. It is incumbent upon each of us to weigh up the pros and cons of his letter and to consider whether we continue the meeting. The only thing that the previous speakers have done is to exhort the people not to break the law, and as we are in no way breaking the law I propose on behalf of those I represent that the meeting be continued.

Chief Asi (of Vaimauga) : This is a wonderful meeting. I see around me all sorts of people. It reminds me of a palace of many colours. It is a great advance for the Samoans that they can come to these *fonos* and hear about things affecting them that have been kept from them before. As far as my district is concerned, proceed; but always remember that we must abide by and keep within the law in every shape and form.

Chief Taguloa (of Anoaama'a) : The text of my subject shall be divided into, firstly, three big subjects—God, the Governor, and the Government; the second small subject is our grievances. We have heard the letters from the Governor, and I also exhort the people to obey the law—but hold the meeting.

The Chairman : Is there nothing further from the meeting? We will hold a vote to open the meeting. Those who agree with the further proceeding of the meeting hold up hands in the usual way. Thank you. Now, those who are in favour of closing the meeting will please hold up their hands. Thank you. I notice hundreds in favour of holding the meeting and only six against it, so the original motion is carried. We shall proceed with the meeting.

(When the chairman mentioned that six voted against the procedure of the meeting, a voice from the hall was heard, "Chuck them out. Kick them out." The chairman promptly ordered the voice to stop.)

The Chairman : Enough of that now. The last meeting decided on two things: First the election of a committee, and the same committee were to convey to the Minister of External Affairs an expression of regret from the citizens of this Territory at the postponement of his visit. This was done by a telegram despatched on the 16th October (the day after the last public meeting), reading as follows: "Representative meeting European and Samoan citizens regrets information received postponement of your visit. Respectfully and urgently request reconsideration inviting you visit Samoa November.—ELECTED MEMBERS LEGISLATIVE COUNCIL." No reply was received for eleven days. On the 26th, ten days after, the committee met and decided that a further telegraphic message be sent to the Minister of External Affairs begging for a reply, as follows: "Committee elected by all sections of community anxiously await reply to telegram sent through Administrator 16th October.—ELECTED MEMBERS LEGISLATIVE COUNCIL." Both telegrams were sent through His Excellency the Administrator with a covering-letter. The first telegram was sent promptly, the second has not been sent, for reasons I will explain. On the 23rd a letter was sent to the Minister of External Affairs formally confirming the telegram, pleading its urgency, and the feeling with the plea. At the committee meeting of the 26th October the Chairman's letter of the 23rd to the Minister of External Affairs was confirmed, and it was resolved that a copy of same be sent to the Administrator on the following day when sending him the second telegram for despatch. When these reached the Administrator's office on the 27th a message was sent to me by the Assistant Secretary to say that a telegram was received from the Minister on the 19th (eight days before) in reply to the first telegram, and that a copy was despatched to me within half an hour of its arrival. A second copy of the same telegram was then sent me, which reads as follows: "Referring to your telegram of 16th October, while most anxious to meet your wishes regret that quite impossible for me to visit Samoa by November steamer, but look forward with pleasure to meeting citizens Samoa next May." The members of the committee were immediately made acquainted with the contents of this telegram, also the apology of the Assistant Secretary for the delay, giving as reason that the messenger must have mislaid the letter; but an investigation was being made into the root of the trouble. It is noteworthy to say the original letter has not yet come to hand, and we have not yet learnt of the results of the said investigation. At the various meetings of the committee the following resolutions were passed:—(1) The subjects were entrusted to sub-committees as follows: Agriculture, A. R. Cockerfoot and K. Meyer; finances, A. G. Smyth and E. W. Gurr; Medical Department, A. Williams, Faumuina, and Alipia; Legislative Council, F. D. Baxter, G. E. L. Westbrook, O. F. Nelson, Afamasaga, and Tuisila; Native policy, O. F. Nelson, S. H. Meredith, Aina'u, and Tofaono; prohibition, G. E. L. Westbrook. (2) That the committee endeavour to have the reports ready for the public meeting to-night. (3) That a suggestion be made to this public meeting for a delegation to proceed to Wellington by early steamer to present reports to Minister of External Affairs and to discuss same with him. (4) That the committee place on record its regret and disapproval of certain defamatory statements made by certain persons in respect to the activities of the committee and its supporters, referring to the same as *fou* (rebellious), and it is the desire of the committee to let it be distinctly known that such statements are false and misleading.

Mr. A. R. Cobcroft: Mr. Chairman and gentlemen, at a meeting of the Planters' Association to discuss these various points, while confirming the election of Mr. Meyer and myself to prepare a report on agricultural matters, wish it to be distinctly understood that it will not criticize the Government's Native policy. We feel that the Natives have the Fono of Faipule to express them, and that as planters we are not sufficiently conversant with Native affairs to criticize the Government's policy.

The Chairman: I should have mentioned that a reservation was made by the Planters' Association in respect to their support of Messrs. Cobcroft and Meyer in the committee, to the effect that they would deal in matters affecting labour and agriculture, and they were in no way to criticize the Government's Native policy. An arrangement was then entered into with these two gentlemen that after their report on labour and agriculture was passed by the committee they should retire, so the committee may be in a position to forward the whole of the reports with their unanimous support. The question now to decide is whether the reports be sent forward or taken up by a deputation.

Chief Toomalatai, Matautu (for Vaimauga): I wish to give my opinion on the subject in regard to the presentation of the reports to the Minister of External Affairs. I agree that May is a long time away, and we may be all dead by that time. I say on behalf of our district that we shall share in the expense of sending a delegation with the reports to Wellington.

Chief Tagaloo in general terms supports Toomalatai, and states that their district will also contribute to the expense, and wish to record their confidence in the committee.

Tipumaga (Leulumoega) speaks in the same tone about the delegation, and they will support it with their confidence and their cash.

Malu Ale (for Faleata) supports same motion.

Chief Matai (for same district) likewise.

The Chairman: Is there any word from the European side in support or objection?

Chief Leutele (for Atua, particularly Vaa-o-Fonoti): We agree that the matter be taken up urgently. Do not leave it until May; it is too far away. Proceed now.

Mr. A. G. Smyth: I wish to support this motion, and would also propose that the Government be asked to send their best interpreter in order that everything be brought up clearly.

Mr. S. H. Meredith: I second the motion.

The Chairman: We will now leave it to the vote.

Motion put, and carried unanimously.

The Chairman: Another matter which needs to be decided upon to-night is that a telegram be sent to the Minister of External Affairs that it is the wish of this meeting that a delegation be sent to report these matters. I think that January steamer is the earliest that could be taken. Therefore I should suggest to the meeting that the committee be empowered to send a telegram to the Minister of External Affairs asking him if he will receive this deputation by the January boat.

Mr. G. S. Chisholm: I propose that a telegram be forwarded to the Minister of External Affairs that a delegation be sent up in the month of January.

Mr. F. D. Baxter. I second the motion.

Papalii Ulumalautea (Apia) also proposed the motion.

Une (of Vaimoso) also seconded the motion.

Motion put, and carried unanimously.

The Chairman: The next matter is whether this meeting shall leave it to the committee to decide who shall go, or elect now who shall go.

A Native chief proposed that it be left to the committee. Another Native chief seconded the motion.

Mr. G. Chisholm: I propose that it be left in the hands of the committee.

Mr. E. F. Paul: I second the motion.

Motion put, and carried unanimously.

The Chairman: It has been decided unanimously that it be left to the committee to decide who shall be the members of the delegation to be sent to Wellington, and so soon as we have the Minister's reply your offertory will be taken.

Hon. A. Williams: The reports drawn up by the committees are now nearly finished. Some are very lengthy, and we shall be here until daylight if they are all read out. I shall propose that the reports be not read, but be put up in some conspicuous place for all to read.

Orator Tufuau (of Solosolo): Before going any further we of Solosolo wish to support the motions passed, and wish to give our contributions to the trip right now.

Chief Faumaina expressed the thanks of the committee to the meeting for the confidence placed in them—that the matter be left in the hands of the committee as to who are to be sent as delegates to New Zealand. He assured them that the committee was working not for themselves, but for the good of all, and further exhorted them to carry on the traditions of Samoans as a law-abiding race.

The Chairman: We cannot resist thanking the other side for the cash contributed. Mr. Smyth has consented to act as treasurer, and Karauna Mata'u will act as secretary. We might consider the subject of these reports, and we shall continue with the meeting while the contributions go on. Is it your wish, gentlemen, that the matter of these reports which are not quite finished be left to another general meeting, or left to the committee to finish, and it be advertised in the paper that they be placed in a conspicuous place where they can be read? The matter before the meeting is whether the reports be finished and presented at a later meeting, or open for inspection by any member of the public at a later date, or whether parts of the reports be read to-night.

(While the chairman was speaking as above, the Solosolo chiefs brought in £3 (thirty matais at 2s. each), and Moananu, of Mulifanua, contributed 2s. The treasurer, Mr. A. G. Smyth, took the money, and the secretary, Mata'u, recorded the names of the donors.)

Mr. F. Wilson: I would suggest that parts of the reports be read to-night.

Mr. G. S. Chisholm: I second the motion.

Motion put and carried.

Report on Legislative System read by Chairman. Briefly—(1) Formation of Legislative Council with nominated members, 1920. (2) Provision in 1923 for three elected members, and elections. (3) Impotency of elected members under present conditions with Government majority in council. (4) Compared Samoan Legislative Council unfavourably with that of Fiji. Fiji equal number of elected members and official members, with appeal to Colonial Office if elected members voted *en bloc*. (5) Faipules a nominated and not an elected body.

Reports on Medical Department read by Hon. A. Williams. Briefly—(1) The Chief Medical Officer should be an efficient surgeon and physician. (2) Both Samoans and Europeans have no confidence in Medical Department—go to Pago Pago for operations. Tutuila smaller place than Western Samoa, yet can get good medical officers. (3) Want a Department that inspires confidence and not one that brings ridicule on the Territory. (4) Private practitioners needed. Formerly four private doctors did well. At present no competition or incentive to doctors to do their work well. (5) Native community dissatisfied with doctors. Especially since enforcement of medical tax they have been lax and careless in treatment of patients. (6) Proper encouragement should be given to Native medical practitioners. (7) Lift medical tax. Districts with no facilities for attention still have to pay same tax. (8) White nurses—Samoa, 9; Fiji, 6; Tonga, 1. Term of their engagement should be extended from eighteen months to three years. In 1924, 144 in-patients at hospital—sixteen per nurse per annum. (9) Two Sanitary Inspectors, Samoa, one at £500 per annum and one at £380 per annum; in Fiji only one, at £250 per annum. Senior Sanitary Inspector, Samoa, £500 per annum and free motor-cycle. Responsible official like Postmaster and in charge of Savings-bank deposits, £515 and no allowances. (10) Secretary, hospital, £310 and free conveyance. Positions such as these could easily be filled locally, cheaper.

Native Committee Report also read by Hon. A. Williams. Briefly—(1) Efficient doctors required. (2) Medical tax should be abolished. (3) Private doctors should be encouraged to carry on. (4) Samoans who have had training be sent away to New Zealand or Australia to complete studies and qualify.

The Chairman: You have heard these reports. We will now read the financial report.

Financial Report, with statistics and comparisons between Samoa, Fiji, and Tonga, read by Mr. E. W. Gurr. A summary of the Finances Report was translated into Samoan by the chairman.

The Chairman: The other reports are not quite ready, and the night is too far spent to continue the meeting much longer. The reports referred to are on "agriculture," "prohibition," and "Native affairs" (the chairman then gave a short address in Samoan on "Native affairs").

A further unanimous vote of confidence was then passed on the committee, who were asked to continue their work.

Mr. E. W. Gurr: For the success of to-night's meeting we have to thank our worthy chairman, particularly for his opening speech, which was very masterful indeed, and saved the meeting from a very difficult situation indeed. (Mr. Gurr then called for three cheers for the chairman, which were enthusiastically given.)

Chief Faumuina: The meeting is about to close, and I rise to support Mr. Gurr's remarks regarding our chairman. This meeting has been conducted in a most masterly manner, and a very tricky problem has been solved. I, however, exhort all citizens to obey the law of the land in every respect. Some rumours have reached the committee of certain districts who have decided to refuse to pay the medical tax. If you have any regard for the chairman and the committee you have appointed, you must prove it by paying the medical tax and all other Government dues. Look to the future for redress along constitutional lines. We must, however, respect the Governor as the representative of the King and abide by the law.

Hon. G. E. L. Westbrook: I wish to propose a vote of thanks to all those who attended to-night's meeting, thus showing their public spirit.

Hon. A. Williams supported the motion.

The Chairman thanked Mr. Gurr and Chief Faumuina for their kind remarks, and the two honourable gentlemen for their assistance in conducting the meeting. He also thanked the public for the orderly manner in which the proceedings were held, and for the confidence in the committee and himself displayed by the very large and representative gathering.

The meeting closed at 11.30 o'clock p.m.

EXHIBIT No. 52A.

REVIEW BY ADMINISTRATOR.

Apia, Samoa, 25th July, 1927.

SAMOA'S past history has left its impression on the psychology of the Samoan people, some of whom remember and freely discuss the former political disturbances that occurred successively in this country (1) during the three-consular period, (2) the three-Power regime, (3) under the German Government, and (4) the political agitation during the regime of my predecessor.

In nearly all these former agitations there have been two root causes of unrest, viz.: (1) The desire of one or more chiefs or political parties to increase their power and influence. (2) One or more European residents becoming partisans in Native questions, and advising and actively helping the Natives to oppose constituted authority.

The present agitation, which commenced in October last year, was not initiated by the Natives, as they were not then dissatisfied. One person with one object only was the originator of the present trouble—viz., Mr. Nelson, the wealthy half-caste merchant, whose aim was apparently to increase his power and influence, particularly in Native matters, and so materially enhance his commercial interests.

To assist him in his object Mr. Nelson utilized the services of a chief, Lago Lago, a trader in Apia with a notoriously bad record, to propagandize and foment discontent among other chiefs and induce them to believe that the Government's Native policy was wrong, and that Mr. Nelson was able to obtain for those chiefs who supported him increased powers and influence, to the detriment of the power of other chiefs. Support from a number of Native chiefs, principally dismissed officials or police offenders, was the natural sequence of this propaganda.

In order to add weight to his movement, Mr. Nelson adopted an unprecedented plan, which appealed to the vanity of certain chiefs, by forming a combined committee of Europeans and Natives to work together for political objects.

Apart from Mr. Nelson, the European section of this committee was composed of men whose only intention was apparently to increase either their political or commercial interests, as they were not much concerned in Native matters and did not realize the danger their action would cause to Native administration. I therefore warned them to cease their activities in regard to the Natives, but they unfortunately refused to do so, and subsequently found themselves forced into a position of supporting Mr. Nelson in his strenuous efforts to disturb the Natives and make them dissatisfied with their own authorities—a very dangerous thing to do in this Territory, where the European population and Government officials form only a small proportion of the total, and where peace, order, and good government of the Natives depend entirely upon upholding the authority of the Native officials.

Having no powers myself to prevent Mr. Nelson from intriguing with the Natives, the agitation increased until the following position was created: On the one hand there was a great majority of the Natives loyal to the Government, and, on the other hand, (1) a number of chiefs other than Government officials who have been influenced by propaganda and other means to support Mr. Nelson; (2) the five Europeans of the committee, who actively supported Mr. Nelson in his policy of stirring up the Natives (one of the Europeans had resigned after realizing the objects of the movement); and (3) Mr. Nelson himself, with his traders all around the islands, motor-launches, and other means of giving strength to the movement, which he personally directed.

After several months of intrigue and agitation Mr. Nelson ascertained that the influence of the Government with the Natives was greater than he supposed, and that only a small number were supporting him; therefore he strengthened his forces by setting up an organization in Apia and in every district for spreading propaganda on behalf of his movement. He also arranged for the publication of a newspaper, the *Samoa Guardian*, which was established just prior to the Minister's visit. Statements calculated to appeal to the lower instincts of the Natives were circulated by the medium of this press.

In addition, a central office, called the Mau headquarters, was established in Apia, with secretaries and translators to receive reports from out-districts and to circulate propaganda.

Probably never before in the history of this Territory had such strong forces been used to oppose the Government of Samoa, and it is a compliment to the Native leaders that their faith in New Zealand enabled them to resist these forces and the pressure brought upon them to join with Mr. Nelson's movement. Had they not done so the whole of Samoa would have been in a state of turmoil and the Government ceased to properly function, because the governmental machinery of the Natives is largely carried out by Native chiefs.

The fact that there was no real grievance or dissatisfaction in the country when Mr. Nelson started this movement makes his offence all the more serious; but his subsequent attitude, using every available means at his disposal to disturb the Natives, is unpardonable, and can only be explained by assuming that he realized he had gone too far to be able to retreat from his seditious campaign without having to make such an explanation to the Natives as would completely destroy his prestige in their eyes. He and his committee therefore hoped to create such a state of confusion in Samoa as would necessitate a Royal Commission being set up. In fact, he

stated before leaving for New Zealand that he predicted such a Commission would be established. This would enable him to retreat from his difficult position, under cover of that Commission, as, although I am confident that such an inquiry would prove nothing wrong in regard to the Government's policy, it would enable him to continue intriguing with the Natives, whose evidence would merely express his views. He would thus be able to keep the trouble simmering for months longer, and have on record statements by Natives that his action had been justified.

The central office established by Mr. Nelson in Apia was looked upon by some of the Natives as another Government, which they termed the "Mau," in opposition to the Administration. As Natives were not punished for joining and propagandizing on behalf of this Mau, they began to consider that the Government had not the power to take any action against them or against Mr. Nelson and his colleagues, consequently the organization grew from a small number of Natives in Upolu to a larger number, with representatives from every district in both islands.

Mr. Nelson's committee, through his traders and certain Natives in receipt of material benefits, gradually influenced other Natives to form committees in many villages, while a large committee composed of representatives from each district was maintained in Lepea Village. This complete organization set up by Mr. Nelson gave him confidence, and enabled him to use his personal influence on the central committee in Lepea (a village near Apia), where he attended almost daily and addressed his Native supporters.

Up to the time of the Minister's visit in June the work of the Government in all districts appeared to be going along as usual, except that Natives in some villages were wasting their time travelling to and from Apia and were neglecting their plantations. I anticipated that my annual *malaga* around the islands, commencing in July, would end the trouble; but the demonstration of Natives organized by Mr. Nelson and his colleagues for the purpose of impressing the Minister on the day of his interview with the committees, followed by Mr. Nelson's speeches to large numbers of Natives assembled at the Village of Lepea, stimulated the agitation throughout Samoa to such an extent that when the Minister left Samoa immediate action on my part became imperative.

Mr. Nelson seems to have impressed the Natives assembled that he had "gained a great victory," and that "Samoa was from that day reborn as a nation."

Those representatives from out-districts who were in Apia during the Minister's visit did not hear the speech of the Hon. the Minister. The majority of them did not even know what the objects of the so-called Mau movement were, but they heard Mr. Nelson speak, and they saw a big demonstration in his favour, and as the Government did not prohibit this demonstration they naturally interpreted it as a victory for the Mau.

The decision of the New Zealand Government to amend the Samoa Immigration Order and the Hon. the Minister's letter to the committee did not have much effect upon the disaffected Natives. What they saw on the day of the Minister's meeting had more effect upon them than statements issued by the Government, which they had been influenced to regard as mere bluff. The agitation consequently spread rapidly after the Hon. the Minister's visit, and the European members of the committee now thought they could cease from further Native activities and safely allow the Native members of their committee to carry on the campaign alone. In spite of my oft-expressed intention not to punish the Samoans until powers were granted for the European offenders to be dealt with, it became urgently necessary for me to take some action after the attitude of the New Zealand Government and the Hon. the Minister of External Affairs had been made public, and any delay on my part at this juncture would have been interpreted as weakness. Had I not taken action immediately the Minister left Samoa, and after his decision had been promulgated, a serious situation would have been created. I therefore issued a Proclamation ordering the seditious movement known as the Mau to cease. I issued orders to the Native members of the committee from out-districts to return to their villages and stay there for three months. I also called the two Native ringleaders (Faumuina and Lago Lago) to appear before me, when I gave them three days to disperse from their villages near Apia the people assembled there, and to use their influence with those Natives to cease from further disloyal activities. At the end of three days neither the Native committee had dispersed nor had the two ringleaders carried out my instructions. I then promptly banished the latter to Apolima, under the authority contained in the Samoan Offenders Ordinance. A demonstration was worked up by a troublesome young chief, Alipia, on the day the two ringleaders were sent to Apolima, but I took no steps to resist them, and the demonstrators returned quietly to their homes.

Mr. Nelson then started a press campaign against me personally, using his commercial agencies in England, America, Australia, and New Zealand. The radio reports of the foreign press dealing with this question, which show that Mr. Nelson is spreading lies broadcast, are all translated and circulated to the Natives by the Mau committee, and so help to prejudice my authority in their eyes. I am quite satisfied to allow the Natives themselves to answer these reports in due course.

The defiant attitude of the Samoan members of the committee, which now number about thirty, all of whom stayed in Apia and failed to carry out my orders to return to their villages, caused me to order their arrest, not in a body but one or two at a time, as I hoped that if several of the chief agitators were dealt with the others would then return to their villages. The first three to be dealt with were Tuisila, Fuataga, and Tagaloa. Unfortunately, these cases were adjourned by the High Court, and there was a delay of about a fortnight in obtaining a decision. This delay caused great joy among the other members of the committee, who attributed it to the Government not having the power to punish them. However, these three have now been sentenced—the former to four months' and the two latter to six months' imprisonment; but I am unable to say that these punishments have created a changed attitude on the part of the Natives belonging to the Mau. In order to further delay matters, the lawyer defending the cases of Fuataga and Tagaloa had applied for an appeal to the Supreme Court of New Zealand; but the Judge, fortunately, did not allow this to interfere with the execution of the sentence. This appeal is really only a scheme on the part of a lawyer (Mr. Slipper), who is a new arrival here and does not understand Native problems, but apparently wants to curry favour with the Natives. His attitude is helping the agitation, for he knows that such an appeal will not be upheld, but that the delay will give the Natives confidence in him.

It should be mentioned that these three offenders, together with the remaining Native members of the Mau, signed a letter to me asking for a collective interview. In reply to this request a letter was sent to each individual stating that I would see him in his own district during my *malaga*, and to where he had received orders to return. All these Natives have therefore been asked to appear before me, and have deliberately avoided doing so. I could not agree to seeing them in a body, as it would have been interpreted as a recognition of their powers to speak for Samoa.

My *malaga* around Upolu was a success, but it revealed the seriousness of the treasonable plot being worked up by Mr. Nelson's committee, as I found that in nearly every district of this island there was one or more villages where the Natives had received instructions to—(1) Passively resist their own authorities; (2) keep their children away from Government schools; (3) disobey orders issued by the Government; (4) not to clean their villages or plantations; (5) not to pay Government taxes; (6) to collect beetles, but not to give these to the proper Native authority—viz., the *pulenu'u*; (7) not to register their births in the books of the Government; (8) receive all their orders from the Mau committee in Apia, and not from the Government. The *fonos* I held with the chiefs in every district gave them an opportunity to learn the truth of this agitation, and also strengthened the hands of the Native officials. In most of the districts large assemblies attended my *malaga*, and very patriotic speeches were made by orators on behalf of their people, expressing themselves as very satisfied and happy, and calling upon me to put an end to the wicked agitation going on in their midst by deporting those Europeans who had stirred up some of their people.

It will naturally be asked why I, as Administrator, have permitted this state of unrest to be created and to continue without taking stronger steps to prevent it. The answer to this question is that I did all I could

within my powers: (1) I warned the Europeans to keep clear of Native matters. I had no powers of punishment if they failed to observe my warning. (2) I punished only two Natives during the early stages of the agitation for spreading false information. (3) I issued exhortations to the Natives to have nothing to do with this movement. My reasons for not punishing the Europeans are that I had not the powers to do so. I did not continue to punish Natives, as this was exactly what Mr. Nelson and his committee wanted. Furthermore, it would have created a difficult position for the Government, which I was most anxious to avoid.

To-day the Government is in the very strong position of having no cases of injustice or hardship to its credit. The Natives are loyal with the exception of those under Mr. Nelson's influence. It is most unfortunate that this number has increased since the visit of the Hon. the Minister, solely on account of Mr. Nelson's demonstration and delay in taking action to punish European offenders. The six members of the European committee are now exposed in the eyes of Samoa as well as the outside world, and represent the real ulcer of Samoa, which has been inflamed so many times in the past but has never been brought to a head and properly operated upon. Had I adopted any other course in dealing with this movement, the real agitators, who have given New Zealand much trouble in the past, would have escaped being held responsible, and would no doubt have continued their old tactics in the future by creating difficulties for New Zealand in the administration of this Territory. Now the danger of allowing European agitators to interfere in Native matters is fully realized by the Government, and the lesson has been relearned by the Natives themselves, similar troubles are not likely to recur if the real offenders are dealt with. The solution is a clear and easy one for the Government, as it is now definitely shown that certain persons have acted seditiously and stirred up the Natives without just cause. These persons are now finding themselves exposed as well as being despised by the majority of the European residents of Western Samoa, and are therefore fighting to save themselves from punishment. Had I adopted autocratic and arbitrary means of stopping the spread of the movement, the Government and myself would have been accused of preventing free speech and punishing Natives arbitrarily. The fact that I am now punishing a few Natives for continuing to spread disloyalty does not affect the question. These Natives have to suffer in order to uphold constituted authority and to restore order; and, furthermore, to show that Mr. Nelson and his colleagues have misled them, and that the decisions of the Government and the Hon. the Minister must be upheld. The appeals that are now being made by Mr. Nelson against the punishments of Natives are made because he realizes that he and his committee are responsible for those Natives who are now being punished, but this aspect of the matter is carefully kept in the background, and he is trying to deceive the outside world into believing that such punishments are not justified. If Natives who continue to follow the advice of the committee and resist their own authorities go unpunished after the Hon. the Minister's decision, and all the warnings and exhortations made by me, it will be impossible to administer the Native race either through the proper channels, their own chiefs, or in any other way.

While propaganda outside Samoa represents the Administrator as harsh in his treatment of the Natives, the universal criticism amongst the Europeans here is that I have been too kind and lenient to them. It should be constantly kept in mind (1) that the Natives were not discontented prior to Mr. Nelson commencing this agitation, and (2) the punishment of Natives that Mr. Nelson is giving such publicity to is the result of the sedition he and his committee had caused, and the failure of himself and his committee to comply with the decision given by the Hon. the Minister to leave the Natives alone and undo the evil they had created. Prior to this trouble there were only occasional and isolated cases of Samoans being punished under the Samoan Offenders Ordinance, and in most of these cases they were the result of appeals made by the Natives themselves to remove offenders to other villages. In fact, some of the present Native members of the Mau committee have themselves previously asked for banishment orders against offenders in their own villages.

It may only be a coincidence, but I blame Mr. Gurr, one of the committee and a well-known intriguer with the Natives, for setting up an organization here in this agitation similar to that which caused trouble in American Samoa six years ago, when he was a resident of that Territory. On that occasion a white man named Greene, married to a half-caste, established an office in Pago Pago from which he circulated propaganda and worked up a state of unrest amongst the Samoans, and caused a number to oppose the Government. The trouble only ended after the Governor had committed suicide, twenty chiefs had been imprisoned, and the originator of the trouble had been deported. In that case the trouble was ended only by drastic action, and similar action will be necessary here. Had prompt action been possible here in the early stages the present position would not have been brought about, but delay in dealing with European offenders and delay in obtaining convictions in the High Court have been solely responsible for the increasing unrest among the Natives since the Minister's visit.

I am informed that the Island of Savai'i is now in an unsettled state, whereas before Mr. Nelson's demonstration this island was affected to only a small degree. The reasons given for this are—(1) The lies circulated by the committee *re* Mr. Nelson having great power and probably returning here as Governor; (2) the delay in dealing with offenders; (3) the *Samoa Guardian*, a weekly paper almost entirely owned by Mr. Nelson, and published partly in the Samoan language, and which is circulated in every village; (4) the actions of a new lawyer here (Mr. Slipper), who is reported to be advising the Natives to disregard orders given by the Government; (5) the action of certain traders in the employ of Mr. Nelson, who clandestinely intrigue with the Natives on behalf of the Mau and blame the Government for every little cause of dissatisfaction. (In the German days the Governor used the traders to help him to propagandize with the Natives. This is not now possible, as most of the traders are in the employ of Mr. Nelson.)

The solution of this trouble is not a difficult matter in so far as the Natives are concerned, provided the European agitators who disregarded my warning in November last are dealt with by the New Zealand Government. The Natives have no real grievances either against me or the Government, and I am confident of my ability to handle them once the influence of the European committee is removed. The Native officials are very loyal, and up to June last an overwhelming majority of the Native chiefs were loyal, but the delays referred to combined with the inspiring radios received here from Mr. Nelson have intensified the intrigue and made it difficult for many loyal Natives to resist the *fa'a-Samoa* influence brought to bear upon them. Meanwhile, punishments of a few Native agitators is holding the movement in check, but is not ending the trouble; in fact, I am told in some villages these punishments are likely to strengthen their attitude toward the Mau.

Administration of Western Samoa, Apia, Samoa, 25th July, 1927.

MEMORANDUM for the Minister of External Affairs, Wellington, New Zealand.

Inquiry into Reasons for Disloyal Attitude of Natives.

During my *malaga* around Upolu the Natives of some villages held aloof from participating in the customary ceremonies by which Samoans show their respect to the Administrator when he visits their district. The majority of the chiefs in these villages also failed to appear before me to represent in person any matters they wished to discuss with me. This was most unusual, and could only be explained by their leaders as being due to the influence of Mr. Nelson's committee. Such disrespectful conduct could not be permitted to go unnoticed without prejudice to the maintenance of authority of the Native officials in those districts. I therefore ordered seventeen Natives who were reported to be the ringleaders to appear before me, as I wished to personally investigate the reasons for their unusual attitude towards their authorities.

The whole of the seventeen Natives appeared before me at Mulinu'u on the 19th instant, at 10 a.m.—first individually, then collectively. They were each questioned on various matters, and then addressed by me with the object of getting them to realize how they were being misled by seditious and false statements circulated by the

Mau committee in Apia. The replies to my questions revealed that these Natives had no complaints either against their own Faipules or other Native officials or against the Administration. They stated they had signed a paper containing all the matters the Mau were not pleased with, and that these matters were now before me. I presumed they referred to a petition which had been sent by Mr. Nelson to New Zealand, and which I have not seen. They did not appear to know the contents of that petition. Their excuse for not showing respect by appearing before me during my *malaga* was that they belonged to the Mau and had received instructions not to do so. Most of them stated they had joined the Mau because others had done so.

A spirit of insubordination and passive resistance was displayed by several of these chiefs, who had evidently been badly influenced by agitators in Apia, while one had the presumption to suggest that he was not pleased with the Government because there were too many white officials in the Administration who were paid higher salaries than Samoans; furthermore, that while Europeans travelled about in motor-cars the Natives had to walk. This is the type of propaganda that has been spread by Mr. Nelson's committee, and which has been effective in poisoning the minds of Natives against European officials. The three chief offenders of this party were—Mata'utia Kalauna, a dismissed official; served two years in gaol for theft; now secretary to Mr. Nelson's committee: Ainu'u, a dismissed interpreter in Apia; been previously warned: Papali'i Ulu, a chief in Apia, who has a boatman's license, and is constantly in trouble with the police. All three have a good knowledge of English, and are of the type of denationalized Natives who reside in Apia. As an example to the remainder, I issued an order for these three to be removed from Apia, as I am more than satisfied that they are a source of danger to the peace, order, and good government of Apia Village. The first-named is a notoriously bad character, who came to me four months ago and stated he knew that what Mr. Nelson and his committee were doing was wrong and would end in trouble for the Samoans. The other two are most active agitators. The remaining fourteen were given till 9 a.m. the next morning to change their attitude; but as none of them either wrote an apology or appeared before the Secretary for Native Affairs the next day, I issued an order depriving them of their titles. This will really be no hardship, as it is the mildest form of punishment, providing it is not associated with banishment from their village, a form of punishment I wish to avoid unless absolutely necessary. I am, however, forced to award some punishment in such cases in order to uphold authority in the eyes of the Natives.

The attitude of these Natives who have been induced to join the Mau is very strange. They do not seem to have any grievance, they do not know what they want, they will not come and put their matters before the Native Department, and when they are addressed by either the Chief Judge or myself they seem as if they are pledged not to alter their attitude until they get some definite answer from Mr. Nelson, who they believe has great power with the Government and League of Nations. One chief during my *malaga*, after hearing my explanation, said, "We are only the leaves and branches of the Mau; the root is in Apia. When the root is satisfied, we will be satisfied." By "the root" he meant the committee set up by Mr. Nelson. These cases well illustrate the danger of Europeans meddling in Native matters.

Nine months ago only one Native appeared to have a grievance—viz., Lago Lago—who wanted to get back his title after serving two years in gaol for theft. Mr. Nelson, in conjunction with this chief, has stirred up Samoa and brought about the present conditions, and it will take a long time to get the Natives back to normal.

GEO. S. RICHARDSON, Administrator.

[EXTRACT FROM MR. NELSON'S EVIDENCE BEFORE JOINT COMMITTEE OF HOUSE OF REPRESENTATIVES, WELLINGTON, 20TH AUGUST, 1927.]

We now come to the report of the Administrator of the 25th July. You have before you General Richardson's report dated the 25th July, 1927?—Yes.

The first paragraph reads, "Samoa's past history has left its impression on the psychology of the Samoan people, some of whom remember and freely discuss the former political disturbances that occurred successively in this country—(1) during the three-Consular period, (2) the three-Power regime, (3) under the German Government, and (4) the political agitation during the regime of my predecessor." You have read that paragraph?—Yes.

Do you consider that you are an authority on the psychology of the Samoan people?—Yes, I do.

Then the next paragraph reads, "In nearly all these former agitations there have been two root causes of unrest—viz., (1) the desire of one or more chiefs or political parties to increase their power and influence; (2) one or more European residents becoming partisans in Native questions and advising and actively helping the Natives to oppose constituted authority." Have you anything to say about that?—That No. 1 has undoubtedly been responsible for much of the trouble in pre-European days, but since the control by the European Powers I am firmly of the belief that the different interests of the three Powers were responsible for much of the trouble in Samoa.

The third paragraph is, "The present agitation, which commenced in October last year, was not initiated by the Natives, as they were not then dissatisfied. One person, with one object only, was the originator of the present trouble—viz., Mr. Nelson, the wealthy half-caste merchant, whose aim was apparently to increase his power and influence, particularly in Native matters, and so materially enhance his commercial interests." Now, was the agitation commenced in October?—No; the dissatisfaction among the Natives was long before that. It was growing all the time.

And the next part of the paragraph: have you anything to say about that?—There is no truth whatever in that. I have had the respect of the people in Samoa, the Samoans and the Europeans, and even the Administrator, right up till then; and there was no attempt on my part to increase my power and influence—in fact, I do not see how it was possible. As to enhancing my commercial interests, I have always avoided, or assisted to prevent, any unrest, because that was opposed to my own ordinary interests. Dissatisfaction amongst the Samoans must be detrimental to the interests of the traders and the merchants.

The first part of the next paragraph reads, "To assist him in his object Mr. Nelson utilized the services of a chief, Lago Lago, a trader in Apia with a notoriously bad record, to propagandize and foment discontent among other chiefs and induce them to believe that the Government's Native policy was wrong, and that Mr. Nelson was able to obtain for those chiefs who supported him increased powers and influence, to the detriment of the powers of other chiefs." Is there any truth in that about Lago Lago?—No, none whatever. And, furthermore, Lago Lago is not the chief's name. They have deprived him of his name. I do not know that he has had a notoriously bad record; and I have not utilized his services to propagandize and foment discontent among the Natives. Lago Lago—or, as we know him, Afamasaga—was one of the Citizens Committee who was elected at the first meeting. He and Mr. Meredith had an office. They are commercial agents. Well, that office was the most convenient place for the committee to meet in, and we always met there.

Mr. Hogyard.] Well, we will now pass on to the last sentence in that paragraph: "Support from a number of Native chiefs, principally dismissed officials or police offenders, was the natural sequence of this propaganda": what do you say about that?—That is quite untrue. Some of the Native chiefs who were at the first meeting, and who accepted office on the Citizens Committee, were Native officials. They were Native officials, and when it was intimated to them that they would have to give up their positions in the Government if they continued to belong to the Citizens Committee they resigned their official positions. Those words "principally dismissed officials or police offenders" are a gross insult to the Samoan people.

Will you look at his next comment, which is, "In order to add weight to his movement, Mr. Nelson adopted an unprecedented plan, which appealed to the vanity of certain chiefs, by forming a combined committee of Europeans and Natives to work together for political objects." What do you say to that?—Firstly, that was not my movement; and, secondly, I did not adopt any unprecedented plan because, as I think I have explained before in evidence when I was asked by the different districts for representation in the Citizens Committee I told them that it was not

in my power to do it. The Citizens Committee had been elected by a public meeting, and an increase in the number was suggested—that is, an increase in the number in the Citizens Committee—and I told them the Citizens Committee had been elected by a public meeting and could only be increased by another public meeting. It was then put to me by the Samoan members of the Citizens Committee that to satisfy the people of the different districts who wanted to be represented in the Citizens Committee it was necessary to form a large sub-committee, so that the delegates from the different districts could be represented in the Citizens Committee through this large sub-committee. There was nothing that was adopted by me that could appeal to the vanity of certain chiefs; in fact, I cannot see what there was there that appealed to the vanity of certain chiefs, because they have been persecuted ever since.

Will you now take the concluding portion of the paragraph, which reads, "I therefore warned them to cease their activities in regard to the Natives, but they unfortunately refused to do so, and subsequently found themselves forced into a position of supporting Mr. Nelson in his strenuous efforts to disturb the Natives and make them dissatisfied with their own authorities—a very dangerous thing to do in this Territory, where the European population and Government officials form only a small proportion of the total, and where peace, order, and good government of the Natives depend entirely upon upholding the authority of the Native officials." What do you say as to that?—When the Administrator, on the 12th November, sent this message the large gathering that was there considered the matter and found that the Administrator had no constitutional right to prevent this meeting being held, as well as the activities of the Citizens Committee. It was found by the vote that they were in favour of continuing despite the Administrator's message. The portion which reads "and subsequently found themselves forced into a position of supporting Mr. Nelson in his strenuous efforts to disturb the Natives"—that is done to injure my character, without any right grounds for so doing.

Take the next paragraph: "Having no powers myself to prevent Mr. Nelson from intriguing with the Natives, the agitation increased until the following position was created: on the one hand there was a great majority of the Natives loyal to the Government, and, on the other hand, (1) a number of chiefs other than Government officials who have been influenced by propaganda and other means to support Mr. Nelson; (2) the five Europeans of the committee, who actively supported Mr. Nelson in his policy of stirring up the Natives (one of the Europeans had resigned after realizing the objects of the movement); and (3) Mr. Nelson himself, with his traders all round the islands, motor-launches, and other means of giving strength to the movement, which he personally directed." What do you say as to that?—There was no intriguing with the Natives. After the second meeting, at which a decision was arrived at to send a delegation or a deputation to New Zealand, the Samoan members of the Citizens Committee were asked to solicit contributions towards the payment for this trip, and it was when they went to their families and their friends to do so that General Richardson's hand came down on them and ordered them to remain within the confines of certain villages. This increased the dissatisfaction and brought about the agitation.

What about the reference about the islands?—[No answer.]

Hon. Sir John Sinclair. Does the witness question the accuracy of the statement? On the other hand, there are a great majority of the Natives loyal to the Government?—That depends on General Richardson's interpretation of the term "loyal." "Loyal to the Government," according to my views of General Richardson, is a suppression of criticism of anything that the Government has done or that he has ordered to be done. The Natives have been loyal to the Government, and their loyalty to the Government made them desire to put their grievances and dissatisfaction along constitutional lines; but if loyalty to the Government means that they must not do this, then I say there is a very small number of the Natives who are loyal to the Government. Relative to that part which says "a number of chiefs other than Government officials who have been influenced by propaganda and other means to support Mr. Nelson," the only leaflet that we sent out was with the chiefs who tried to collect funds from their friends for this trip. There was no propaganda other than obtained by the people who were at the meeting themselves. If the above is correct and the members of the committee are only a few, then this would be taken to mean that more than half the Samoans are Government officials. With respect to that portion of the report which says "the five Europeans of the committee who actively supported Mr. Nelson in his policy of stirring up the Natives (one of the Europeans had resigned after realizing the objects of the movement)," I would like to say that the five European members of the Committee, besides myself, have been and are supported by the large majority of the Europeans yet in Samoa. With respect to the last portion of the report, in regard to the traders all round the islands, motor-launches, and other means of giving strength to the movement being personally directed by me, I desire to say that that is not true. My traders are free in their political views, and some of them, or most of them, are in support of the movement, and other traders have been stronger supporters than some of my own traders. I have not used any of my influence as an employer of these traders to influence them so far as the Citizens Committee is concerned. With respect to the reference to my launches, I would just like to say that when the people wanted to go to Apia in a hurry to find out anything they simply commandeered my launches, and I have used every endeavour in my power to stop this. I was asked by the Citizens Committee to allow the delegates to use the launches on certain occasions, and that when the money was collected they would pay the money. At nearly all the meetings of the Samoans I protested against the way they have taken my launches. During special occasions, such as the King's Birthday and Hon. Mr. Nosworthy's visit, I went round to the principal firms and asked them if they would all come in and bring the Natives in and charge then half-fares. This was agreed to by one or two, and they were all brought in at half-fares. I might say that the "Lady Roberts" has brought Natives in at half-fares, and sometimes free. As I say, we have brought the Natives in on special occasions at half-fares, and have taken them back again, because my launches are there primarily for the carrying of copra, and passage-money is money found.

Was not your attention drawn to some of your employees not wearing the Mau badge?—Yes; and I said that I was not going to compel them to wear the badge or anything else—they were free men and they could do what they liked. I also said that I did not intend to influence any of my people, and never did, into the Citizens Committee.

After Mr. Nosworthy left there was a big concourse of Natives in Apia?—Yes, there was a big number.

Did Mr. Nosworthy want them to return to their homes?—He asked if we would send the people away.

And what did you do?—We told them to go home.

Did you provide them with facilities to go?—Some of them were told to walk home, some had their boats, and others had to rely on motor-boats—and this was a very large number. On more than one occasion, in order to help the people to get to their homes I have diverted my boats to where the people wanted to go.

That was to get them out of Apia?—Yes, after Mr. Nosworthy left. It was not so easy to get a big crowd away like that.

Did that put you to great inconvenience and expense?—Yes. In this case I was asked by the committee to do it, and I said that I would do so because we had been asked to get the people away.

Will you turn now to the next paragraph, namely, "After several months of intrigue and agitation, Mr. Nelson ascertained that the influence of the Government with the Natives was greater than he supposed and that only a small number were supporting him; therefore he strengthened his forces by setting up an organization in Apia and in every district for spreading propaganda on behalf of his movement. He also arranged for the publication of a newspaper, the *Samoa Guardian*, which was established just prior to the Minister's visit. Statements calculated to appeal to the lower instincts of the Natives were circulated by the medium of this press." Take the first sentence first?—First, we did not consider that it would take several months of intrigue and agitation at all, because when this meeting was called it was with the distinct belief that the Hon. Mr. Nosworthy would be down there in October. When a meeting was convened it was for the purpose of getting reports ready for Mr. Nosworthy, who was due in October. There was no intention to intrigue or to stir up agitation—the agitation was there, and it was to put that agitation by way of representations before the Minister that the committee was formed. As to that portion of the report which refers to the following, "therefore he strengthened his forces by setting up an organization in Apia and in every district for spreading propaganda on behalf of his movement," there was no such thing at all. The Natives came in even faster than we expected to support the movement—we had no organization.

Will you turn now to the next paragraph, which reads, "In addition, a central office, called the Mau headquarters was established in Apia, with secretaries and translators, to receive reports from out-districts and to circulate

propaganda." What do you say with respect to that?—When letters used to come in, and signed documents from the different districts came in, and an order was received that if Thompson continued to help he would be sent away, I said that it was impossible for me to carry on, and therefore it would be necessary to appoint a paid secretary to attend to these things that were coming in from the different districts showing that they would support the Citizens Committee, and donations were coming in for this visit to New Zealand. It was necessary, therefore, for me to have a man to attend to these matters, and the only paid man was a Native secretary.

What about the reference to the circulation of propaganda?—There was no propaganda circulated at all.

Will you now please turn to the next paragraph, which reads, "The fact that there was no real grievance or dissatisfaction in the country when Mr. Nelson started this movement makes his offence all the more serious; but his subsequent attitude, using every available means at his disposal to disturb the Natives, is unpardonable, and can only be explained by assuming that he realized he had gone too far to be able to retreat from his seditious campaign without having to make such an explanation to the Natives as would completely destroy his prestige in their eyes." What do you say as to that?—I did not start this movement, and there was no need for me to use every available means at my disposal to disturb the Natives. I say it was General Richardson who did so by his arbitrary methods, and by the system of banishments that was carried out, because the Natives wanted to bring their grievances under the notice of the proper authority—namely, the New Zealand Government, through the Minister.

Have you always advocated constitutional means?—Yes, right through.

By keeping the peace and abiding by the law?—Yes.

Have the Native chiefs done the same thing?—They have. I may say that at the first meeting, on the 15th October, when the Natives came in, I ascertained at that meeting, before the Citizens Committee was formed, that speeches had been made to the Administrator that the Natives in certain districts were not going to pay the medical tax that year.

Mr. Hoggard.] Now we come to the third paragraph on the second page: "Mr. Nelson's committee, through his traders and certain Natives in receipt of material benefits, gradually influenced other Natives to form committees in many villages, while a large committee composed of representatives from each district was maintained in Lepea Village." Will you tell us what you have to say about certain Natives being "in receipt of material benefits"?—That statement is not correct. None of the Natives in any of the districts have been in receipt of material benefits from me.

Have you entertained the Natives at all?—When some meetings have been held in my place I have provided bread and a case or two of meat—that is all I have done. That would not amount to one-half as much in value as one of the receptions that have been given to me by the Natives; and I have been given hundreds of receptions when I have been travelling round the islands at different times. When the people have come to my place for a meeting I have provided bread and a case or two of meat—that is all. The Governor does the same: it is his *fa'a-Samoa*; he entertains the people.

What about the "large committee"?—When the districts sent their delegates to Apia to join the movement they decided to set up a committee to carry on negotiations with the Minister, and they elected one from each district to stay in Lepea. The delegates gathered there because it was a convenient place and many of them lived there. They stayed there so as to be able to communicate with their districts further developments with respect to the negotiations between the Citizens Committee and the New Zealand Government through the Minister and the Administrator.

The Administrator said that you attended almost daily and addressed Native supporters: is there any truth in that?—None whatever. The only time I addressed the people at Apia was twice after Mr. Nosworthy's arrival.

What about the demonstration of the Natives?—The demonstration of the Natives was to demonstrate to the Minister of External Affairs that the Citizens Committee and its representations were supported by the majority of the people, and not by a small insignificant number as the Administrator would have the Government believe.

Did your speeches at Apia stimulate the agitation?—My speeches did not stimulate the agitation. The disappointment of the people on receiving no results from Mr. Nosworthy's visit made the people more agitated than before.

In your speeches at Lepea did you advise them to keep the peace?—I told them the purpose for which they came here, and they should then go home, because there was nothing more for them to do. As the King's Birthday was over and the Minister's trip was over, I advised them to go home and keep the peace and obey order.

Now, returning to the paragraph which reads, "Mr. Nelson seems to have impressed the Natives assembled that he had 'gained a great victory,' and that 'Samoa was from that day reborn as a nation': what do you say as to that?—That is not true—I did not make those remarks. These remarks developed in the speeches among the people at the different meetings: this bringing us together has made us discover ourselves, and that we are now a nation—a united nation—and we feel confident to carry on according to the way in which our elders would wish—namely, carry our representations on along constitutional lines.

Thanks to the Minister's visit, Samoa has become consolidated?—I must admit that.

Take the next paragraph, which reads, "Those representatives from out-districts who were in Apia during the Minister's visit did not hear the speech of the Hon. the Minister": what do you say as to that?—Exactly; but that was the only speech that was published in Samoa.

Another paragraph says, "Mr. Nelson then started a press campaign against me personally, using his commercial agencies in England, America, Australia, and New Zealand. The radio reports of the foreign press dealing with this question, which show that Mr. Nelson is spreading lies broadcast, are all translated and circulated to the Natives by the Mau committee, and so help to prejudice my authority in their eyes." What have you to say about the first sentence, regarding the press campaign?—I did not and have not started a press campaign against him personally, up to the present time. The first communication sent to London was after the publication of the interview with Mr. Nosworthy in Suva. When this interview was broadcasted I received a telegram from London, from my agent there, to say that leading daily newspapers were anxious to hear the other side. They had been told right along, or were led to believe, that the trouble in Samoa was only a small or insignificant one. Mr. Nosworthy's statement, which appeared in the Suva press, reveals the fact that the trouble in Samoa is a big one, and aroused the curiosity of the daily papers. They wanted to know our side of the question. That was the first time I called the Citizens Committee together, and as briefly as possible did we put to the London press exactly what happened. There were no lies broadcasted at any time. I would like General Richardson to state what lies have been broadcasted from us at any time. We could tell of lies that have been broadcasted by him in the *Savali* and other communiques of his.

Turn now to the paragraph "My *malaga* around Upolu was a success, but it revealed the seriousness of the treasonable plot being worked up by Mr. Nelson's committee, as I found that in nearly every district of this island there was one or more villages where the Natives had received instructions to (1) passively resist their own authorities; (2) keep their children away from Government schools; (3) disobey orders issued by the Government; (4) not to clean their villages or plantations; (5) not to pay Government taxes; (6) to collect beetles, but not to give these to the proper Native authority—viz, the *pulenu'u*; (7) not to register their births in the books of the Government; (8) receive all their orders from the Mau committee in Apia, and not from the Government." Did you work up any feeling or treasonable plot, or did your committee do so?—No, we worked up no treasonable plot. All we did was to exhort the people to keep the peace, but trust to New Zealand giving them justice in due course.

Were any instructions issued by you, or, to your knowledge, by any member of the committee, to passively resist the authorities?—No; we would not dare do that in the face of this new Ordinance for the maintenance of authority in Samoa.

With reference to the statement, "The six members of the European committee are now exposed in the eyes of Samoa as well as the outside world," have you still the confidence of the people of Samoa?—I am satisfied about that.

The Chairman.] Are most of those traders in the Mau in the employ of you?—No, not half.

EXHIBIT No. 53.

CORRESPONDENCE BETWEEN HIS EXCELLENCY THE ADMINISTRATOR AND MR. NELSON.

Government House, "Vailima," Western Samoa, 21st April, 1926.

MY DEAR MR. NELSON,—

I am glad to read from your letter that your health is improving, I trust you will be able to ascertain from the doctor what the trouble is, and come back restored completely to health.

Poor old Griffin has gone to New Zealand for medical advice, as he is in a bad way. I have not much confidence in the ability of the doctors to repair his well-worn arteries and enable him to carry on for long. Bad health, in the tropics particularly, prevents a person keeping on good terms with himself, much less others. *Re* the shipping company: Of course, no objection will be raised by the Government to any line calling here—sentiment does not go far in business. Were it not for the possibility of the Union Steamship Company revising its service to the disadvantage of this Territory in the event of the Oceanic line competing with them no question would arise. However, I think that the cargo-steamer from England to Fiji may yet call here, although not this year. The Canadian line is another matter which may eventuate in the distant future.

Sir Francis Bell is investigating the question of building a ship in England for Samoa and New Zealand islands. This may turn up next year.

All is going well in Samoa as far as I know. Our exports to date of copra are 5,300 tons, and I think we shall have a normal year.

The Engineer-in-Chief is now inspecting some works I wish him to advise upon.

I have cut out King's Birthday celebrations for health reasons. We do not wish the endemic dysentery to become epidemic, and the bad sanitation, or inadequate sanitation, of Apia would perhaps help it to do so. We can have two days in August and hold boat-races then.

I note that Williams sent you his remarks on the Council. I was very sorry you were not here. Williams went outside his political duties to pinprick in a manner which would have redounded to the discredit of himself and others but for my action to remove the incident, which reflected on myself, my wife, and my officials. However, the matter is over, and I should not now mention it here, but it created a nasty taste for the time being, and my wife was very much hurt.

You no doubt realize by your periodical visits abroad that an undue and distorted perspective is produced by little troubles in Samoa. The small grains of sand are magnified into Mount Everests. As new thoughts give new life, and continuity of the same thoughts cause loss of vigour, so constant life in these islands without a change causes people to lose friends with themselves and to see the bad and not the good in others. Therefore every European here should periodically go away to see new things and bigger things, and obtain mental refreshment. This applies, I think, to Mr. Williams.

The Governor-General's visit will brighten up things a bit.

Last week I established wireless communication with the Tokelaus; also with Tuasivi.

If you go to New Zealand I hope you will call upon the Governor-General.

My wife joins with me in wishing you, and Lucy, and other members of the family, the best of good wishes.

Yours sincerely,

GEO. S. RICHARDSON.

Government House, "Vailima," Western Samoa, 24th June, 1926.

MY DEAR NELSON,—

Many thanks for your letter of 15th instant, containing many items I will reply to before giving you any local news.

King's Birthday went off all right, and I am now arranging for two big days in August to make up for any omission on 3rd June. You say you are surprised to know that dysentery is endemic to Samoa. I have always considered it so. The shiga germ is here, and there has always been isolated cases of it since the European came and brought his diseases here. It varies in degree from year to year, but our Health organization this year prevented the trouble.

The Governor-General's visit had a good effect, I believe; everything went well, and surprised the party on account of the organization they saw everywhere. Of course, the occasion was a special one, and all did their part. They enjoyed the home life at "Vailima," and said they were sorry to leave. The citizens of Apia did their part well, and I was very pleased with the smooth running of everything.

You express anxiety *re* the ship for Samoa paying, or being a burden to Samoa. As a general goes carefully into his plans before moving to a new position, so this matter has been carefully gone into and no move made till the situation justified it in the interests of this country.

The new wharf has not been started; it will probably be in course of construction when you return.

Re steamers calling here: I repeat that the Government will not oppose any line calling here. My personal British sentiments are not permitted to interfere with Government policy, otherwise I would say "Encourage all the American tourists to spend money in British territories, and buy only British goods, until our war debt to America is paid off."

Your remarks *re* the Williams incident tempt me to reply and so open the discussion again, which I do not wish to. I must, however, assure you that you are incorrect in your assumptions. The ships came here not by invitation, but by request of the Admiral to stay a few hours and look for wreck of "Vandalia."

My influence was used to get him to stay and attend a dance given by citizens, the Seiaute Club and Overseas agreeing to unite to avoid two shows. No definite answer was received to my request till Saturday morning before their arrival. The Native chiefs at Flag Day ceremony preferred not to give *ta'alolos*, owing to their big day on the Saturday. I could go on at length, but I am sure you will take my word that Mr. Moors and several other American citizens waited upon me and wrote also to thank the Administration for all they had done, and said nothing more could have been done; and further asked if they could repay, as they wished to repay by specially entertaining the "Dunedin." The incident would have been ignored but for the fact that it was an incorrect statement and one that might cause international explanations to be made to the discredit not of myself, but the person naming the statement. Had you been here things would have been settled amicably, and you would not have used acrimonious correspondence with your Administrator. If you had, the same course would have been taken.

In small communities it is imperative that we should all try to be a happy family, and not do as some people like to do here—look for the bad points in the other fellow and not the good. We seem to be affected by the atmosphere of past days when the Three Powers were controlling, or rather discontrolling, the affairs of this country, and when so many parties were trying to find the weak points in the armour of their neighbours. However, those days have gone. We are a happy community, and individual aberrations are *mca fa'alauraa*.

I am going to the Tokelaus next week in the "Laburnum."

The production of copra to date does not show more than a slight falling-off, whether due to wet weather or the blow will be known this quarter. The cocoa-crop will not be more than 400 tons. We sent 2 tons of cotton last year; we may get 4 tons this year. Our rubber exports last year were 2 tons; this year they will be about 30 tons.

The Vailima Road is now tar-sealed. Native activities are greater than ever. Everything appears to be going very smoothly.

I am keeping fit and not working hard at present. My wife is not in good form. She is happy and cheery as ever, but suffers with nerves at night, which causes loss of sleep. She misses her family, worries about Hughie, and, although she likes Samoa, wishes the New Zealand Government had sacked me instead of anchoring me here for a little longer.

I sincerely hope you will improve in health. You are a young man; your cheerful nature and your good heart make you an important asset to Samoa, where people are inclined to view local friction as serious trouble, and you are missed here.

We send our warmest regards to you, and Lucy, and the family.

Yours very sincerely,

GEO. S. RICHARDSON.

P.S.—If you go to Wellington I will give you letters to some friends and to the Prime Minister, Mr. Coates

Government House, "Vailima," Western Samoa, 27th August, 1926.

MY DEAR MR. NELSON,—

Your letter of the 26th July could not be answered previously owing to no suitable mail leaving here. It would appear that this will reach you only a few days prior to your leaving New Zealand, and perhaps after you have visited Wellington. In any case, I enclose one or two letters to friends, who will be delighted to do anything they can for you in Wellington.

The "flu" is rapidly spreading over Samoa, and is in all the islands. We have had good luck. Our women's committee has been a godsend to the Natives and been the means of their taking precautions they would not have taken years ago, and so minimizing the severity of the sickness. I do not think it will affect production to any extent.

It might be better for your children if you delayed their return to Samoa for one month, when I think we shall be clear.

I wrote External Affairs last mail to expect you, and to help you, if necessary, while in New Zealand.

You say you are going to New Zealand; if so, please call on the Governor-General if you can; you can rest assured of a hearty welcome.

Ken and Guy are both in the backblocks, which may seem strange to you—why I should, after giving Ken a public-school education in England, send him on the land to slog in at hard work; but I have given them both their choice, and they are intensely happy.

You must let me know where you are staying in New Zealand, and I will see if I can arrange for some of them to meet. Hughie is in Scots College, Wellington—a good school for young boys. His last sentence to me in a letter to-day was, "I am going to Samoa at Christmas, and nothing will stop me, see; so don't you forget it."

Now as to local news: We are tapping rubber on Salona. Saumoga and Papasea are also tapping. Central Group has come back to the Administration. We shall probably develop it with some future policy, which may mean changing it from cocoa ultimately to some other product. The Tivoli Wharf is now being built; we won't push on with wall till wharf is completed. The "Lady Roberts" won't be ready till the 1st August. All going well here, except for the sickness referred to. Kindest regards.

Yours very sincerely,

GEO. S. RICHARDSON.

P.S.—I find I could write dozens of letters to you to help you, but as a start enclose four only—(1) Sir A. F. Roberts—a personal friend and leading business man in Wellington; (2) Sir H. Beauchamp—friend, and one of the heads of the Bank of New Zealand; (3) Sir C. Holdsworth—a friend, and managing director, Union Steamship Co.; (4) Mr. Nosworthy—who will introduce you to the Prime Minister, if he can be got at. If you have time, call on the Governor-General.

Union Steamship Co. of New Zealand.—Wireless Service, Wellington, New Zealand.

Tofua Station, 23rd September, 1926.

PREFIX P; number 13; number of words, 11; received from V.M.G. 521 P.G.; office of origin, Apia.
Service instruction 22nd, 1.10 p.m.

Radio, Apia.

MR. NELSON, Tofua.—Hearty welcome back to Samoa.

GENERAL RICHARDSON.

318 George Street, Sydney, 12th April, 1926.

His Excellency, Major-General Sir George Richardson, Apia, Samoa.

MY DEAR SIR GEORGE,—

I am pleased to report that the medical treatment I am undergoing has so far given me much benefit in health, and if this continues I should consider myself quite recovered and removed of all my ailments in a few months from now.

I have learned that Lady Richardson has returned to Samoa, and no doubt fully benefited by her sojourn in New Zealand.

Mr. Williams sent me a portion of the proceedings of the last Council meeting, and I am indebted to that. They were not quite complete when the mail left, but I was greatly interested in the minutes so far to hand. I have also carefully perused your address in the *Samoa Times*, and the results of your negotiations with the New Zealand Government while in Wellington, and greatly appreciate your efforts in that connection. I am, however, sorry to note that you have not been successful in inducing a British line of passenger-steamers to call at Apia, and attach hereto further communications from San Francisco in respect to the Oceanic Steamship Co. and the prospect of their making Apia a regular port of call for their steamers if any encouragement is given them. I myself would much appreciate a regular passenger service under the British flag, but failing that I am quite satisfied of the advantages and benefits which would accrue to Samoa by a tourist traffic, which would undoubtedly be established if a steamship line such as the Oceanic steamers were, say, to pay us regular visits.

I had the pleasure of meeting Mr. H. P. Ritchie, who is returning to Samoa shortly. He looks very well, and tells me that he has had a real good time.

With nothing further to report at this juncture, and with my best respects to Lady Richardson and kind regards to yourself,

I remain, &c.,

O. F. NELSON.

318 George Street, Sydney, 15th June, 1926.

DEAR SIR GEORGE,—

I thank you for your letter of the 21st April, which reached me by the "Ventura's" mail last week. I am very sorry that Mr. Griffin has had to return to New Zealand for medical advice. I learn, however, that he has returned to Samoa, and I hope he is improved in health.

Cutting out King's Birthday celebrations to avoid large congregations of people while dysentery was raging was indeed a wise move. I am, however, very much surprised to know that dysentery is now considered endemic to Samoa.

The Governor-General's visit must have created quite a stir in our small community. By all accounts both the Governor-General and Lady Fergusson are very nice people indeed, so they will have left a good impression on the people of Samoa.

I note that Samoa is to have a 1,000-ton motor-vessel. It is hoped the requirements of the Territory will be proved sufficient to warrant its share of the outlay and expenditure. The reports in the papers give the vessel as one required for all the New Zealand islands. I should have been happier to have first seen better facilities for the loading and discharging of overseas shipping and coastal craft, either by a wharf or a dredged passage from the Customs shed to deep water.

You will have learnt that the Oceanic steamers have been taken over by the Matson Company, who intend to put on very much larger steamers early next year. The class of tourists carried by these vessels are mostly people of large means, and it is estimated each call they make at Suva enriches the cash currency of that port by an amount running well into four figures. At present they make thirty-four calls a year, up and down, and I cannot help but think what a godsend to Samoa such a service would be, even if only one-half of that money were spent there. Would this not offset any money which may now be leaving the country? This is to say nothing of the other great advantages accruing, such as better mail and shipping communication, as well as better travelling-accommodation to and from Samoa for tourists and residents.

I very much doubt if many of the private cocoa-planters will much longer survive the present slump in prices, and business is reported to be very bad. A good tourist traffic would surely help things along. I am practically assured the company would favourably consider any representations made to it by the Samoan Government in this connection.

If the Union Company revises its service and cuts Apia out as a consequence of another line calling, it would prove very narrow-minded policy on its part. I very much doubt if they would really do this, as they did not do it over twenty years ago when these steamers did call at Apia and the trade was very much less than now. If the worst did come and some loss to New Zealand were caused thereby I am inclined to believe she could much better afford it than Samoa can afford to pass such an undoubtedly good proposition by.

I had great hopes of your last trip to Wellington resulting in the Canadian-Australian line being diverted to Apia, as I should very much have preferred to see a British company operate the badly-needed service than a foreign company—more especially should we appreciate the Union Company who own the C.A. steamers. The advantages, however, are too great to give up just because a British line cannot be induced to take up the run. Please be assured that I stand no brief for America or Americans, and I am pleased to have been instrumental in having established an all-British service for Samoa with the Clan line of steamers. These steamers are giving a very good service right now. They would bring at reasonable rates of freight all the cargo offering from the United Kingdom and Europe to Samoa. They have for several years carried a very large share of Samoa's primary products to the European markets, all of which have been consigned to British agents in London. Casual shippers of copra only have been occasionally turned down, but arrangements are being made to provide space for all legitimate regular shippers. To ask the Conference lines (now calling at Suva) to include Apia in their itinerary would be superfluous and unfair. Furthermore, it would be inconsistent with the professed British policy of your Government when, so far as I am aware, nothing is done to discourage the shipment of a large portion of Samoa's copra output in Scandinavian and other foreign steamers. I trust I have not assumed too much in these remarks, but the shipping/tourist business is, in my estimation, of such urgent importance that I think serious consideration should be given to it without much delay.

The American naval visit incident was very unfortunate, and I am happy to learn it has been closed. I feel it, however, incumbent on me to acquaint you with the fact that quite a number of all classes of citizens and Natives were disappointed at the reception given to the American Admiral and Fleet, who were understood to have been especially invited to call at Apia. They (and I was one of them) considered a little longer notice might have been given to the public to prepare for the reception. Besides the cordial relations existing between the two Great Powers, the United States of America is closely associated with Samoa's past history; but, above all, a not inconsiderable portion of Samoa and Samoan Natives are still enjoying the protection of the United States of America, so sentiment from these sources cannot be escaped.

I can well remember how the news came to me second-handed on the racecourse that a special race meeting on the Monday would be appreciated in honour of the American Fleet, then due to arrive next day (Sunday). I admit having been sorely grieved, and so were some of your own officials. The race meeting was held, however, and fortunately the Seiate Club on their own initiative got up a ball. It was said that whereas big Native demonstrations were given to single visitors from New Zealand, not even a *tu'alofo* was held on this occasion. I thought Mr. Ross was to blame for some confusion of orders in connection with the race meeting, and told him so. These remarks are not made with a view to reviving the unfortunate episode, but to endeavour to prove to you that, without the least idea of its far-reaching proportions as interpreted by yourself, Mr. Williams's reference to the matter, though said to have been caused by a different construction of your official speech, might well have emanated from the public sentiments then current and the feelings openly expressed at the time. Furthermore, I make bold to speak openly in these lines well knowing how you appreciate to be told the real feeling of the people in such matters.

Very interestedly do I study all the news that comes through from Samoa. The works which the Engineer in Charge was inspecting would no doubt have been started by now. The activities of the Public Works Department in the building and repairing of roads, bridges, water-supplies, &c., to the full extent of the Treasury's capacity will always have the full support of the people.

It is hard to say at present whether the various treatments I have undergone will do me any permanent good, but it is my intention to leave for New Zealand in the near future, and will then wend my way back to Samoa about August. I have had a good time, but the lure of those coral reefs and the evergreen hills is beginning to strike me hard. I enjoy the cold weather, but winter in these parts is rather too cold. Lucy is homesick, but I find it hard to break away from the other girls. They are all doing well at school, but I am thinking of taking the two youngest back to Samoa for another year or so. They are attending the same school as the others meanwhile.

I should be very happy to meet some of your family while in New Zealand. Ken, I am told, has settled down on a farm. I learnt to know and like Ken very much during the week or ten days he spent with me at Tuafefu. Guy must be getting on, and Rona would be in society by now. Lady Richardson must miss them all. I sincerely hope Lady Richardson and yourself are keeping very well in health. The rainy season must now be over and fine cooler weather set in.

With best wishes and kindest regards to Lady Richardson and yourself, in which my family join,

Yours sincerely,
O. F. NELSON.

EXHIBIT No. 54.

ADMINISTRATOR'S SPEECH OF WELCOME.

First, that I thank you for giving me the opportunity of participating with you to-night in this public function to welcome Mr. Nelson back to his home-land. There never are any public functions from which I am absent if I can possibly help it. Secondly, I ask you, Mr. Nelson, on behalf of the ladies and gentlemen here present, and of all the people, to accept our very best wishes, and to express our pleasure at your return home after an absence of about six months in other lands. We know that you went away elsewhere on account of your health, and in order that you might become restored. We sincerely hope that you have benefited by your trip, and that you will be spared many many years to take your part in the affairs of this country. Before coming out to an occasion of this kind I usually look up a diary of any outstanding events which have commemorated the day, but could find nothing of importance for to-day. However, as I was coming down to-night I looked up into the heavens, and, seeing a bright outstanding star, a thought occurred to me that in our journey through life there are certain men and certain events that stand out in our memory in comparison with all the lesser lights. When I have left Samoa, and with my wife and family reflect back on the time spent in Samoa, Mr. Nelson will be one of the individuals who will stand out conspicuously as one who has played and is playing an important part in promoting the welfare of this country. I was not aware until to-night that, although Mr. Gurr was the first gentleman I met from Samoa, Mr. Nelson was the first locally-born citizen whose acquaintance I made. I recall the time I first met Mr. Nelson, and the impression that I formed that day has since been confirmed—that he is a man of cheerful disposition, with a very kind heart, two virtues which are valuable assets and which have contributed so largely to Mr. Nelson's popularity. I also realize that Mr. Nelson is able to represent Samoa with ability and dignity, and I should be quite prepared to introduce him with confidence to any society in any part of the world to fitly represent yourselves. When a man rises to a public position, whether in commercial, military, or any other walk of life, there are many who want to put him down, and he is like the soldier in the open—there to be fired at—and, like every public man, is fired at not only from the front, but from the rear. It is a very difficult position to fill. A public man cannot protect himself behind sandbags and steel shields, and can only make himself immune by the bullet-proof armour of rectitude. Mr. Nelson as a colleague has my whole-hearted sympathy and friendship, and I hope that I shall always be able to retain that friendship long after I have left Samoa. Mr. Nelson has obtained a prominent position in Samoa. He is a prosperous and successful man, and by hard work and thrift has gradually worked up the ladder of prosperity. We all admire successful men, and the young men of Samoa to-day ought to look upon Mr. Nelson's life as an inspiration to them of what it is possible to do in this country under the British flag, and the freedom of existing conditions here. But you must carry your minds back to what was the cause of the success of this country, New Zealand, in other lands—viz., the progressive pioneering spirit which caused men to take off their coats and work and struggle against difficulties, and not turn round and ask the Government to do for them what their forefathers did by their own efforts. Speaking of inspiration, Mr. Nelson has a most distinguished name—a name which has influenced millions of British people all over the world. I refer to that very distinguished, although small, one-armed and one-eyed man, Lord Nelson, who at the Battle of Trafalgar gave that signal to his command which is now a British quotation, "England expects that every man this day will do his duty." As a little boy I remember going with my guardian to Nelson's Monument in Trafalgar Square, and he explained to me the meaning of those words. "My boy," he said, "you may not be a sailor or a soldier, but always remember this signal as a call of duty"—which applies to civilians also, and involves each one of us endeavouring to do our duty to God, country, and our neighbours. If you try to do these things in your everyday life, it will help you and also your country. Mr. Nelson has earned the public appreciation and public approval which he is receiving this evening. I wish that the confidence you now display will continue throughout his career. I personally am merely a passing phase in your lives. I am only captain of your ship for a short period, and my duty is to command that ship and keep it on the course that has been set for me. It is my ambition to be able to say in after-life that while I commanded this ship it made good progress along a true course. The engines were in good running-order, and the crew were a loyal and efficient crew who did their best to help their captain. Mr. Nelson will, however, be with you always, and I wish him long life, happiness, and may his prosperity increase.

EXHIBIT No. 55.

LETTER TO MR. NELSON.

30th June, 1926.

Hon. O. F. Nelson, M.L.C., G.P.O. Box 1387, Auckland.

DEAR MR. NELSON,—

I have to thank you for your letter of the 11th instant, and am glad to learn that you are taking up the matter of the M.B. "Calmar" personally with Bailey in Auckland. The carpenters are now busy on the vessel, and the general repairs will take about another couple of weeks to finish. Mr. Kruse was anxious that the stern should be altered to torpedo type, which you have sanctioned, and this work will be gone right on with. I estimate it will take about three weeks for the alteration, which will mean nearly five weeks before the vessel is ready for work again. I will do my best to keep the cost of the repairs as low as possible, and trust the actual cost will not be more than the estimate already mailed you, or even slightly reduced on the previous figure.

Copra is coming in freely, and with the lumber ship we have been kept busy. The lumber is now all stacked in the timber-sheds. The Native Department recently issued orders that all Samoans living in the villages near Apia, and to which they did not belong, must return to their own village unless they have permanent employment. We supplied the said Department with information to this effect for all our labour thus notified, but they must have overlooked them, as two or three of my best and permanent workers did not turn up one morning, and I learnt they were in gaol. After about a week of free Government keep we were able to get them out again, and they are now back at work. Leagai and Lia were both here in Captain Kruse's time, and as they are very steady workers I was anxious not to lose them.

I thank you very sincerely for your kind inquiries and regards *re* my family and myself, which find us well, and trust you left your daughters in Sydney in the best of health, and that we shall soon see yourself and Miss Nelson back feeling the benefit of the holiday and change.

P.S.—Only Leagai was in gaol.

With my kind regards,

Yours truly,

[Admittedly written by an employee of Mr. Nelson.]

EXHIBIT No. 56.

OBJECTS OF "MAU" LEAGUE.

His Excellency the Administrator, Apia.

23rd March, 1927.

YOUR EXCELLENCY,—

At a meeting of the Citizens Committee on the 19th instant it was resolved that a copy of the objects and aims of the League, which were then confirmed, be sent to Your Excellency. I now have the honour to attach same, and beg leave to remain,

Your Excellency's obedient servant,
O. F. NELSON, Chairman.

[Enclosure.]

THE SAMOAN LEAGUE.

Objects.

The advancement of Samoa, and to present to the Administration and the Government of New Zealand from time to time subjects concerning the Government of Western Samoa which may be considered by the members of the League essential for the promotion of the peace, order, good government, and the general welfare of the territory.

Declaration of Members.

1. We declare and believe that man's heritage from God is to help each other irrespective of station, race, colour, and creed, and that all men are equal in the sight of God.
2. We declare and believe that it is the inherited privilege of a person living under the British flag, and especially the duty of the British subject, to assist the members of a subject race in advancement towards civilization, good morals, and a government of the people in accordance with the will of the people.
3. We declare and believe that all constitutional authority shall be maintained, and respect must be shown to all persons placed in authority, from the Administrator to the village policeman.
4. That, whilst maintaining authority and showing respect, we declare and believe that it is a privilege, and a duty to society and Government, of every person to endeavour to procure by lawful means the alteration of any matter affecting the laws, government, or constitution of the territory which may be considered prejudicial to the welfare and best interests of the people.

EXHIBIT No. 57.

EXTRACT FROM "SAMOA GUARDIAN" OF THURSDAY, 6TH OCTOBER, 1927.

HON. O. F. NELSON, M.L.C., CHAIRMAN OF CITIZENS COMMITTEE: A GREAT WELCOME HOME.

THE HON. O. F. Nelson has returned to Samoa from his mission to New Zealand. Upon arriving at Apia, he was accorded the greatest reception and welcome that any individual citizen has ever received, or perhaps will ever get. Although Mr. Nelson begged there should be no demonstration, the Samoans insisted, and the Citizens Committee were unable to prevent any demonstration. The Samoans flocked in thousands, and many Europeans assembled to do him honour from all over the two Islands of Upolu and Savai'i; such a welcome amply demonstrates the people's deep regard and affection for their beloved and faithful friend.

It is dangerous to select where there is so much that deserves the highest praise; we will venture, however, to say that any person who wishes to form a just perception of the extent and strength of Mr. Nelson's power will do well to review the past few months. It would not have been surprising if such successes had turned even a strong head, and had corrupted even a generous and affectionate nature, but we can find no trace of any feeling inconsistent with a truly modest and amicable nature. A man of countenance which is both strong and kind, his bearing is that of one who knows his business, and will not allow its performance to be balked; he has the necessary qualities which make for leadership. In surveying the Hon. O. F. Nelson's career, one is astonished that impartial fate could have so graciously provided for one individual so many things which leaders ought to have a chance of doing, and leaving out of the picture all those things leaders had better leave undone. Some day some carping critic will object to Mr. Nelson's record on the grounds that it contains all the elements of fiction and so few accidental flaws of life. Rudyard Kipling, devoutly collaborating on an inspirational story for imperial youth, could not have devised a more perfect hero than Mr. Nelson, and a man so devoted to his native country and his love for the people therein, struggling with the diffused needs, liquidating a heavy yoke and establishing the processes of peace and contentment. It is inevitable that Mr. Nelson should make himself felt. In his personality are fused the most unexpected qualities; he has youthful enthusiasm, and he has a most matter-of-fact common-sense; he has travelled much, and has thus obtained a sound education in worldly affairs; he has the practicability of a successful business man. He practises none of the tactics of the experienced politician, but instead has acquired the methods of experienced statesmanship. The force of his personality works a steady and constructive influence; his suave courtesy meets most situations with the determination of a Wellington.

The world generally gives its admiration not to the man who does what nobody else attempts to do, but to the man who does best what the multitudes do well. Other assets are his courage and plain dealing: he is not to be intimidated within, or without his own party; no clique or adventurer has any hold over him; he cannot be reached by the back door; those who wish to transact business with him must do it openly or not at all. Is it surprising that he should have made enemies? Some of them are irreconcilable.

We have seen attacks launched at intervals from different quarters, but up to the present they have all failed; they have done him no harm, rather have they been of service to him, for the intrigues have opened his eyes to the subtle dangers of political life, while the open assaults have been so unrestrained that the public has realized their nature, which has reacted in his favour. His course is full of difficulty, but he is gradually consolidating his position; he has a greater chance than other men of shaping the future of Samoa and guiding her destinies along the path of peace.

EXHIBIT No. 57A.

DUTIES OF OFFICIALS, WESTERN SAMOA.

As discussed and agreed to at the Fono of Faipules, December, 1921.

MEMORANDUM CONCERNING THE DUTIES OF SAMOAN GOVERNMENT OFFICIALS.

It is my desire that all Samoan Government officials should understand fully the duties of their respective offices. Therefore I publish these instructions so that you may not err in future regarding the duties of your appointments and concerning the *tulafonos* which I have made up to this time. I wish you all to remember that these directions are given so that our country of Samoa may be governed wisely and well, and I therefore do not wish the officials to err either from ignorance or from habits of neglect and carelessness.

All you who serve His Majesty King George the Fifth must constantly remember that you must obey truly and faithfully His Majesty the King and his representative the Administrator who governs Samoa.

Let all men remember that the former controllers of Samoa—namely, the Tumua and Pule—were replaced many years ago, and their place is now taken by the Government.

Each official must assist every other official, but he must be careful not to interfere in the duties of any other official. If he finds that he is doing the same duty as any other official he must report it at once to the Resident Commissioner at Matautu, Savai'i, or at Aleipata, or to the Secretary of Native Affairs at Apia.

R. W. TATE, Administrator.

These provisions were submitted by the Administrator for consideration at the Fono of Faipules held in December, 1921, and are now issued in accordance with the advice of the Faipules.

Faipule.

1. The Faipule Peritania is an official of the Administrator, and will receive his orders from the Administrator. He is the representative of his district on the Council of Faipules. Special matters only concerning the Faipules will be signed by the Administrator; all other matters must go through the Secretary of Native Affairs.

2. He will go to all Fonos or meetings at Mulinu'u which shall be arranged by the Administrator. At these Fonos the Faipule Peritania will discuss with the Administrator matters brought before them by the Administrator, and matters brought before the Fonos by one or more of themselves; and then they will give the Administrator their opinion on such matters for the assistance of the Administrator in the good government of the Samoans. The Governor will give his consent or disapproval of the matters, and his decision will be published as law for the Samoan people.

3. Should any one be very ill or find very serious hindrances preventing his attendance, then he shall write to the Administrator and explain the reason. That letter shall be produced at the Fono in question.

4. The Faipule Peritania shall carefully take into consideration all matters placed before the Fono. They must declare the real meaning of their opinion, and not attempt to support argument swayed by family consideration (*fa'a-le-aiga*), or by customary errors (*fa'a Samoa*), as was formerly the case. They must watch over the interests of every one, and not favour any family or person, whether friend or opponent. The faithful Faipule is known by his succeeding in such matters.

5. The Faipule must always act as an example to other officials and to the people. He must endeavour to increase good will and concord among all people, and use all his influence for the observance of the laws and the keeping of peace and order. Should he discover any difficulty arising or any improper actions, let him report it quickly to the Administrator through the Resident Commissioner of his district or the Secretary of Native Affairs.

6. The Government will forward to the Faipule all new laws, *tulafono*, &c., for distribution to all officials in his district. These he will send round by his Leoleo, including the distribution to officials only of the *Savali*.

7. He will hold quarterly meetings at his village of all Government officials in his district to explain new laws, &c. All matters of interest which arise he will bring under the notice of the Government.

8. When any Faipule visits Apia he must not forget to call on the Secretary of Native Affairs to find out whether there are any new laws or instructions from the Government which he should receive.

9. The Faipule should remember that the Government desires that the Samoans should do their own work, and not become dependent upon people brought in from outside. Therefore he will act as the representative of the Government in assisting the provision of labour for works.

10. Let not any Faipule go on a journey or leave his district without advising the Secretary of Native Affairs or the Resident Commissioner of his district.

Pulefa'atoaga.

1. The Pulefa'atoaga is an official under the Director of Agriculture, and he will receive his orders from the Director of Agriculture, or from the Resident Commissioner at Aleipata or at Matautu, Savai'i.

2. The Pulefa'atoaga is responsible for all work in his district in connection with land-cleaning and beetle-searching.

3. He will from time to time visit every Pulenu'u in his district, and see that the work of beetle-searching is faithfully carried out in accordance with this Ordinance.

4. He shall from time to time inspect the Beetle Registers of the Pulenu'us in his district, and shall see that the records are properly kept.

5. He shall collect from the Pulenu'us in his district all beetle returns, and shall forward them at the end of each month to the Director of Agriculture.

6. The P.F. may upon application of a Pulenu'u in his district issue to a village a written approval for an intended *malaga*, but shall not do so until he shall have satisfied himself that the village concerned has found the full quota of beetles required from that village for one week. If the period of the *malaga* exceeds one week the village must search and obtain the full quota per week of the village where they are sojourning, and a statement to that effect from the Pulenu'u of that village must be returned to the P.F.

7. He shall every three months visit all plantations in his district, and shall issue instructions to every village to clean up certain portions of the lands and plantations.

8. He shall every three months visit all plantations in his district, and shall see that the orders he has previously issued have been duly carried out.

9. He shall from time to time pay visits to the villages in his district to ensure that the law requiring cleaning up in the plantations one day in each week is being strictly observed.

10. He shall report to the Director of Agriculture any village or Pulenu'u failing to carry out the law relating to the cleaning-up of plantations and beetle searching.

11. He shall from time to time inspect all the villages in his district to ensure that cookhouses and other places are kept clean. He shall report all cases of default to the Pulenu'u, who will fine accordingly.

12. The Pulefa'atoaga shall accompany through his district the Director of Agriculture or his Inspector at all times when required to do so.

13. Pulefa'atoagas shall report at once in writing every quarter to the Director of Agriculture in Apia through the Resident Commissioner of the district concerning matters relating to their duties.

Komisi Peritania.

1. The Komisi is an official of the High Court, as the Native Land and Titles Commission is a part of the High Court. He shall get his instructions from the President of the Commission through the Secretary of Native Affairs.

2. The Komisi shall attend at every meeting of the Native Land and Titles Commission, of which notice will be given to him in due time. Should a Komisi be very ill or unable from any other cause to attend on the proper day, he shall send a letter to the President of the Commission to explain why he is not present to perform his duty on the Commission.

3. In considering all matters brought to the Commission for decision the Komisi shall deal straightly with them, and decide according to truth and right. If a case shall be before the Commission in which a relation of a Komisi shall be concerned, then it is not proper for him to sit on that case, but he shall leave it to the decision of the other Komisi. This also he shall do in a case in which he is himself concerned. Further, the Komisi shall not favour any one because of religion or friendship or any other cause, but shall always do only that which is just and right. It is proper that when a case arises in which a Komisi or one of his relations is interested he shall ask permission from the President of the Commission to retire before the case comes on for hearing.

4. The Komisi must not, when considering his decision, give heed to what the parties may think about the decision of the Commission, but shall decide according to the justice of the case without fear.

5. The Komisi during its sittings will investigate the cases in the way best suited for finding out the correctness of statements of the parties. The Komisi are strictly forbidden to repeat outside the Commission any particulars of the case which are given during the hearing, or to discuss outside any matters which arise during the sitting.

6. The Komisi shall attend all Commission surveys of land in their districts, so that he may have a knowledge of the boundaries of the lands.

7. Unless requested to do so by the proper authority, Komisi shall not attempt to make reconciliations between parties to cases, or take part in preliminary investigations, but shall come to the Commission with unbiased minds on every case to be decided.

8. When a Komisi shall visit Apia or Matautu in Savai'i let him not forget to visit the Native Office there and inquire whether the President has any message for him.

9. Komisi shall not absent themselves from their districts or go on journeys without lawful authority to do so.

10. Since every official has his proper duties to perform, let not any Komisi interfere in the work of any other official.

Fa'amasino.

1. The Fa'amasino is an official under the High Court, and will receive his orders from the High Court or through the Secretary of Native Affairs. He is strictly forbidden to act in cases concerning people not Samoans.

2. The Fa'amasino shall try all cases in which Samoans only are concerned, and in which a sum of money not exceeding £5 or goods of not more than £5 in value shall be claimed, and also all cases in which fine mats or other purely Samoan heirlooms are in dispute.

3. The Fa'amasino shall try all cases in the undermentioned schedule which occur in his district, and in which Samoans only are concerned. He may fine offenders any sum not exceeding £2, and may inflict costs to the amount of 7s.

SCHEDULE.

(It is to be noted that where a "public place" is referred to it means a road, *malae*, bathing-pool, or other place to which all people have a right to go.)

Minor assault: that is, cases where one person has struck another without doing an actual injury.

Indecent acts: that is, acts of an indecent nature done in a public place or in a place where the act can be seen by others.

Provoking a breach of the peace: that is, quarrels or such conduct as would be likely to cause an assault.

Minor theft: that is, stealing the property of another person of the value of 10s. or less.

Receiving stolen property: that is, receiving property knowing it to be stolen, such property being of the value of 10s. or less.

Insulting conduct: that is, insulting or abusive words or conduct likely to cause a quarrel.

Disorderly conduct in public places: that is, making noises or committing noisy conduct likely to give annoyance to or disturb the comfort of others.

Furious riding or driving: that is, riding horses or driving *ta'avales* in a public place in such a manner as is likely to cause danger to other people.

Trespass of cattle, horses or pigs: that is, allowing cattle, horses, or pigs to wander on the plantations or enclosures of other persons.

Straying cattle, horses, or pigs: that is, allowing cattle, horses, or pigs to wander without control.

Obstructing public places: that is, leaving *ta'avales* or other articles, or tying horses on the roads or other public places where they are likely to be a danger to others. In cases where a right to obstruct a public place is claimed, the Fa'amasino is not to hear the case, but is to refer it to the Native Office at Apia or to a Resident Commissioner.

Polluting water: that is, throwing any offensive matter into or otherwise polluting any drinking-pool, bathing-pool, cistern, stream, or other place containing water for the use of the town.

Permitting unclean premises: that is, if a person permits premises in his occupation, or which he should keep clean, to be in an unclean or offensive condition, to the danger or annoyance of others.

Cruelty to animals: that is, beating, overloading, or otherwise ill-treating any animal, working animals with sores, or neglecting to supply animals with sufficient food and water; failure to keep roads weeded and repaired; failure to keep pig-fences in order; failure to register dogs; interring dead in any other place than the appointed cemetery; failure to comply with Copra Ordinance; failure to comply with Beetle Ordinance; playing cricket contrary to the law.

All other cases the Fa'amasino will report to the nearest Resident Commissioner or to the Secretary of Native Affairs at Apia. In serious cases where the Fa'amasino considers that the offender or offenders should be arrested he shall have power to arrest such offenders, and to send them under custody to the nearest Resident Commissioner or to the Secretary of Native Affairs for trial.

The Fa'amasino shall hold his Court at such places and at such times as he may find necessary, or as he may be directed.

4. Should any person among his relations bring forward a case in his Court, or should any case occur in which any of his relations are concerned, he shall not act in such matters, but shall refer them to a neighbouring Fa'amasino who is not interested in them. Let not the Fa'amasino favour those persons who are of the same religion as himself.

5. A Fa'amasino is forbidden to sit in any cases respecting lands or titles (which are dealt with by the Court in Apia, and by the Land and Titles Commission); nor is he allowed to dissolve marriages, or to perform marriages; nor shall he give decisions in matters of adultery and fornication.

6. The Fa'amasino must see carefully that all cases are properly entered by his Failautusi in the proper books, and that a full account of all trials is kept and the decision in each case entered, together with a statement of the fine inflicted; and he shall be diligent to see that all fines are paid within the time allowed by him when giving the decision.

7. The Fa'amasino shall carefully keep all moneys paid to him by way of fines and fees, and on the quarterly pay-days shall pay them to the officers of the Native Department, Apia, or to the Resident Commissioner at Aleipata, or to the Resident Commissioner at Matautu (for Savai'i). He shall at the same time deliver copies of his decisions and fines and Court costs on the *galuega* forms provided by the Government, being careful to see that all particulars are entered on the forms.

8. The Fa'amasino shall receive payment of fines and Court fees in cash, and not in pigs, fowls, taro, or other property.

9. If a Fa'amasino shall have any question which he finds difficult to decide he should at once refer it to the Resident Commissioner nearest to his district or to the Judge of the High Court at Apia for advice, and make his decision according to the advice.

10. The Fa'amasino shall ascertain the births and deaths in his district, and keep such record of them as may be directed by the Native Office at Apia, Aleipata, or Fagamalo.

11. The Fa'amasino shall give clear instructions to his Failautusi concerning all the duties of his office and the laws to be observed, and he will himself be responsible to see that the laws as now published by me are carried out. If he should neglect these things he will be retired from his position, for these matters are of very great importance.

12. When a Fa'amasino visits Apia let him not forget to visit the Native Offices to see whether the Chief Judge has any matters or cases which require his attention.

13. Let not any Fa'amasino absent himself from his duties or his district, or go on journeys without distinct authority to do so.

14. Since every official has his proper duties to perform, let not any Fa'amasino interfere in the work of any other official.

Pulenu'u.

1. The Pulenu'u is an official under the Secretary of Native Affairs, and will receive his orders from the Secretary of Native Affairs, or from the Resident Commissioner at Aleipata, or from the Resident Commissioner at Matautu (Savai'i).

2. The duty of the Pulenu'u is to rule his town and to see that the laws and the *tulafonos* are observed. He must remember that the health of his town will suffer if he allows to be neglected the laws as to cleanliness of the village and the water-supply, and as to the control of pigs, dogs, and other animals, and the burial of the dead, and that the wealth of his town will suffer if he allows to be neglected the laws as to copra and beetles and plantations. Except under the laws concerning copra, beetles, and plantations he is not to inflict fines himself—only the Fa'amasino or the Court may do that; but he will report all breaches of the law to the Fa'amasino. He will appear before the Fa'amasino when the cases are heard, and will make sure that the Fa'amasino is told the true story of all cases arising in his town.

3. He is to see that the town is clean and in good order, and that rubbish is burned.

4. He is to see that the roads are kept clean and free from weeds and are repaired.

5. He is to see that drinking and bathing pools, cisterns, streams, and all other places containing water for the use of the town are kept clean, and is not to allow them to be polluted.

6. He is to see that pig-fences are kept in good order, and that horses and cattle are kept in control. He is not to allow horses, cattle, or pigs to wander about, and is not to allow horses, cattle, or pigs to trespass upon the plantations or enclosures of others.

7. He shall respect fully the law forbidding strongly the burying of the dead within the towns, as was formerly the case in times of ignorance. The dead shall be interred in the cemeteries appointed for that purpose, and the cemeteries shall be weeded and well attended to.

8. He shall, on receiving information that anything has been stolen, at once make full inquiry into the matter, and if he shall have good reason to suspect that any person is guilty of the theft he shall forthwith make a complaint to the nearest Fa'amasino against such person.

9. He shall collect the dog-tax, and keep a list of the persons who have paid it, and on payment deliver to them dog-collars. He shall also keep a list showing the names of the persons to whom dog-collars are given, with the number on the collar and the sex of the dog for which tax has been paid. He shall take good care that no person avoids payment of the tax.

10. It is the duty of the Pulenu'u to collect the poll-tax of his town each year at the time appointed by the Government for the payment thereof. He is to see that it is paid by every one from whom it is due; and so that no person shall avoid payment he shall keep a list of those persons who should pay the tax, and constantly add to it the names of those persons who come to reside in the village and those young men who reach the age at which tax is payable. Those who do not pay the tax within the time appointed are to be at once reported by the Pulenu'u to the person to whom he has to render the tax, and these persons will be fined or punished according to the terms of the tax notice.

11. He shall carefully obey and see that all other persons in his town obey the law which protects useful birds, and shall at once report to the Secretary of Native Affairs any person who breaks that law.

12. He shall give a receipt to every person who pays any money to him for the use of the Government by way of tax, license fee, fines, or in any other way.

13. He shall be careful to faithfully carry out his duties in regard to the destruction of beetles, their larvæ and eggs, in accordance with the law made by the Government on the 22nd day of April, 1921, and any alterations of that law.

14. He shall also faithfully perform the duties imposed on him by the law regarding copra made by the Government on the 1st day of December, 1920.

15. He shall see that the law regarding the playing of cricket is obeyed, and shall at once report to the Secretary of Native Affairs any cases of disobedience.

16. He shall keep a careful record of all fines inflicted for all breaches of the town laws, showing the names of the persons, the nature of the breach of the town law, and the nature of the fine imposed in each case.

17. He shall at the end of each quarter faithfully account to the Government for all moneys received by him in the course of his duty, and when doing so shall bring a list showing the names of the persons who have paid moneys and the amount so paid, being careful to make separate lists for the money received for each purpose. He shall not mix the moneys collected for Government with moneys collected for the Church or for any other purpose, but shall always keep them apart.

18. He shall promptly promulgate in his town all orders which shall be sent to him by a proper authority to be made known to the people of his town.

19. He shall carry out such other duties as he shall from time to time be required to do.

20. When he visits Apia, or Aleipata, or Matautu (in Savai'i), let him not forget to visit the Native Office at Apia, or the office of the Resident Commissioner at Aleipata and Matautu, to inquire whether the Secretary of Native Affairs has any message for him to fulfil.

21. He shall not absent himself from his district or go on journeys without lawful authority to do so.

22. As every official has his proper duties to perform, let not the Pulenu'u interfere with the work of any other official.

Failautusi.

1. The Failautusi is an official who is under the instructions of the Fa'amasino to whom he is attached.

2. His duty is to keep the books of the Fa'amasino and the records of the work of the Fa'amasino, and he shall attend on the Fa'amasino at all times when he is carrying out his official duties. He shall keep a careful record of all cases dealt with by the Fa'amasino, with the names of the witnesses, and shall write down the evidence given by the witnesses and also the decision of the Fa'amasino. He shall carefully preserve all such records of cases, so that they may be referred to if necessary.

3. He shall at the proper times prepare, on the proper forms, the returns which are to be made at the end of each quarter, and when they have been signed by the Fa'amasino he shall see that they are delivered to the proper authority—that is, to the Native Office at Apia, or to the office of the Resident Commissioner at Aleipata, or at Matautu (Savai'i).

4. He is forbidden to sign the name of the Fa'amasino.

5. He shall in his district assist the Pulenu'u in any writing they may require when he shall be instructed to do so by the Fa'amasino.

6. He shall not absent himself from his duty or go on any journey without obtaining the permission of the Fa'amasino.
7. If he shall be in Apia he shall visit the Native Office there, and if at Aleipata or at Matautu (Savai'i) he shall visit the office of the Resident Commissioner, to inquire whether there is any message for him to attend to.
8. Since every official has his own proper duties to perform, let not any Failautusi interfere in the work of any other official.

Leoleo.

1. The Leoleo is an official who is under the instruction of the official to whom he is attached.
2. The chief part of his duty is to attend on his principal and to receive from him instructions respecting messages to be delivered. Should he be suffering from sickness, or meet with any hindrance to the performance of his duty, he shall without delay write to his principal setting out the cause of his absence and asking for permission to be absent.
3. He shall wear his uniform and his hat when carrying out any of the duties of his position. He is strictly forbidden to hand over to his relations or friends any part of his official uniform to be used by them. If he shall do so he will be required to pay the value, and may be dismissed.
4. When he is despatched with letters or summonses or other papers he shall deliver them only to the persons whose names are inscribed on them, and in no case hand them to any other person. He shall wait for an answer to be carried back by him, and shall not be neglectful or delay on his way. If the errand is not one to be done speedily he shall inquire from any chief concerned whether he has any letter to be carried back.
5. He shall not do anything for which he has not received orders from his principal. If he disobeys this order, he shall be punished.
6. He is positively forbidden to ask for or receive payment from any person for any errand on which he is sent, for he receives each quarter payment from the Government for doing his duty.
7. He shall not absent himself from his duty or go on a journey without the permission of his principal.
8. Since every official has his own proper duties to perform, let not any Leoleo interfere with the work of any other official.
9. When he visits Apia he shall visit the Native Office there, and at Aleipata and at Matautu (Savai'i) he shall visit the office of the Resident Commissioner, to inquire whether there is any message to be taken.

EXHIBIT No. 57B.

LAWS CONCERNING THE PUNISHMENT OF CRIMES.

It being proper to punish crimes, and the Chief Justice of Samoa having recommended some provision to be made to that effect, now I, Malietoa, King of Samoa, hereby expressly order the enactment of those laws.

CHAPTER I.—LAWS.

- I. These laws shall be called "The Criminal Laws made A.D. 1892."
- II. These laws relate to offences of Samoans, not to those of foreigners.

CHAPTER II.—ABETTORS AND AIDERS TO OFFENCES.

- I. Any man who incites any other man to break any law shall, if the offence has been committed, on conviction be punished by the penalty of the principal offender.
- II. Any man who strongly assists the offender in breaking the law, so that by his assistance the commission of the offence has become possible, shall, if the principal offender is punished, be punished as his aider by the penalty of the principal offender.
- III. Any man acting together with the offender, but whose guilt is not amounting to what is stated in section II, shall be punished according to what he has done, but not by the full penalty of the principal offender.
- IV. Any man who knowing the offence receives or hides the offender, or assists him in escaping, or conceals the offence, or removes anything by which the truth about the offence may be found out and obtained, or receives or hides or sells or buys anything obtained by the offence, shall on conviction be punished by the penalty established for the offence committed. It remains in the discretion of the Judge to punish him by imprisonment or fine. If he is put into prison it shall not be for more than one year, with or without hard labour in the discretion of the Judge. If the Judge chooses to fine him the fine shall not exceed two hundred dollars. Any man who assists the offender for his own advantage shall, if the chief offender is imprisoned for six years or more, be imprisoned as an aider, not to exceed two years, with or without hard labour, in the discretion of the Judge.
- V. Any man who not knowing for certain of the offence, but having reason to presume that it exists, assists the offender in the manner defined in section IV shall on conviction be sentenced to a fine not exceeding one hundred dollars.

CHAPTER III.—OFFENCES OF CHILDREN AND INSANE PERSONS, AND OFFENCES BY ACCIDENT.

- I. The existing punishment shall not apply to children of less than twelve years of age, nor to persons insane from their birth or in consequence of disease.
- II. No punishment shall apply to a man breaking the law by accident.

CHAPTER IV.—REBELLION, CAUSING OF ESCAPE AND ESCAPING OF PRISONERS.

- I. Any man who is convicted of rebellion for trying to incite people of this country to dethrone the King, or trying to kill him or killing him, or raising war against the Government, or plotting with the enemies of his Government, shall be hanged as a rebel or deported for a lifetime, and all his property shall be forfeited to the Government.
- II. Any man knowing that anything will happen that will cause a rebellion does not inform the Government shall on conviction be imprisoned not more than four years, with or without hard labour, in the discretion of the Judge.
- III. Any man who seizes or tries to seize the privileges of the King, or tries to incite any other man or men to rebel against the laws of the country, shall on conviction be sentenced to death, or deported, or imprisoned for not more than ten years or for lifetime, with or without hard labour, in the discretion of the Judge.
- IV. If the King is aware of any Samoan being disobedient to the Government, or doing anything by which the peace, good order of the country is compromised, it is left to the discretion of the King to order him from his place to some other place in Samoa, and to determine one or several places with which he may have intercourse and boundaries which he shall not transgress, also the number of years his banishment shall last, not exceeding ten years.
- V. Any man who slanders or curses the King, or who commits any act by which his Government is exposed to hatred or contempt, shall on conviction be imprisoned not exceeding four years, with or without hard labour, in the discretion of the Judge.
- VI. Any man who transgresses the boundaries fixed for him by the King shall on conviction be imprisoned not more than six months, with or without hard labour, in the discretion of the Judge.
- VII. Any man who causes to escape a man caught by the police, or delivers him from the prison by breaking the prison up or in any other forcible manner, shall on conviction be imprisoned not exceeding four years, with or without hard labour, in the discretion of the Judge.

VIII. Any one who attempts unsuccessfully to commit any act as defined in section V shall on conviction be imprisoned not to exceed two years, with or without hard labour, in the discretion of the Judge.

IX. Any one who causes to escape any person caught by the police or being in jail, but without force and simply in some cunning manner, shall on conviction be either imprisoned not more than two years or fined not more than two hundred dollars, in the discretion of the Judge. If he is imprisoned, whether it shall be with or without hard labour is left to the discretion of the Judge.

CHAPTER V.—MURDER AND ATTEMPT AT MURDER.

I. Any man convicted of murder shall be hanged, or imprisoned for lifetime with or without hard labour, in the discretion of the Judge.

II. The expression "murder" as used in section I shall mean the desire and intention to kill a man from anger.

III. Any one who kills a man in a sudden access of anger but without the desire and the intention to murder shall on conviction be put into prison for lifetime, or not to exceed ten years, with or without hard labour, in the discretion of the Judge.

IV. Any one who attempts to murder a man but does not succeed shall on conviction be imprisoned for lifetime, or not to exceed ten years, with or without hard labour, in the discretion of the Judge.

CHAPTER VI.—STRIKING AND VARIOUS ACTS BY WHICH THE BODIES OF MEN ARE WOUNDED AND INJURED.

I. Any one striking another man with a stick or a stone, or shooting him with a gun, or by any other things, wounding and injuring his body, or striking or wounding him only by his hands, if he does so in order that somebody who is to be arrested or kept under arrest should not be arrested or kept under arrest, on conviction shall be punished by imprisonment not exceeding ten years, with or without hard labour, in the discretion of the Judge.

II. Any one striking a man, thereby wounding him and injuring him, by a stick, or a stone, or a gun, or any other thing, or, without such thing, only by his hand, shall, if the striking is not caused in the way described in section I of this chapter, on conviction be punished by imprisonment not exceeding three years, with or without hard labour, in the discretion of the Judge.

III. Any one assaulting a man in anger wishing to do bodily harm, but not succeeding in his plan, shall on conviction be imprisoned not to exceed two years, with or without hard labour, in the discretion of the Judge.

IV. Any one assaulting a man in anger wishing to do him harm and succeeding in so doing shall on conviction be imprisoned not to exceed two years, with or without hard labour, in the discretion of the Judge.

V. Any one taking hold of a man in anger or beating him, or spitting in his face, or inciting a dog to attack him, shall on conviction be imprisoned not to exceed three months, or fined not to exceed ten dollars. If he is imprisoned it shall be in discretion of the Judge whether he is to be punished with or without hard labour.

VI. Any one attacking a man in the Government service, a policeman or any one else, in order to obstruct him in the performance of his duty, he shall on conviction be imprisoned not less than one nor more than four years, with or without hard labour, in the discretion of the Judge.

VII. If any of the acts described in this Chapter VI has been committed in the house of the injured person the penalty shall be much heavier.

CHAPTER VII.

I. If any man goes by force to a woman or threatens her or deceives her that she may go with him, but the woman is not thoroughly consenting, this is rape, and the offender shall on conviction be imprisoned not less than four nor more than eight years, with or without hard labour, in the discretion of the Judge. If the body of the woman is injured he shall be imprisoned for lifetime or ten years. If the woman has died of it the criminal shall be hanged or imprisoned for lifetime.

II. A man going to a girl under twelve years of age shall on conviction be imprisoned not less than four years nor more than eight years, with or without hard labour, in the discretion of the Judge. If the body of the girl has been injured, or if she has died, the criminal shall be imprisoned not less than eight nor more than ten years, or for lifetime.

III. Any man taking hold of a woman to make her ashamed, or to do something shameful with her, or any man trying to go to a girl under twelve years of age, but not succeeding in so doing, shall on conviction be imprisoned not more than two years, with or without hard labour, in the discretion of the Judge.

IV. Any man ravishing a woman in order to make her his wife or the wife of another man shall on conviction be imprisoned not less than two nor more than six years, with or without hard labour.

V. Any one persuading another man's wife to run away with him from her husband shall on conviction be imprisoned not to exceed two years, or fined not to exceed two hundred dollars. If he is imprisoned it is left to the discretion of the Judge whether it shall be with or without hard labour.

VI. Any one seducing a girl to run away from her parents, or her father or mother, or those who have charge of her, shall, if they do not agree to it, on conviction be imprisoned not to exceed two years, or fined not to exceed two hundred dollars. If he is imprisoned it shall be left to the discretion of the Judge whether it shall be with or without hard labour.

VII. Any one enticing a child to leave or taking a child away from its parents, or its father or mother, or the persons in charge of it, shall, if they do not agree to it, on conviction be imprisoned not to exceed four years, with or without hard labour, in the discretion of the Judge.

CHAPTER VIII.—THEFT BY FORCE AND THREATS.

I. The theft in this chapter consists in forcibly taking away money or goods from another man's body, or in a man's property being forcibly taken away from the place where he is if the owner does not consent but the criminal intimidates him or takes the things away by real force.

II. Any one taking away from a man his money or goods when taking them away from his body shall on conviction be imprisoned not less than one nor more than ten years, with or without hard labour, in the discretion of the Judge.

III. Any one getting hold of a man with the intention of taking away from him his things (except any great crime committed under the conditions set forth in section IV) shall on conviction be imprisoned not more than three years, with or without hard labour, in the discretion of the Judge.

IV. Any one who, carrying a weapon (arms, or a knife, or a stick or a stone, or any other weapon), steals a man's property, or gets hold of him in order to forcibly take it away from him, shall, if he strike the man with any such thing, or does anything else by which the man is wounded after his things taken away, on conviction be imprisoned for lifetime, or not less than three or more than ten years, with or without hard labour, in the discretion of the Judge. The penalties in this section apply to every one, may there be one, two, three, or many, who have committed the acts in question.

CHAPTER IX.—THEFT WITHOUT FORCE OR THREATS.

I. The theft treated in this chapter consists in unlawfully taking away things—i.e., money or goods of any kinds—from another man without force and threats.

II. Any thief shall on conviction be imprisoned not to exceed three months, with or without hard labour, in the discretion of the Judge (excepting, however, any cause specially provided for in any other section of this chapter).

III. Any one destroying or rooting up and damaging any tree or plant shall on conviction be imprisoned by the penalty prescribed by section II.

IV. Any one stealing a horse, or cattle, or sheep, or pig shall on conviction be imprisoned not less than three months nor more than three years, with or without hard labour, in the discretion of the Judge.

V. Any one killing any animal mentioned in section IV in order to steal its body or skin or a piece of the body shall on conviction be imprisoned not less than three months nor more than three years, with or without hard labour, in the discretion of the Judge.

VI. Any one stealing or hiding a document containing an agreement about a land-sale, or erasing any words therein in order to make the document worthless, shall on conviction be imprisoned not to exceed two years, with or without hard labour, in the discretion of the Judge.

VII. Any one stealing anything in a church or a Government building shall on conviction be imprisoned not to exceed three years, with or without hard labour, in the discretion of the Judge.

VIII. Any one destroying any box in order to steal anything that is in it shall on conviction be imprisoned not less than three months nor more than three years, with or without hard labour, in the discretion of the Judge.

IX. Any one breaking a man's house or a room of a house (by day or night) in order to steal anything therein, but not consummating the theft, shall on conviction be imprisoned not to exceed six months, with or without hard labour, in the discretion of the Judge.

(Sec. X not available.)

XI. The term "breaking" as used in sections IX and X shall mean the destroying of a wooden door, or a window, or a stone wall, or an encfencement by planks, or a fixed thatch; but shall not mean simple Samoan blinds or other covers hung only without being fastened.

XII. Any one receiving from any other man stolen money or goods whatever knowing that they were stolen shall be punished by the same penalty as if he had stolen them himself.

XIII. If any stolen articles are recovered they shall be rendered or shall be paid for by the thief to the owner to their full value.

CHAPTER X.—EMBEZZLEMENT.

I. These chapters refer to those clerks and other servants in charge of money or goods of another man which are left to be administered or cared for, or are bought or sold for their owner.

II. Any clerk or other servant who embezzles money or goods left in his charge, or any goods left in trust for the owners, shall on conviction be imprisoned for a term not exceeding two years, with or without hard labour, in the discretion of the Judge.

III. Any one in the Government service, or any one holding office in any district or village, having charge of public money and stealing such money or goods in trust of which he is, shall, if he uses that money or those goods for himself or on his own behalf, give the same to anybody else, or instead of making delivery to the Government sells the same, on conviction be imprisoned not less than one nor more than four years, with or without hard labour, in the discretion of the Judge.

CHAPTER XI.—FALSE PRETENCES.

I. Any one trying to cheat as follows—secretly putting a stone or any other heavy article in copra, cotton, coffee, or any other merchandise, if the same is offered for sale and the sale takes place, or by some other lying trick by which he obtains money or goods from another man in order to appropriate same for himself—shall on conviction be imprisoned not to exceed two years, with or without hard labour, in the discretion of the Judge.

II. Any one measuring or weighing anything he has to sell or to buy with false weights or measures of lengths or liquids shall on conviction be imprisoned not to exceed two years, with or without hard labour, in the discretion of the Judge.

CHAPTER XII.—TRESPASS ON THE HOUSE OR LAND OF ANOTHER MAN.

I. Any one trespassing on any land or house of another man without his consenting shall, if he goes there by force or clandestinely, or conviction be imprisoned not to exceed six months, or fined not to exceed fifty dollars, in the discretion of the Judge. If he is imprisoned it is left to the discretion of the Judge whether it shall be with or without hard labour.

II. If any one enters another man's house or land and the owner of the house or land bids him go away and he does not comply with it, he shall on conviction be imprisoned not to exceed six months, or fined not to exceed fifty dollars, in the discretion of the Judge. If he is imprisoned it is left to the discretion of the Judge whether it shall be with or without hard labour.

III. Any one committing any of the acts mentioned in sections I and II in order to commit fornication or to do mischief to anybody shall on conviction be imprisoned not more than two years, with or without hard labour, in the discretion of the Judge.

IV. Any one throwing a stone or anything else into the house of another man in anger in bad intention shall on conviction be imprisoned not to exceed three months, or fined not to exceed ten dollars, in the discretion of the Judge. If he is imprisoned it is left to the discretion of the Judge whether it shall be with or without hard labour.

V. Any one unlawfully erecting a building or anything else on the land of any one else, or digging or planting anything on such land without the owner's consent, shall on conviction be imprisoned not to exceed three months, or fined not to exceed ten dollars, in the discretion of the Judge. The plants shall belong to the owner of the land. If the offender is imprisoned it shall be left to the discretion of the Judge whether it shall be with or without hard labour.

VI. Any one unlawfully taking possession of another man's land shall on conviction be imprisoned not to exceed six months, or fined not to exceed fifty dollars, in the discretion of the Judge. If he is imprisoned it shall be left to the discretion of the Judge whether it shall be with or without hard labour.

CHAPTER XIII.—UNLAWFUL SIGNATURE BY ANOTHER MAN'S NAME AND FORGERY.

I. Any one who unlawfully signs by the name of the King or any official in any public document, or any one who writes anything deceitful in that document, or changes any words in it, in order to cheat any other man, or by the desire to obtain money or goods or lands, or anything whatever of any value, or who commits any other act forbidden by the laws lest any one should get any other man's property, shall on conviction be imprisoned not less than one nor more than six years, with or without hard labour, in the discretion of the Judge.

II. Any one who writes the name or the mark of another man in a document other than those mentioned in section I, or who writes anything deceitful, or changes any word in such document, in order to cheat another man that he may obtain money or goods or lands, or anything whatever of any value, or who commits any other act forbidden by the laws lest any one should get any other man's property, shall on conviction be imprisoned not less than six months nor more than four years, with or without hard labour, in the discretion of the Judge.

III. Any one who takes or attempts to take to any other man, or who uses for any other purpose, any deceitful document with fraudulent intent, knowing that the document is deceitful and false, shall on conviction be punished by the same penalty by which he would have been punished if he had written the document or falsified it.

CHAPTER XIV.—ARSON AND DESTRUCTION OF HOUSES AND OTHER THINGS.

I. Any one who burns any dwellinghouse inhabited by men at the time of the fire shall on conviction be imprisoned not less than two nor more than eight years, with or without hard labour, in the discretion of the Judge.

II. Any one who maliciously burns another man's house but not occupied at the time of the fire shall on conviction be imprisoned not less than six months nor more than four years, without or with hard labour, at the discretion of the Judge.

III. Any one who maliciously burns the place of the King, or a Government building, or a church shall on conviction be imprisoned not less than two nor more than eight years.

IV. Any one who maliciously destroys or injures or renders useless anything belonging to a private person, or to the Government, or devoted to the public, shall, if none of the provisions prescribed in any other section of this chapter apply, on conviction be imprisoned not more than three years or fined not more than one hundred dollars. If he is imprisoned it shall be left to the discretion of the Judge whether it shall be with or without hard labour.

V. Any one who destroys any other man's property by carelessness but not maliciously shall pay the value of what he has destroyed, and that payment shall be made over to the owner.

CHAPTER XV.—INSULTING LANGUAGE AND LANGUAGE PROVOKING A BREACH OF THE PEACE.

I. Any one who uses, orally or in writing, any language that may provoke a breach of the peace, or quarrels in a village among people, or uses any word of which trouble or even fighting may be the consequence, shall on conviction be imprisoned not more than six months, with or without hard labour, in the discretion of the Judge.

II. Any one who uses, orally or in writing, any threatening or insulting language, or any other bad words, in respect of another man, or any one who commits any act to frighten or injure any man, shall on conviction be imprisoned not more than six months, with or without hard labour.

III. Any one who uses obscene language to another man, or commits any other dirty act, shall on conviction be imprisoned not more than one month or fined not more than ten dollars. If he is imprisoned it shall be left to the discretion of the Judge whether it shall be with or without hard labour.

CHAPTER XVI.—ADULTERY.

I. If any man commits adultery with an unmarried woman, or any married woman with an unmarried man, the married man or woman shall be imprisoned not more than six months; and the unmarried man or woman shall be imprisoned not more than three months or fined fifty dollars. If he or she is imprisoned it shall be left to the discretion of the Judge whether it shall be with or without hard labour.

II. If any married woman commits adultery with any married man, either of them shall on conviction be imprisoned not less than six months nor more than two years, with or without hard labour, in the discretion of the Judge.

III. If any man commits adultery with a married woman, her husband shall have the right to demand that only the man be punished, not the woman.

CHAPTER XVII.—INCEST AND FORNICATION.

I. Any man who has connection with his mother or sister or daughter or his grandmother shall on conviction be imprisoned for lifetime, or not less than six nor more than ten years, with or without hard labour, in the discretion of the Judge.

II. Any woman who has connection with her father or brother or son or her grandfather shall on conviction be imprisoned for lifetime, or not less than six nor more than ten years, with or without hard labour, in the discretion of the Judge.

III. Any man committing fornication with any girl shall, if the parents or persons in charge of the girl lay a charge, on conviction be fined not more than twenty dollars.

CHAPTER XVIII.—BIGAMY.

I. If any married man marries again another woman before having obtained a lawful grant of divorce in writing, or if any married woman marries again another man before having obtained a lawful grant of divorce in writing, this shall be bigamy. Such a man or woman shall on conviction be imprisoned not less than one year nor more than three years, with or without hard labour, in the discretion of the Judge.

II. Any man committing bigamy with a married woman shall on conviction be imprisoned not less than two nor more than six years, with or without hard labour, in the discretion of the Judge.

CHAPTER XIX.—ABORTION.

I. Any woman who knowingly does anything whatever to cause her abortion shall, if by her action the child dies, on conviction be imprisoned not less than two nor more than six years, with or without hard labour, in the discretion of the Judge.

II. Any woman who undertakes to procure abortion shall, if the child does not die, on conviction be imprisoned not more than one year, with or without hard labour, in the discretion of the Judge.

III. Any person undertaking to procure abortion in any woman with her consent shall be imprisoned on conviction by the penalty of section I if the child dies, and by the penalty of section II if the child does not die.

IV. Any person undertaking to procure abortion in any woman without her consent shall be imprisoned not less than four years nor more than ten years (if the child dies), with or without hard labour, in the discretion of the Judge. If the child does not die the delinquent shall be imprisoned not less than six months nor more than two years. If the body of the woman is injured by the trick the delinquent shall be imprisoned for lifetime or for some ten years, with or without hard labour, in the discretion of the Judge. If the woman dies of the treatment the delinquent shall be punished with death, or imprisonment for lifetime.

V. If any woman is confined of child either born dead or dying after its birth, any man who conceals such confinement and such death, or any man who buries the body of the child secretly, or uses any other trick to prevent confinement being known, shall in respect of each and every person concealing this, on conviction be imprisoned not more than two years, with or without hard labour, in the discretion of the Judge.

CHAPTER XX.—PERJURY.

I. Any man who takes an oath administered in any Court in accordance with the law, and takes that oath before any one being appointed to administer it, shall, if he swear falsely knowing that his statement is untrue in any point that is apt to lead to the decision, or who misleads the investigation, commits perjury. He shall on conviction be imprisoned not less than two nor more than six years, with or without hard labour in the discretion of the Judge.

II. Any one who commits perjury but retracts his untrue statements before the matter to be investigated or decided has been settled shall be imprisoned not more than two years, with or without hard labour, in the discretion of the Judge.

III. Anything wrong stated on oath by mistake without knowledge of its being wrong is not called perjury.

CHAPTER XXI.—BLASPHEMY OF GOD AND HOLY THINGS.

I. Any one who blasphemes or curses God or his word in the Bible shall be imprisoned not more than two years, with or without hard labour, in the discretion of the Judge.

II. Any one who breaks a law on Sunday, this shall increase the culpability of his act.

CHAPTER XXII.—BRIBERY.

I. If any secret payment or delivery of a present is made by a man engaged in a trial, or by any one connected with him, to the Judge or his assessors, in order to prevent right being done and to bias the sentence, this is bribery.

II. Any official or any assessor in a decision who accepts any bribe money shall be removed from his office if he has any such public office, and imprisoned not more than two years, with or without hard labour in the discretion of the Judge.

CHAPTER XXIII.

“Dollars” shall mean in this law the currency of the United States of America.

CHAPTER XXIV.—COMMENCEMENT OF OPERATION.

This law shall come into force in April, 1892.

Done at Mulinu'u on this 25th day in the year of Our Lord 1892. [*No month mentioned.*]

MALIELOA,
King of Samoa.

EXHIBIT No. 58.

BANISHMENTS PRIOR TO POLITICAL AGITATION.

Abbreviations used: F.P. = Faipule (Native Councillor and Government Adviser); P.N. = Pulenu'u (Village Mayor); F. = female. Other abbreviations in respect of Government officials are—P.F. = Pulefaatoaga (Agricultural Inspector); F.M.P. = Faamasino (District Judge); K.P. = Komisi (Land and Title Arbitrator); T.A. = Teuala (Roads Overseer); F.L. = Failautusi (clerk); L.L. = Leoleo (policeman or messenger).

Nos. 1 and 2.—File 650.

Defendants: AUTAGAVAIA SIUPIU and MATAFA MEA FAIFUA.

Charge.—Seditious conspiracy, in such that they endeavoured to obtain the dismissal of one Fanana, Pulefaatoaga, by defiance of the Government, and endeavoured to incite the people of Sili and Gautavai to disobey the Government's orders.

Complainant: The Crown.

Particulars of Inquiry.—Autagavaia and three others called at the Native Court on the 10th, 5th, of 1922 and requested an interview with the Administrator. On 22nd May, 1922, chiefs and orators of Palauli were informed by letter that the Administrator would meet them at Mulinu'u on 14th June, 1922, and on which day only two attended—namely, Malupo and Leituala. Twenty-first June, 1922, Autagavaia, Lagaia, and Leituala saw Mr. Griffin at Mulinu'u, and made a statement. They were told to return to Palauli and obey the Government's orders. On 9th August, 1922, Autagavaia, Matafa, and fifteen chiefs appeared before Mr. Sanderson Cooper, Resident Commissioner at Savai'i, in response to notice sent, and evidence taken by Mr. Cooper. At this hearing defendants admitted the offences.

Witnesses giving evidence for the defendants: The defendants, Leituala, Faagai.

Decision.—Defendants were instructed to proceed to Apia and appear before the Governor and Secretary for Native Affairs, and were not to return to Palauli until they had so appeared. Defendants disobeyed this instruction and returned to Palauli. On 19th August, 1922, the chiefs and orators of Palauli, including two defendants, were instructed by letter from the Administrator to appear at Mulinu'u on 23rd August. They appeared before Colonel Tate on this date, and a decision was given that the defendants were to remain at Mulinu'u. This they did, and during the time they were there were supplied with food. On 11th September, 1922, defendants were prohibited the use of their titles by Colonel Tate. In January, 1923, defendants were permitted to return to Palauli. On 28th August, 1924, Autagavaia was reported for having wrongfully assumed his title, and also for having made a false assertion in regard to a statement made by the Administrator. He appeared before Mr. Griffin in October, 1924, and apologized. Following upon his apology and the request of Malupo, both defendants were pardoned, and the ban on their titles lifted, provided that they would be of good future behaviour. On 26th May, 1925, Autagavaia was reported for having caused more trouble in the district, and appeared on 8th June, 1925, before Mr. Griffin and made a statement. Mr. Griffin recommended that he again be prohibited from using the title Autagavaia, and that he leave the district of Palauli, and live in a village in the district of Itu-o-Tane. The file was handed to the Administrator, who confirmed the above recommendation.

Orders issued.—On 11th September, 1922, orders prohibiting the use of their titles were issued upon Matafa and Autagavaia. (Pardoned October, 1924.) On 11th June, 1925, order for removal of Autagavaia from Palauli to a village in the district of Itu-o-Tane during the pleasure of the Administrator, and also that defendant was to cease using the title Autagavaia.

No. 3.—File G. 1483.

Defendant: PUIPAA.

Charge.—Conduct likely to provoke breach of the peace—to wit, discussed and disclosed family genealogies; and, further, that during a visit of a neighbouring village he behaved in a manner which was likely to cause a breach between the villages.

Complainants: Chiefs and orators of Tufulele (Matiu F. P., Loutounuu T., and Loutounuu F., and others).

Particulars of Inquiry.—Defendant, his sister, Talalaina, and her husband, Ielu, were ordered by the chiefs of Tufulele to leave the village. Defendant appealed against this order, and the Secretary for Native Affairs advised chiefs that they were acting *ultra vires*, and that the defendant and the others were to be permitted to return to the village. On 23rd June, 1922, information against Puipaa was laid by the chiefs of Tufulele. Defendant, and Loutounuu T., and Loutounuu F., Matiu F.P., appeared before Mr. Griffin at Mulinu'u.

Witness giving evidence for the defendant: The defendant.

Witnesses giving evidence against the defendant: Loutounuu T., Loutounuu F., Matiu P.F.

Following reports received from the chiefs of Tufulele on 11th October, 1922, defendant was called by letter to appear before Mr. Griffin on 19th October, and made a statement. On 20th October, chiefs and defendant were instructed by letter to appear before Secretary for Native Affairs at Tufulele. At this hearing defendant, Matiu, Loutounuu T., and Loutounuu F., and other chiefs of the village were present.

Witness giving evidence for the defendant: The defendant.

Witnesses giving evidence against the defendants: Loutounuu T., Vole Olepasa Matiu F.P., Loutounuu F., Fatuligaliga.

Recommendation.—That Puipaa was to leave Tufulele and go to his father's village (Safune, Savai'i) for a period of twelve months.

File and recommendation forwarded to His Excellency the Administrator on 26th November, 1922.

Decision by the Administrator.—Recommendation confirmed.

Order issued.—28th October, 1922, instructing defendant to leave the village of Tufulele for twelve months, and reside at Safune.

No. 4.—File G. 1563.

Defendant : AIMASI.

Charge.—Conduct likely to provoke breach of the peace—to wit, interfering with married women.

Complainant : Saipaia.

Particulars of Inquiry.—Defendant, complainants, Lua, and Malaetele summoned to appear before Mr. Griffin on 19th April, 1923. Defendant appeared in person and pleaded guilty to a charge of adultery. Case adjourned till 3rd May, 1923, and the following were summoned to appear: Saipaia, Malaetele, Lua, Faau, Faatifa, Siaatiu, Sipae, and defendant.

Witnesses giving evidence for the defendant : Faaitafa, Siaatiu, Sootuli, and defendant.

Witnesses giving evidence against the defendant : Saipaia, Lua, and Malaetele.

Recommendation.—Defendant directed by Mr. Griffin to remain away from Satapuala for six months; he to return to his home, as he does not belong to this village. No order of banishment made.

No. 5.—File G. 1912.

Defendant : LINO.

Charge.—Conduct likely to provoke a breach of the peace, in such that the accused committed adultery on several occasions, and used insulting language.

Complainants : Chiefs and orators of Falefa (Tupua, Leutele, Salanoa, Alias, and others).

Particulars of Inquiry.—The following were called to appear before Mr. Griffin at Mulinu'u on 9th August: Defendant, Iuli, Luafalemanu, Salanoa A., Salanoa I., Alaia A., Alaia S., Paanu, Leutele, Mocono Tafiloa, Gagae, and chiefs and orators of Falefa. The following appeared: Luafalemanu, Leuta, Mocono, Iuliti, and others; also defendant and others.

Witness giving evidence for the defendant : The defendant.

Witness giving evidence against the defendant : Alaia A., Tuimavave, Mocono.

Accused admitted charges.

Recommendation.—That the Administrator order Lino to leave Falefa and go to Fagamalo, Savai'i, for twelve months.

File and recommendation forwarded to the Administrator.

Decision.—Administrator confirmed the recommendation.

Order issued.—Defendant to leave the Island of Upolu, Western Samoa, and remain in the village of Fagamalo for twelve months. Dated 14th August, 1923. (Following upon a request to the Administrator, defendant was permitted to change his place of residence to Nofoaali on 8th September, 1923.)

No. 6.—File N.C. 2370.

Defendant : PULEGA.

Charge.—Conduct likely to provoke a breach of the peace—to wit, assault and threatening with a knife.

Complainant : Mael (Suga Mael).

Particulars of Inquiry.—Defendant ordered to appear by letter. Appeared before Mr. Griffin on 9th August, 1923, and admits threatening behaviour and also assault. The following appeared: Mael Suga, Sau, Tasita, Siuasu, Fialii, Utu, Taloga.

Witnesses giving evidence for the defendant : Utu and defendant.

Witnesses giving evidence against the defendant : Mael.

Recommendation.—Defendant to live with his own family, and leave Utu's family for twelve months, further, he is not to interfere with anything belonging to Utu's family.

Decision.—Administrator confirms recommendation.

Orders issued.—On 21st August, 1923, Pulega was ordered to leave the properties of the Utu family at Tuanai, and remain off the said properties for a period of twelve months; and, further, that he shall reside and remain with his own family in the village of Taunai. NOTE: Two weeks after the completion of the above order defendant threatened a man with a knife, and discharged a gun several times in the vicinity of Saga's house. He was arrested and immediately brought before the Native Court, together with seven witnesses. It was recommended that he be ordered to remove to Savai'i, but following a petition from Toelupe F.P. the order was suspended.)

No. 7.—File G. 1627.

Defendant : IOSEFA, Matautu, Savai'i.

Charge.—That he as a *taulealea* agitated for a petition against Government officials, endeavoured to create division in the Church, and an offence against *kava* ceremony.

Complainants : Chiefs and orators of Alamagoto (Leta, Leata and Moli, Tuisalega, and others.)

Particulars of Inquiry.—Defendant ordered, by letter dated 19th September, 1923, to appear at Mulinu'u on 25th September. No appearance of plaintiffs. Case remanded for two weeks. Defendant and chiefs of Alamagoto summoned to appear on 9th October, 1923. Summonses served. Following appeared: Leata P. F., Leatamuli, Tuisalaga, Malofou, Tava, Fuamatuti, Feliuago, and the defendant. Defendant was given a month in which to correct his behaviour in the village, and to apologize to the chiefs and the orators. On 19th November, 1923, the following appeared: Leta'a, Leatamuli, Fuamatu, Pea, Tuisaloga, Fuamatu, Pea, Tuisaloga Tava, Malofou, Feliuago, Tonu'u; and the defendant appeared before Mr. Griffin at Mulinu'u, on account of his having failed to carry out the decision of the previous hearing.

Witnesses giving evidence for the defendant : Defendant and Anetipa.

Witnesses giving evidence against the defendant : Leta and Tuisaloga.

Accused admitted that he would not recognize the authority of the village chiefs.

Recommendation.—That, as defendant would not recognize the authority of the village chiefs and orators of Alamagoto, the matter would be reported to the Governor, and that it would be recommended that the defendant be returned to his home in Savai'i.

Decision by Administrator.—Recommendation confirmed.

Order issued.—Defendant to leave the Island of Upolu and remain in the district of Matautu, Savai'i, for twelve months from 22nd November, 1923.

No. 8.—File N.D. 241.

Defendants : ANAE S. and ASI MAATUFI.

Charge.—Conduct likely to cause a breach of the peace—to wit, insults of a very gross nature.

Particulars of Inquiry.—Board of Inquiry set up by authority of the Administrator, consisting of Secretary for Native Affairs, Toelupe, Fonoti, and Tuatagaloa F.P. The following appeared: Anae A., Anae T., Talu F., and Tusi F., and the defendants.

Witnesses giving evidence for the defendant : Talu F., Tusi F., and the defendant.

Witnesses giving evidence against the defendant : Anae A. and Anae T.

Recommendations.—(1) That Asi Maatufi be deprived of the title "Asi," as his behaviour threatened a breach of the peace between the two important families of Asi of Tuamasaga and Anae of Savai'i, and that he be removed from his appointment in the Legal Department for a period of not less than six months; and, further, that his behaviour be under surveillance for that time. (2) That Talu and Tusi be imprisoned for two months. (3) That Anae Selu be ordered to go to Eva and dwell there until such time as he and Amaani completely settle their dispute

and bring about peace in the family and in the village. (4) That Anae Amani's appointment as F.P. be taken from him, and that he and Anae Selu shall make peace; each party to withdraw their offensive words. (5) That Anae Timani be reprimanded for his want of control, and for retaliating on Asi by applying to Asi the words Asi used against him; but that, as Anae T. had been assaulted, no further punishment is recommended. (6) That the reconciliation between Anae S. and Anae A. will be published in the *Savali* when effected.

File and recommendation forwarded to His Excellency the Administrator.

Decision by the Administrator.—Recommendations Nos. 1, 3, and 4 approved.

Orders issued.—Order depriving Asi Maatusi of use of title of "Asi" not on file.

No. 9.—File N.D. 185.

Defendant: TAOA F.

Charge.—Defying a lawful order, and endeavouring to create a new village authority.

Complainants: Family and chiefs as follows: Manua, Tagaloasa, Tauafaitele, Ama F.P., Afoa, Seuli, chiefs of Saanapu, chiefs of Sataua.

Particulars of Inquiry.—The following were called by letter to appear at Mulinu'u on 8th August, 1923: Ama F.P., chiefs and orators of Saanapu, chiefs and orators of Sataua, Taoafa'aoloviti, and the defendant. The following appeared, Ama, TAOA F., Taoafaitele, Manua, Afimata, Fale, Pula, Nake, Mulitala, Leana, Lauvi, Tuigaleava, and the defendant.

Witnesses giving evidence for the defendant: Afemata, Leana, Tuigaleava, and defendant.

Witnesses giving evidence against the defendant: Ama and Manua.

Defendant admits that he lowered the prestige of the Faipules.

Recommendation.—That this matter will be referred to His Excellency the Administrator, with the recommendation of the Secretary for Native Affairs that the title "Taoa" will be taken from Taoafa'aoloviti, who has been the leader.

File and recommendation forwarded to His Excellency.

Decision by His Excellency.—Recommendation approved.

Orders issued.—In this case two letters dated 14th August, 1923, signed by Major-General Richardson, were sent to the defendant, and in which he was notified that the title of "Taoa" was not to be used by him. (Pardoned on 14th January, 1925, following upon recommendation from Ama F.P.)

No. 10.—File 16662.

Defendants: MEKAI and FUNAFUNA.

Charge.—Forgery, and causing quarrels leading to bloodshed.

Complainants: Chiefs and orators of Solosolo (Sagapolu F.P., Pulepule F.M.P., Leota P.N., and others).

Particulars of Inquiry.—The following were summoned to appear at Mulinu'u on the 11th December, 1923: Leotatoa, Liu, Tasi, chiefs and orators of Solosolo, and defendants. The following appeared before Mr. Griffin: Sagapolu F.P., Leoto P.N., chiefs and orators of Solosolo, and the defendants. Mekai pleaded guilty to a charge of forgery.

Witnesses giving evidence for the defendant: Liu, Leota T., and the defendants.

Witnesses giving evidence against the defendant: Leoto P.N.

Recommendation.—That Mekai is to go to Savai'i and live in Palauli for one year.

Decision by His Excellency.—Recommendation approved.

Order issued.—Defendant to leave the Island of Upolu, and remain in the Village of Palauli for twelve months from 28th December, 1923. (Pardoned 11th March, 1925.)

No. 12, 11, and 13.—File 13/4/5.

Defendants: AMITUANAI, TOLOVAO, TUPU, and LEALAITAFEA.

Charge.—Upsetting peace of the Village of Salailua, creating disturbances, threatening to kill, discussing and disclosing family genealogies.

Complainants: Chiefs of Salailua, through Tuato P.N. (nineteen signatures to the letter laying the information).

Particulars of Inquiry.—On 20th September, 1923, there appeared before the Resident Commissioner (Mr. Bigg-wither) at Fagamalo, Tuato P.N., Tuato P., Toa Savainaea, and the defendants Lealaitafea and Anituanai T. (Tolovao T. ill and in Apia). All parties were warned, and an endeavour was made for a reconciliation. On 11th December, 1923, the parties were notified by letter that an inquiry into their troubles would be heard on 20th December, 1923, at Salailua. Inquiry was held with the whole village in attendance, and the following recommendation made:—

Recommendation.—That defendants be banished from Palauli West for a period of twelve months from 1st January, 1924.

Files and recommendations forwarded to the Administrator.

Decision.—Recommendation approved.

Orders issued.—That the defendants leave the district of Palauli West and remain outside the said district for twelve months from 1st January, 1924. Order dated 7th January, 1924.

NOTE.—On 13th December, 1924, Lealaitafea was convicted by the High Court for breaking the order issued. Anituanai and Toleva were pardoned on 24th December, 1924. Further complaint against Lealaitafea was made in April, 1926. The Resident Commissioner, Captain Bell, called together a Board of Inquiry, who recommended that it was wiser to let the matter drop rather than reopen it.

No. 14.—File N.D. 237, N.C. 1607.

Defendant: AFAMASAGA L.

Charge.—That defendant, being a chief holding a distinguished title, did sell quantities of home-brewed liquor to his fellow-countrymen for personal gain, thus demoralizing his own race.

Complainant: The Crown.

Particulars of Inquiry.—In the case Police against Tamati and others, wherein Titoa, Tauati, and Tunupopo were charged with consuming methylated spirits, and convicted on 9th November, 1923, Tamati, having been duly sworn, stated that he had purchased two bottles of beer from Afamasaga. A raid was made upon Afamasaga's premises the following day, which resulted in a conviction against him for manufacturing liquor. The files consisting of the prosecution of Titoa and others, and the files showing consequent raid upon Afamasaga's premises, and the files of prosecution of Afamasaga for brewing liquor, were considered by the Administrator, and the question of the removal of Afamasaga out of Apia was submitted to a Faipule Board consisting of Toelupe, Aiono, Seuli, Tuatagaloa, and Fonoti, for their consideration and reply.

Recommendations of the Board.—(1) If the eyes should close and no further punishment be ordered for Afamasaga, it will then become a bad example for others. (2) The just punishment for his offence is banishment to any of his relations in some other place other than the place in which he is now living, and never more to have any say in village affairs. (3) He must be deprived of his title in accordance with the provisions of the Samoa Offenders Ordinance. (4) It shall not be right for a person like him to live again near Apia, because his wrongdoings become a bad example to others. (5) These punishments should be inflicted on Afamasaga: (a)

Send him to his own village (Fasito'otai); (b) deprive him of his title of "Afamasaga," in accordance with the powers vested in the Governor by the Samoa Offenders Ordinance; (c) to be under surveillance so that he shall not again interfere in *matui* consultations or conferences.

Decision.—Out of consideration for the wife of Afamasaga, who is not a full-blooded Samoan, and who is not accustomed to Native village life, and because a lighter punishment than that recommended by the Faipule will meet the case and deter others from following the bad example of Afamasaga, I have decided—(1) Afamasaga to be deprived of his titles; (2) to live in his native village—the length of time depending upon his own conduct. The case to be reviewed by me for restoration of the privileges to live in his own home near Apia at the end of six months from the date of his original sentence.

Order issued.—Afamasaga was deprived of his titles on 14th January, 1924.

No. 15.—File G. 1625.

Defendant: TILIVEA.

Charges.—(a) Threatening behaviour; (b) discussing family genealogies; (c) attacking the established authority of the village.

Complainant: Manoo P.N., for the chiefs and orators of Samatau.

Particulars of Inquiry.—On 25th February, 1924, the chiefs of Samatau, Teo, Tilivea, and Mika were ordered by letter to appear before Mr. Griffin, and on 4th March, 1924, there appeared Manoo P.N., Puni A., Lavea S., Fonoti, Puni M., Aiulumuli, Lavea T., Lavea Silupe, Au, Lavea A., Teleiai, and the defendants Teo, Tilivea, and Mika.

Witnesses giving evidence for the defendant: Teo, Mika, and the defendant.

Witnesses giving evidence against the defendant: Mano'o, Puni, Teleiai, and Lavea.

Recommendation.—Tilivea to leave the village at the Governor's order, and remain away during the pleasure of the Governor.

Decision.—The Administrator confirms recommendation.

Order issued.—Order dated 7th March, 1924, orders defendant to leave the Village of Samatau, and remain outside such village during the Administrator's pleasure. (Pardoned 13th October, 1924.)

No. 16.—File G. 1747.

Defendant: TAMASESE LEALOFI.

Charges.—(1) Refused to obey and carry out an order of the Secretary for Native Affairs. (2) Refused to obey and carry out an order of the Administrator, and also defying his authority.

Complainant: The Crown.

Particulars of Inquiry.—Was ordered by letter to appear before the Secretary for Native Affairs on 10th March, 1924, and on 11th March, 1924 was notified by letter that His Excellency ordered that the fence and hedge were to be removed by 14th March, 1924. Failed to carry out order, and appeared before the Administrator on 17th March, 1924. Defendant gave evidence and still defied the order of the Administrator.

Decision by His Excellency.—Defendant to remove to Leulumoega permanently.

Orders issued.—On 19th March, 1924, Tamasese was ordered to go to Leulumoega and reside there permanently. This order was disobeyed, and defendant was convicted by the Chief Judge. A fresh order dated 24th March, 1924, was served. In this defendant was ordered to leave the Island of Upolu and that he reside and remain at the Village of Asau; furthermore, that he was to cease using the title of "Tamasese," and that he shall be called by his original name, "Lealofi."

Nos. 17, 18, and 19.—File G. 1729.

Defendants: FAAMU, KELEKOLIO, and SOLA.

Charge.—Causing a village quarrel at a *fa'a-Samoa* ceremony.

Complainant: Ale Lui.

Particulars of Inquiry.—Parties were called by letter to Apia before Mr. Griffin on 11th March, 1924. Appeared: Ama F.P., Ale Lui, Laumatia, Ale Pio, and others, and the defendants.

Witness for the defendants: Ale Pio.

Witnesses against the defendants: Ale Lui, Ama, defendants.

Recommendations.—Sola, Kelekolio, and Faamu to return to their family in Suimu.

File and recommendation forwarded to the Administrator.

Decision.—Recommendation confirmed by Administrator.

Orders issued.—On 26th March, 1927, orders issued upon defendants were to leave and remain out of Tofitola during Administrator's pleasure. (Pardoned, 8th April, 1927.)

No. 20.—File G. 1434.

Defendant: GASOLO F.

Charge.—Perjury, and making a false allegation against another.

Complainant: The Crown.

Particulars of Inquiry.—Arrested on a charge of contempt of Court, and appeared before Mr. Griffin on 30th June, 1924. At this hearing she made a written statement withdrawing her allegation.

Witness giving evidence for the defendant: Defendant.

Recommendation.—That Gasolo come up for sentence when called up, and to leave Taufusi and return to Fasitoo.

File and recommendation sent to His Excellency the Administrator.

Decision.—The Administrator confirmed recommendation.

Order issued.—On 30th June, 1924, defendant was ordered to leave Village of Taufusi and return to her family at Fasitoo'outa. Term: His Excellency the Administrator's pleasure.

No. 21.—File G. 1760.

Defendant: PAGIGI.

Charge.—Conduct likely to provoke a breach of the peace in such that during a visit of chiefs of Lotofaga he used insulting words towards those chiefs.

Complainants: Faumuina, on behalf of the chiefs of Lotofaga.

Particulars of Inquiry.—The following were summoned to appear before Mr. Griffin on 19th June, 1924: Seinafo F.P., Misiluki, Pagigi, Siato, Sogialofa S. All appeared, as did also Faumuina. Defendant admitted use of words complained of.

Witness for the defendant: Defendant.

Witnesses giving evidence against the defendant: Seinafo F.P., Faumuina, Sogialofa Siu, and Misiluki.

Recommendation.—That His Excellency the Administrator will be advised to order Pagigi to live in Nofoa'i'i and to be prohibited from exercising the privileges of the Salelesi family.

Decision.—Recommendation confirmed.

Order issued.—On 19th June, 1924, defendant was ordered to leave the districts of Atua and Tuamasaga and remain in Nofoa'i'i for twelve months; and, further, that he is prohibited from exercising the privileges of the Salelesi family.

Nos. 22 and 23.—File G. 1791.

Defendants: (1) INU TULIFAU; (2) FA'AMAU FALA.

Charges.—(1) Seditious. (2) Aiding and abetting the above, and was a part to the conspiracy.

Complainants: The Crown.

Particulars of Inquiry.—(1) Defendant appeared before a Board of Inquiry on 25th July, 1924. Board consisted of Toelupe, Aiono, Fonoti, and Asi Mama, F.P. (2) Defendant was called by letter dated 29th July, 1924, to appear before a committee of Faipules on 31st July, 1924. Hearing was adjourned, and defendant was notified by letter that, as he was implicated in Tulifau's case, he was ordered to appear before the Board on 21st August, 1924.

Witnesses giving evidence for the defendants: Defendants.

Witnesses giving evidence against the defendants: Malietoa F.P.

Recommendations of Board.—(1) (a) That the title "Inu" be taken from Inu Tulifau; (b) that defendant be imprisoned for twelve months. (2) (a) Fa'amau to be deprived of title; (b) defendant to be removed to Lefaga.

Decision.—The Administrator, after considering files and recommendations, decided—(1) That Inu Tulifau be deprived of title and not leave his village of Lufilufi for twelve months. (2) Recommendations confirmed.

Orders issued.—Order dated 29th July, 1924, orders Inu Tulifau to remain in his village (Lufilufi) for twelve months. Order was broken. A fresh order dated 22nd September, 1924, ordered that Tulifau leave Lufilufi and reside in Satupaitea for twelve months. Order 25/7/24 deprives Inu Tulifau of the use of the title "Inu." Order 18/9/24 orders Fa'amau Sili to leave the district of Tuamasaga and remain in the Village of Lefaga during the pleasure of the Administrator; also it deprives Fa'amau Sili of the use of the title "Fa'amau Sili." Tulifau pardoned 29th December, 1926. Fa'amau Sili pardoned 16th June, 1926.

No. 24.—File 1799.

Defendant: TAUFAGA FEPULEAI.

Charges.—Usurping the title of another chief; using insulting words; upsetting the peace of the village and his family.

Complainants: Chiefs and orators of Vailele (Asi F.P. and others).

Particulars of Inquiry.—Defendant was ordered by letter dated 26th August, 1925, to appear before the Secretary for Native Affairs on 28th August, 1925, to answer charges made by chiefs of Vailele re his conduct. Asi Mama and chiefs of Vailele also called, by letter of the same date. Appeared: Asi Mama, Tupuanac, Fanna, Taufaga, Upega, chiefs of Vailele, Tavui, and defendant. Case heard by Mr. Griffin.

Witnesses giving evidence for the defendant: Tavui Lata and defendant.

Witnesses giving evidence against the defendant: Taufaga U., Lefau, Samoa J, and Asi F.P.

Recommendation.—That defendant be ordered to leave Vailele and reside in Falealili, and to lose the title of "Taufaga."

File and recommendation considered by His Excellency the Administrator.

Decision.—Recommendation confirmed.

Orders issued.—Order dated 28th August, 1924, states that defendant is to leave the Village of Vailele and remain within the boundaries of the district of Falealili for twelve months, and, furthermore, defendant is to cease using the title of "Taufaga."

No. 25, 26, and 27.—File 13/4/17.

Defendants: SO'OALA TINI, TUU FA'ATUPUA, PEPE IERE.

Charges.—(a) Attempting to usurp the right of the plaintiff and disperse titles. (b) Creating divisions in the village authority and their religious organization.

Complainant: Laupue Tavai (head of the family).

Particulars of Inquiries.—First hearing, before Captain Bell, Resident Commissioner, Savai'i, on 2nd March, 1925. Appeared: Lilo (representing Laupue), Soala Tini, and others. Defendant admits offence. Case adjourned. Second hearing, before Tapusao F.P., Malaitai F.P., Mauai P.N., and Fuimaona P.N., held at Lefagaolii on 19th and 20th March, 1925.

Witnesses giving evidence for the defendant: Soala Ta'anuu and defendants.

Witnesses giving evidence against the defendant: Laupue.

Recommendation of Board.—Defendants to lose their titles and remove from the village.

File and recommendation considered by His Excellency the Administrator.

Decision.—Recommendation confirmed by His Excellency the Administrator.

Orders issued.—Orders dated 27th April, 1925, state that all are to leave the district of Gagaifomauga, and that (a) Pepe Ieru to remain in Satupaitea for twelve months and not to use the title of "Pepe"; (b) So'ovala Tini to remain in Faga for twelve months and not to use the title of "So'ovalo"; (c) Tuu Fa'atupua to remain in Satupaitea for twelve months and not to use the title of "Tuu." (Tini pardoned, 23rd March, 1926; Tuu pardoned, 11th August, 1926; Iere pardoned, 7th October, 1926.)

No. 28.—File G. 2092.

Defendant: MOLIO'O.

Charge.—Gambling and embezzlement; undermining the authority of the district officials; and a general nuisance in opposing all village progress and proposals.

Complainants: Fonoti F.P., Taua'a F.M.P., on behalf of the village chiefs.

Particulars of Inquiry.—The following were summoned to appear on 15th May, 1925: Defendant, Savusa, Taua'a, Tialavea, and Fonoti. All appeared before a Board of Inquiry consisting of Aiono, Toelupe, Asi Mama, and Seiuli (F.P.s).

Witnesses giving evidence for the defendant: Savusa, and Tialavea F., and defendant.

Witnesses giving evidence against the defendant: Fonoti and Taua'a.

Recommendation of Board.—Defendant should be dismissed and ordered to leave Faleapuna, and live with his relations at Aleipata for one year.

(File and recommendation passed to Administrator.)

Decision.—(a) Molio'o to be dismissed from his position as Agricultural Inspector; (b) to be deprived of title "Molio'o." (c) to leave Faleapuna and live at Aleipata until he has changed his character and can be trusted to do his duty to those in authority over him.

Order issued.—Order dated 18th May, 1925, states that defendant shall leave the district of Faleapuna, and reside in Aleipata during His Excellency the Administrator's pleasure; furthermore, he shall not use the title "Molio'o," but shall be known as "Saoletai."

No. 29 and 30.—File G. 2113.

Defendants: (1) TUIAEA; (2) MATAMUA.

Charge.—That they created a division in the authority of the Village of Salelologa, and did attempt to upset a ceremonial custom of great importance.

Particulars of Inquiry.—The defendants were arrested and brought before a Board of Inquiry consisting of Aiono, Toelupe, Ama, Fonoti, and Tuilaepa (F.P.s) on 25th May, 1925. Defendants admitted taking part in matters calculated to cause a breach of the peace.

Witnesses giving evidence for the defendant : Defendants and Touli (hostile).

Witnesses giving evidence against the defendant : Pei and Vaai.

Recommendations of Board.—(1) Matamua should be deprived of his title and be imprisoned for six months, and then should live at Fagamalo. (2) Tuiaea (a *taulealea*) should be sent to Gagaemalae to live.

File and recommendations passed to His Excellency.

Decision.—(1) Matamua T. to leave Salelologa and lose the use of the title "Matamua." (2) Tuiaea to leave Salelologa. Both defendants to remain in custody until departure of a boat for Savai'i.

Orders issued.—(1) Order dated 27th May, 1925 stated that Matamua T. is to leave Salelologa and remain in Fagamalo during His Excellency's pleasure; furthermore, he shall not use the title "Matamua," but shall be known as "Tololi." (2) Order dated 27th May, 1925, sets out that Tuiaea shall leave Salelologa and live at Gagaemalae during His Excellency's pleasure. (Later the places of residence of both were changed to Safai'i.) Tuiaea pardoned, 6th February, 1926; Matamua pardoned, 16th March, 1926.

No. 31.—File G. 2114 and 2014.

Defendant : TU'U'U NAOU'U.

Charge.—That defendant did secretly plot to secure the removal of the Pulenu'u (Tofae), and in so doing did upset the peace of the village.

Complainant : The Village Committee of Siumu, through the District Council (Tofaeono P.N., original informant).

Particulars of Inquiry.—Defendant, Teo Vaega Motuopua'a and Tofae Taulima called by letter to appear before a Board of Inquiry consisting of Toelupe, Aiono, Leilua, and Asi Mama (F.P.'s) on 1st June, 1925. (A previous inquiry was held by the District Council in the district.)

Witness giving evidence for the defendant : Defendant.

Witnesses giving evidence against the defendant : Teo V., Ama Tu'u'u K., and Tofae T.

Recommendation of Board.—Defendant should lose the title of "Tu'u'u" and also leave the Village of Siumu.

File and recommendation sent to His Excellency the Administrator.

Decision.—Recommendation confirmed.

Orders issued.—Order dated 27th June, 1925, stated that defendant shall leave the district of Safata and remain within the district of Falealili during His Excellency's pleasure; and, furthermore, that he shall not use the title of "Tu'u'u," but shall be known by his original name "Maoupu." (Pardoned, 13th May, 1927.)

No. 32 and 33.—File L/3/5.

Defendants : (1) SUA FAA'ALA'E'O ; (2) SUA TAULUA.

Charge.—(1) That defendant did attempt to assume control of the family land, and, further, that he behaved in a threatening manner; (2) that he aided and abetted Sua F. as above.

Complainants : Vae and the family of Sua.

Particulars of Inquiry.—Several hearings took place between 11th September, 1924, and 11th March, 1925. The final hearing took place before Captain Bell, Resident Commissioner, on 24th June, 1925, when there appeared Fialima, Vae, Sinapai, Tapuni, and Sua Faa'alale'o (the latter was called by letter). Sua Taulua was not called to this inquiry, as the family had already removed his title, and to which decision he had concurred by letter.

Witnesses giving evidence for the defendant : Sinapai, Fialuma, and Sua F.

Witnesses giving evidence against the defendant : Vae and Tapuni.

Recommendations.—(1) That Sua Faa'alale'o be deprived of his title and sent to Lano; (2) that the decision of the family that Sua Taulua lose his title be upheld.

Orders issued.—Order dated 29th June, 1925, orders that Sua Faa'alale'o shall leave Salalologa and remain in Lano during His Excellency's pleasure; and, furthermore, that he shall not use the title "Sua," but shall be known by his original name, "Faa'alale'o."

No. 34.—File 528/25.

Defendant : PISIA.

Charge.—Theft.

Complainants : The police.

Particulars of Inquiry.—Defendant appeared before the Chief Judge.

Witness giving evidence for the defendant : Defendant.

Witnesses giving evidence against the defendant : T. Brunt, M. Schwenke, Tailevao, Soalo Po.

Recommendation.—That, as defendant had been convicted thirteen times and had served twelve terms of imprisonment, he should be sent back to his home at Falealili.

File passed to His Excellency the Administrator.

Decision.—Recommendation confirmed.

Order issued.—Order dated 12th July, 1926, orders defendant to leave the districts on the north side of Upolu, and remain away from such districts until 23rd October, 1927.

No. 35.—File 13/4/7 and N.D. 3/37.

Defendant : TOFILAU SIOSE.

Charge.—That he incited his village to act in a violent manner, and offended sacred Samoan ceremonial rites at a feast.

Complainant : The Crown.

Particulars of Inquiry.—Inquiry was held by Mr. Biggwith, Resident Commissioner of Savai'i, at Fogapca, on 1st July, 1924. The chiefs and orators of Sapapali'i and Iva were present at the inquiry.

Witnesses giving evidence for the defendant : Leamae, Taito E., Alo, Saena, Miti, Ieti, Lopati, Faaletala, Sapini, and defendant.

Witnesses giving evidence against the defendant : Taeuga, Taimalelagi, Gauta, Namulau'ulu, Ulu.

(NOTE: Resident Commissioner expressed an opinion that witnesses for the defendant gave evidence under pressure of the defendant.)

Recommendation.—That defendant should be dismissed from position of Pulenu'u and be deprived of his title. (Defendant accepted the decision.)

File and recommendation sent to His Excellency the Administrator.

Decision.—His Excellency the Administrator approves of the recommendation.

Orders issued.—Order dated 3rd August, 1924, prohibits defendant using title "Tofilau."

Nos. 36 and 37.—File 13/4/14.

Defendants : KALENA, KAVANA, and IONA.

Charge.—Assault and offences against the authority of the chiefs of the village.

Complainants : Village Committee of Lalomalava.

Particulars of Inquiry.—A Board of Inquiry consisting of Taimalelagi, Sua Latu, Unasa, sua Mui (F.P.'s), and Luamanu F.M.P., sat at Fusi on 10th July, 1925.

Witnesses giving evidence for the defendant : Defendants.

Witnesses giving evidence against the defendants : Chiefs of the village.

Recommendations.—The Board forwarded the following through the Resident Commissioner : (1) That Kalena be sent to his family at Fasito'otai ; (2) that Kavana be sent to Gautavai ; (3) that Iona be warned.

File sent to the Administrator.

Decision.—His Excellency confirms recommendation.

Orders issued.—(1) Order dated 10th September, 1925, sets out that Kalena shall leave the village of Lalomalava and reside in Fasito'otai during His Excellency's pleasure. (2) Order dated 10th September, 1925, states that Kavana shall leave the Village of Lalomalava and live in Gautavai during His Excellency's pleasure. (Kalena pardoned, 22nd December, 1926.)

No. 38.—File 112/26.

Defendant : MULU.

Charges.—(1) That, as he had been convicted of rape on 19th March, 1924, and of theft on 8th September, 1924, and, further, that he was the cause of trouble in the village of Faga, he should be removed from that district. (2) (a) Theft, (b) assault, (c) breaking banishment order, (d) gambling.

Complainant : The Crown.

Particulars of Inquiry.—Mulu appeared before the High Court on charge (2) (a), (b), and (c), and pleaded guilty ; also pleaded guilty on charge (2) (d) when he appeared before Captain Bell at Fagamalo. (Called by letter.)

Recommendations.—In reference to charge (1), Captain Bell recommended that defendant be ordered to leave Faga.

Decision by His Excellency the Administrator.—Mulu to leave Faga and live at Matautu.

Orders issued.—Order dated 20th September, 1925 : Defendant was convicted for breaking the above order, and a fresh order, dated 16th March, 1926, was issued, ordering Mulu to leave Faga and live in Matautu during the pleasure of His Excellency the Administrator.

No. 39.—File G. 2131.

Defendant : TAUUA.

Charge.—Misconduct towards the wife of Fonoti ; misbehaviour towards the village pastor, and disregarding the sanctity of his house ; overbearing attitude towards the people of his district.

Complainants : The chiefs of Faleapuna.

Particulars of Inquiry.—First inquiry, before Mr. Griffin, Secretary for Native Affairs, and Toelupe, Aiono, and Asi (F.P.s) as assessors. The following were summoned, and appeared on 25th August 1925 : Manga Fonoti, Tauua'a, Savusa, Lilo, Telepi, Paulo I, and Va'a. Case adjourned ; Tauua'a to desist from hearing further cases as a Native Judge. Second inquiry, before Mr. Griffin and a Board consisting of Asi, Seiuli, Toelupe, and Aiono (F.P.s), held on 25th September, 1925. The following called by letter : Defendant ; chiefs of Faleapuna, Vaituleo, Mauga, and Filiga. Defendant admits most of the charges brought against him.

Witness giving evidence for the defendant : Defendant.

Witnesses giving evidence against the defendant : Lilo, Tia, Savusa, Peai, Taito Tialavea, Pa.

Recommendations of the Board.—(1) That Tauua'a be deprived of the titles of "Tauua'a" and "Lelafu" ; (2) be dismissed from post of Fa'amasino ; (3) that he remove from Faleapuna and dwell in Falefa.

File and recommendation considered by His Excellency the Administrator.

Decision.—Recommendations confirmed by His Excellency the Administrator.

Orders issued.—Defendant ordered to leave Faleapuna and remain in Falefa during the pleasure of His Excellency the Administrator ; and, furthermore, that he shall cease from using the names "Tauua'a" and "Lelafa," and in future be known by his original name of "Tololi." Order dated 26th September, 1925.

No. 40.—File 86/25.

Defendant : PAULI.

Charge.—That he, having been convicted of wilfully causing grievous bodily harm and causing a breach in the family, should be deprived of his title.

Complainant : The family of Pauli.

Particulars of Inquiry.—Defendant was convicted by the High Court.

Recommendations.—Captain Bell, Resident Commissioner, acting upon a request of the family, recommended that defendant be not permitted to use the title of "Pauli"

Decision.—Confirmed by His Excellency the Administrator.

Order issued.—Order dated the 2nd November, 1925, prohibits the use of title "Pauli."

No. 41.—File G. 2290.

Defendant : TALAMAIVAO.

Charge.—Criminal assault and serious breach of *fa'a-Samoa* custom.

Complainants : The family of the defendant.

Particulars of Inquiry.—Defendant appeared before a Board of Inquiry consisting of Toelupe, Ama, Asi Mama, and Seiuli (F.P.'s) on 4th November, 1925. Board to consider the charge, and if proved to state what would be the punishment according to Samoan custom.

Witness giving evidence for the defendant : Defendant.

Witnesses giving evidence against the defendant : Satiu, Taulauai, Falemai, and Vae.

Recommendations.—(1) Defendant is not considered a fit person to hold the office of Faipule ; (2) he would not be permitted to be a *matua* ; (3) he would not be allowed to live with his family.

Decision.—Minutes of the inquiry passed to His Excellency the Administrator, who approves of the substance of the Board's recommendations.

Orders issued.—Order dated 16th November, 1925, orders Talamaivao to leave Fagaloa and reside in Leulumoeaga during His Excellency's pleasure, and, furthermore, he is to cease using the titles of "Ulualoifaiga" and "Talamaiivao."

No. 42.—File L/3/14.

Defendant : LEILUA AVAO.

Charge.—Upsetting the family relationship.

Complainants : The family of defendant.

Particulars of Inquiry.—Inquiry was held by a Board consisting of Taimalelagi, Sua Lata, Sua Mui, and Unasa (F.P.'s) at Safolulafai on 2nd November, 1925.

Witness giving evidence for the defendant : Defendant.

Witnesses giving evidence against the defendant : Family of Leilua.

Recommendation of Board.—Remove the title of defendant and remove him from the village.

File forwarded to His Excellency the Administrator.

Decision.—Recommendations approved by His Excellency the Administrator.

Order issued.—That Leilua was to remove from Safotulafai to Iva during His Excellency's pleasure, and that he cease to use the title of "Leilua," and that in future he shall be known by his original name of "Avao." Order dated 23rd November, 1925.

No. 43.—File G. 2282.

Defendant: LIO PEAPEA.

Charge.—Interrupted the evening service and used insulting language to the chiefs of the village.

Complainants: Chiefs of Fasito'otai (Saga Maea, Tuiatua, Toleafoa, and others).

Particulars of Inquiry.—Board of Inquiry consisting of Toelupe, Seiuli, and Asi Mama (F.P.s) sat at Mulinu'u on 8th December, 1925. The following appeared in answer to an instruction by letter: Defendant, Salanoa, F.P., Tuigamala, P.N., Saga M., Tauai, Tuiatua, Saga F., Tuigamala P., Iau, and eight others. Defendant told the Board he did not want to call any witnesses.

Witnesses giving evidence for the defendant: Defendant, Pua, Lauago.

Witnesses giving evidence against the defendant: Tuigamala P.N., Saga M., Tuigamala P., Salanoa, and Tuiatua.

Recommendation.—We approve of the recommendation of the Village Committee that Lio be removed from Fasito'otai and that his title be removed, as he is not a fit person to be a *matai*. (NOTE.—Defendant had appeared before the Village Committee previously.)

File and recommendation forwarded to Administrator.

Decision.—Recommendation of the Board approved.

Order issued.—Order dated 4th December, 1925, states that defendant is to leave Fasito'otai and remain in Faleasiu during His Excellency's pleasure, and, furthermore, that he shall cease to use the title of "Lio" and shall be known by his original name of "Peapea." (Pardoned 28th November, 1926. Two weeks after his return to his village he was again ejected by the chiefs.)

No. 44.—File 2295.

Defendant: AUELUA LUAVAI.

Charge.—That he, having been convicted of perjury, abduction, and adultery, was an unfit person to be a *matai*.

Complainant: Tagaolo and others.

Particulars of Inquiry.—Was convicted by the High Court. The question of his title was determined by a Board of Inquiry consisting of Toelupe, Aiono, and Asi Mama (F.P.s), who sat on 11th January, 1926. Several other hearings were carried out by Mr. Griffin.

Witnesses giving evidence for the defendant: Peapea, Faasalusalu, Alofaga, and defendant.

Witnesses giving evidence against the defendant: B. Johansson, Tulia, and Tagaolo.

Recommendation.—That defendant is not a fit person to hold a *matai* title.

File and recommendation perused by His Excellency the Administrator.

Decision.—Defendant to be deprived of his title.

Order issued.—Defendant to cease to use the title of "Auelua." Order issued 11th January, 1926. (Title returned by family.)

No. 45.—File 2360.

Defendant: LUI.

Charge.—That he defied the authority of the chiefs of the village and refused to apologize for such defiance.

Complainants: The chiefs of Vaiusu and the District Council (Ale Malu, Taliau, and Mataia S., and Mataia P.).

Particulars of Inquiry.—The District Council held an inquiry and referred the matter to the Government, which set up a Board consisting of Toelupe and Asi (F.P.s), who upheld the decision of the Council.

Witness giving evidence for the defendant: Defendant.

Witness giving evidence against the defendant: Seiuli F.P.

Recommendation.—That Lui should leave Vaiusu and live in his father's village, Leauvaa.

File perused by His Excellency the Administrator.

Decision.—Approves the Board's recommendation.

Order issued.—Defendant to leave Vaiusu and live at Leauvaa during His Excellency's pleasure. Order dated 22nd July, 1926.

Nos. 46, 47, and 48.—File N.D. 691.

Defendant: (1) SAVUSA; (2) TIALAVEA F.; (3) TIALAVEA V.

Charge.—Defiance of the Board of Inquiry, and refusing to reconcile with the Faipule, thereby causing a serious rupture in the district. (NOTE.—The defendants brought various charges against Fonoti F.P. The Board of Inquiry was set up, and in their investigations found that the charges were completely unfounded and had been brought out of malice. Defendants were then instructed to apologize and effect a reconciliation.)

Complainants: The Crown.

Particulars of Inquiry.—Defendants were called by letter to appear before the Board of Inquiry, consisting of Toelupe, Aiono, Asi Mama, and Seiuli (F.P.s) on 16th November, 1926. Investigation was adjourned to 23rd to allow of a reconciliation to be effected (as stated above). Board continued its sittings of 23rd November, 1926. A further Board, consisting of Mataafa, Tainau, and Sagapolutele (F.P.s) was set up and endeavoured to bring about a reconciliation on 27th January, 1927.

Witnesses giving evidence for the defendants: Defendants.

Witnesses giving evidence against the defendants: Fonoti and Fea.

Recommendations.—(1) Savusa should lose his title and return to his relations at Tuanai. (2) Tialavea F. should lose his title and return to his relations at Falefa. (3) Tialavea V. should be dismissed from the office of *pulemu'u* and lose his title.

Decision.—Evidence examined by His Excellency the Administrator. Recommendations of Board approved.

Orders issued.—(1) Savusa to remove from Faleapuna and remain at Tuanai during His Excellency the Administrator's pleasure, and not to use the title of "Savusa." (2) Tialavea Faitele to remove from Faleapuna to Falefa during His Excellency's pleasure, and not to use the title of "Tialavea." (3) Tialavea Vesi to be dismissed from the Government service and not to use the title of "Tialavea." All orders are dated 29th December, 1926.

No. 49.—File Savai'i.

Defendant: TAATITI S.

Charge.—Unlawful entry with intent to commit a sexual crime.

Complainant: The District Council of Neiafu and Taatiti T.

Particulars of Inquiry.—The District Council of Neiafu (Pei F.P., Tautali P.N., and ten others) investigated the charge on 3rd May, 1926, and recommended that defendant should be deprived of title and ordered to remove to another village. Case was further investigated by Captain Bell, Resident Commissioner of Savai'i, at Falelima, on 24th November, 1926.

Witness giving evidence for the defendant: Defendant, who stated that he did not have other witnesses.

Witnesses giving evidence against the defendant: Pei, Tauia, Tauai, and Malia.

Recommendation.—(1) That Taatiti be deprived of his title; (2) that he be removed from Neiafu to Sataua.

Files forwarded to His Excellency the Administrator.

Decision.—Recommendation approved.

Order issued.—That defendant shall leave the village of Neiafu and remain in Sataua during His Excellency's pleasure, and also that he shall cease to use the title of "Taatiti." Order is dated 23rd December, 1926.

Nos. 50 and 51.—File G. 1920.

Defendants : (1) MOANANU, (2) FAATEAINA.

Charge.—Discussing and disclosing family genealogies.

Complainants : Chiefs of Mulifanua.

Particulars of Inquiry.—Defendants summoned to appear before the Native Court on 3rd March, 1925. Defendants appeared, and case was heard by Commissioner McCarthy, who convicted and ordered defendants to come up for sentence when called upon ; and, further, that this decision shall be forwarded to His Excellency the Administrator. Files and evidence submitted.

Witnesses giving evidence for the defendant : Defendants.

Witnesses giving evidence against the defendants : Tuilaepa, Fuanonofu, Tauti, Ifopo, Taulapapa.

Decision by His Excellency the Administrator.—(1) That Moananu leave Mulifanua and reside at Letogo, and also lose the use of his title. (2) That Faateaina remove from Mulifanua.

Orders issued.—(1) That Moananu leave Mulifanua and remain at Letogo during His Excellency's pleasure, and also to cease using the title of "Moananu" ; (2) That Faateaina leave the district of Aigaile-Tai and remain at Satupaitea during His Excellency's pleasure. Orders dated 27th April, 1925.

No. 52.—File 21.

Defendant : LESA.

Charge.—Fourteen charges of a varied nature, including the disruption of religious factions.

Complainants : The chiefs of Sataua.

Particulars of Inquiry.—An investigation was held by the District Council, and recommendations were forwarded to the Resident Commissioner, Savai'i. A Board consisting of Leliua, Tapusoa, Suisala, and Vaai (F.P.s) was set up, and defendant, Tapue, Mataeliga, Pua, Lefua Alaelua, Sua, Tufuga, the chiefs of Sataua and Papa, and the District Council of Vaisigano were called for 21st January, 1927. All appeared.

Witness giving evidence for the defendant : Defendant.

Witnesses giving evidence against the defendant : Pua, Lefua, Faalagi, Mua, and Leali'ifono.

Recommendations.—(1) That Lavea be dismissed from office of Komisi ; (2) that he be removed from Papa to Saleia, and deprived of his title.

Files passed to His Excellency the Administrator.

Decision.—(1) That Lavea shall be dismissed from office ; (2) that he shall be removed as recommended.

Order issued.—That Lavea is to leave the Village of Papa, and remain at Sataua during His Excellency's pleasure. Order dated 17th May, 1927.

No. 53.—File L/2/6.

Defendant : TUALA TAOMU.

Charge.—Adultery.

Complainant : Family of defendant and chiefs of Lealatele.

Particulars of Inquiry.—The following appeared before the Resident Commissioner of Savai'i (Mr. Biggwith) on 25th September, 1924 : Sala S., Tuala Taoumu, Tiuga, Tevaga, and Vaifale.

Witness giving evidence for the defendant : Defendant.

Witness giving evidence against the defendant : Sala S.

Recommendations.—(1) That if the family of Tuala Taoumu wish the title of "Taoumu" to be removed they must petition His Excellency the Administrator. (2) Tuala Taoumu to be dismissed from office of Native Judge. (NOTE.—Petition from family dated 29th September, 1924, sent to His Excellency the Administrator.)

Decision.—Approved by His Excellency the Administrator on 10th October, 1924.

REMOVAL ORDERS CURRENT ON 22ND OCTOBER, 1927.

Term : The Administrator's pleasure.

No.	Case No.	Name.	To remove from	To	Date of Order.	Remarks.
1	38	Mulu	Faga, Savai'i ..	Matautu, Savai'i	16/3/26	Chiefs desire that Mulu be not allowed to return.
2	39	Tauaa Lelafu ..	Faleapuna	Falefa	26/9/25	On 15/2/27 a committee of Faipule, reporting on Faleapuna trouble, recommended that Tauaa be sent to Faleasiu and not permitted to return to Faleapuna.
3	42	Leilua Avau ..	Salotulafai ..	Iva, Savai'i ..	23/11/25	Question of pardon at present under consideration.
4	46	Savusa	Faleapuna	Tuanai	29/12/26	
5	47	Tialavea F. ..	"	Falefa	"	
6	49	Taatiti Setu ..	Neiafu, Savaii' ..	Sataua, Savai'i ..	23/12/26	Question of pardon at present under consideration.
7	50	Moananu	Mulifanua	Letogo	27/4/25	Chiefs desire that defendant be not allowed to return to village.
8	51	Faateaina	"	Satupaitea	"	Ditto.
9	52	Lesa	Papa, Savai'i ..	Saleia, Savai'i ..	17/5/27	

EXHIBIT No. 59.
ORDERS ISSUED DURING POLITICAL AGITATION.

No.	Name.	Of	Ordered to	Date of Order.	Term.	Remarks and Inquiries.
1	Matau Karauna	Apia ..	Remain at home	25/11/26	Three months	Endeavoured to distribute Mau literature and collect funds for the Mau at Savaii.
2	Faumuina	Lepea ..	"	"	"	Ditto.
3	Lemu T.	Apia ..	"	"	"	"
4	Pito ..	"	"	"	"	"
5	Ainu'u Tasi	"	"	12/1/27	"	"
6	Tuisila	Mutiatafe	"	"	"	Appeared before the Administrator.
7	Anao ..	Eva ..	"	"	"	"
8	Alipia ..	Leulumoega	"	"	"	Appeared before the Administrator.
9	Faumuina	Lepea ..	"	20/6/27	Administrator's pleasure	Removed from Apolima to Lotofaga on 2nd August, 1927.
10	Lago Lago	Pesega	"	"	"	Both Faumuina and Lago Lago appeared before the Administrator.
11	Tuisila	Mutiatafe	"	2/7/27	"	Disobeyed order and was convicted.
12	Tagaloa F.	Saluafata	"	5/7/27	Three months	"
13	Fuataga	Lalomanu	"	"	"	"
14	Leutele	Falefa ..	"	"	"	"
15	Alipia	Leulumoega	"	7/7/27	"	Refused to meet the Administrator when given an opportunity to do so.
16	Umaga	"	"	"	"	"
17	Tofa T.	Saipipi..	"	"	"	"
18	Matamua P.	Iva ..	"	"	"	"
19	Luamanu, T.	Salelologo	"	"	"	"
20	Tofilau F.	Iva ..	"	"	"	"
21	Mafine	Saleaula	"	8/7/27	"	"
22	Mamea L.	Lefaga	"	"	"	"
23	Fasia ..	Safotulafai	"	"	"	"
24	Lavea T.	Safotu ..	"	"	"	"
25	Vaafusu A.	Sasaai ..	"	"	"	"
26	Vui P...	Lano ..	"	"	"	"
27	Tu'u Faatupua.	Samauga	"	"	"	"
28	Vaalito	Satana...	"	"	"	"
29	Fui ..	Letui ..	"	"	"	"
30	Loeta ..	Gautavai	"	"	"	"
31	Fuiono Pine	Falealupo	"	"	"	"
32	Silia P.	"	"	"	"	"
33	Gisa ..	Tufutafoe	"	"	"	"
34	Falealili	"	"	"	"	"
35	Faisila	Neiafu	"	"	"	"
36	Leavai	Palauli	"	"	"	"
37	Segi L.	Sasaai ..	"	"	"	"
38	Toilolo	Taga ..	"	"	"	"
39	Fui T.	Lotofaga	Remain at home	"	"	Refused to meet the Administrator when given an opportunity to do so.
40	Sitagata	"	"	"	"	"
41	Melei ..	"	"	"	"	"
42	Moana	Safine..	"	"	"	"
43	Alipia..	Leulumoega	Return home from Apia	16/7/27	Twelve months	Given an opportunity to appear; arrived late.
44	Umaga	"	Varusu	"	"	Appeared before the Administrator.
			Satalo ..	"	"	"

45	Autagavaia S.	..	Vailoa, Savaii	..	Falealupo	..	..	16/7/27	..	Disobeyed order to appear before the Administrator.
46	Papalii Ulu	..	Apia ..	..	Vaitele	..	..	20/7/27	..	Appeared before the Administrator.
47	Ainu'u Tasi	..	" ..	..	Maie ..	..	..	"	..	"
48	Matau Karauna	..	" ..	..	Asau ..	..	..	"	..	"
49	Tuao Tauilo	..	Lefaga	..	Return home from precincts of Apia	..	..	28/7/27	..	Disobeyed first order and did not appear when given an opportunity to do so.
50	Lagaiaia M.	..	Palauli	..	"	..	..	"	..	"
51	Pasia ..	..	Safotulafai	..	"	..	..	"	..	"
52	Tofa T.	..	Saipipi..	..	"	..	..	"	..	"
53	Tofilau F.	..	Iva ..	..	"	..	..	"	..	"
54	Matamua P.	..	Satelologa	..	"	..	..	"	..	"
55	Luamanu T.	..	"	..	"	..	..	"	..	"
56	Mafine	..	Saleaula	..	"	..	..	"	..	"
57	Tuala Turo	..	Teauvaa	..	Lealatele	..	..	"	..	"
58	Alciai	..	Palauli	..	Return home from precincts of Apia	..	..	"	..	"
59	Lavea T.	..	Safotu	..	"	..	..	"	..	"

SUMMARY AND ANALYSIS.

A total of 59 orders were issued upon 50 individuals. (a) Number ordered to remain or return to their home villages, 42; (b) number ordered to remove to villages other than their own home village, 8; total, 50. (NOTE.—Faumuina, who was later ordered to return to his home village of Lotofaga, is included in (b) above.)

Number of orders current on 24th October, 1927, 19.

Convicted for disobedience of orders, 3; arrested on warrant (16 orders issued), 9; signed letter refusing to leave Apia, 14; disobeyed orders, no further action taken, 19; disobeyed orders and served with second orders, 6; obeyed orders, 8; total orders, 59.

R. H. ALLEN, Accountant and Inspector, Department of Native Affairs.

EXHIBIT No. 60.

LIST OF FAIPULE APPOINTMENTS.

[Extracts from "Nominal Rolls of Officials in Savai'i."]

Malupo F.P., Vaito'imuli: Appointed Pulenu'u, 19/6/1909; sworn in, 2/6/1916; appointed Faipule, 30/6/1916; sworn in, 2/6/1916.

Unasa T. F.P., Faga: Appointed Pulenu'u, 1/9/1919; sworn in, 10/9/1919; promoted Faipule, 1/9/1919; sworn in, 10/9/1919.

Mala'itai F.P., Lefagaoli'i: Appointed Pulenu'u, 1/1/1907; sworn in, 1/9/1919; promoted Faipule, 1/9/1919; sworn in, 1/9/1919.

R. Vaai F.P., Vaisala: Appointed Failautusi, 1/1/1901; sworn in, 1/1/1901; appointed Faamasino, 1/1/1906; appointed Pulefaato'aga, 1/8/1914; sworn in, 1/8/1914; promoted Faipule, 1/9/1919.

Tuisalega F.P., Faiaai: Appointed Pulenu'u, 1/4/1917; sworn in, 1/4/1917; appointed Faamasino, 1/2/1919; sworn in, 1/2/1919; promoted Faipule, 1/9/1919; sworn in, 1/9/1919.

Leilua Siavi'i F.P., Safotulafai: Appointed Pulenu'u, 1/2/1919; sworn in, 1/2/1919; promoted Faipule, 1/11/1919; sworn in, 1/9/1920.

Tapusoa F.P., Safotu: Appointed Pulenu'u, 1/7/1916; sworn in, 5/7/1916; promoted Faipule, 1/9/1919; sworn in, 1/9/1919.

Suisala F.P., Safa'i: Appointed Faamasino, 1/7/1913; sworn in, 2/6/1916; promoted Faipule, 18/8/1923; sworn in when F.M.P.

Scumanutafa F.P., Falcalupo: Appointed Faamasino, 1/2/1919; sworn in, 2/2/1919; promoted Faipule, 1/1/1926; sworn in when F.M.P.

Su'a Mui F.P., Saipipi: Appointed Faamasino, 1/3/1924; sworn in, 28/3/1924; promoted Faipule, 1/7/1925; sworn in when Faamasino.

Su'a Latu F.P., Salcalvalu: Appointed Faamasino, 1/4/1922; sworn in, 6/11/1922; promoted Faipule, 1/8/1924; sworn in when Faamasino.

Pei Ainea F.P., Neiafu: Appointed Pulenu'u, 1/2/1919; sworn in, 2/2/1919; promoted Faipule, 18/1/1923; sworn in, 21/12/1923.

EXHIBIT No. 61.

BANISHMENT ORDER.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Lealaitafea, Samoan male of the Village of Salailua, Savai'i.

I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of you, Lealaitafea, within the district hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you leave the district of Pauauli West, in the Island of Savai'i, in Western Samoa, and that you remain outside the said district for a period of twelve months from 1st January, 1924.

Witness my hand at Apia, this 7th day of January, 1924.

GEO. S. RICHARDSON, Administrator.

I certify that the foregoing is a true copy of the original document.—R. H. ALLEN, Accountant and Inspector, Department of Native Affairs.

EXHIBIT No. 62.

LETTER FROM ALI'I AND FAIPULE TO RESIDENT COMMISSIONER, SAVAI'I.

Salailua, 17th September, 1927.

To His Honour, Mr. Bigg-Whither, Resident Commissioner, Savai'i.

SIR,—

This letter is written with the greatest of respect to your Honour. It is on account of matters now happening in this village. As to the existence of peace in the past, it is now shattered by these two persons, Tolova'a Tupu and Na'i Taei'a. During His Excellency the Governor's *malaga* trouble arose on account of the head-dress of Na'i Taei'a. I saw injury was likely to effect, and I therefore stopped it, I and Lealaitafea Tajia'i'a. Some time later the village again saw Taei'a with his head-dress on. It was settled then that the *ta'atolos* be carried on. He again and also came forward with a war-knife and stones; Tolova'a Tupu also uttered the words "that the village will or is to be parted." As to the matter between Savai'inaea and Na'i Awa'a, it was settled upon by the Government during *ava (kava)* and the head-dress, in order to be discussed and peace maintained.

As to Na'i Taei'a, he is not in it, but he wishes to be in it for no reason; it is not him, but it is Na'i Awa'a only and the Savai'inaea—that is all; Na'i Taei'a is not in it. These matters as have arisen from these persons will cause breach of the peace in this village: (1) One person of the village of Siutu died on account of Taei'a. (2) He uttered to Tuato Pasi, that he will kill him. (3) It was Taei'a who said during beetle-searching that he will kill him, the boy Tavete. (4) It was Taei'a and his brother who assaulted the Pulenu'u Tolova'a Tupu; he also came with a gun and axe to Naea. (5) He rode a horse using a big knife as a whip. He was the one, too, who said, at the day of reception to His Excellency, "the village will be parted." (6) Went with *fafautu* (a *lavilava* bound around the head) along the village; but it is forbidden—it is not the custom here. (7) He struck a boy with a walking-stick during reception day to His Excellency.

Therefore we accordingly wish to inform your Honour the Resident Commissioner and the Government, these persons are no longer included in matters of village affairs, and a wish of this village is with the Government now—that any one who commits a breach of the peace in this village is to leave this village. This is the wish of this village, that these persons be taken away who have broken the peace in this village.

Long live your Honour,

ALI'I and FAIPULE:

- | | | |
|--------------------|--------------------|-----------------------|
| 1. SAVAI'INAEA F. | 8. VA. | 14. LEULUAI OFISA. |
| 2. LEAVAI. | 9. MULIPOLA S. | 15. POLO, PULENU'U. |
| 3. TIA. | 10. MATAPULA. | 16. LEALAITAFEA TOFO. |
| 4. TAFEA TAGIAI'A. | 11. TUATO PASI. | 17. TUATO LASALO. |
| 5. MULIPOLA FALE. | 12. MAIAVA. | 18. TOLOVA'A SILATA. |
| 6. NAFO. | 13. AUMALE TAISIA. | 19. TUATO, PULENU'U. |
| 7. TUTFALEFA. | | |

Revenue and Expenditure. (Fiji Blue-book, 1925, page 52.)

The cost of the service "District administration" for 1925 was £23,087 11s. 9d. Following is an analysis: Personal emoluments, £20,187 9s. 7d.; other charges, £2,888 2s. 2d.; special expenditure—purchase of punt for D. C. "Rewa," £12.

Of the "Personal emoluments" it is impossible in the time at my disposal to make an accurate analysis, as details of the actual salaries paid to each individual official, including over two hundred Native Fijians, are not available. Roughly, however, the expenditure is as under: European District Commissioners and their Indian clerks and interpreters (say) £15,200; purely Native officials (say) £4,987: total, £20,187.

The District Commissioners are charged with the general administration of the various districts in the colony, in the interest of European and Native alike. The Native officials are engaged in purely Native administration. Of the "other charges" at least one-half may properly be allocated against "Native administration." A good third of the time of District Commissioners and their staff is occupied in purely Native affairs. Many of the District Commissioners are also Provincial Commissioners, and in that capacity have charge of the administration of the province, and the provincial funds and taxes, otherwise administered by a Native *roko*.

Direct expenditure under the head "District Administration" might be taken as—One-third salaries of District Commissioners and their staffs, £5,066; purely Native officials, £4,987; one-half of "other charges," £1,450: total, £11,503. In addition there is the Native section of the Secretariat, the expenditure under which, for 1925, was estimated at—Personal emoluments, £1,210; rations, &c., to unpaid Native clerks in training, £126: total, £1,336.

Sight must not be lost, however, of the fact that the Natives themselves contribute a substantial sum annually, in addition to their "Native taxes," towards the cost of their administration by way of provincial rates, which produce something not far under £20,000 a year. These moneys do not come into general revenue. If they did, the cost of the purely Native administration would correspondingly have to be enormously increased. The provincial rates are paid into the various "Provincial Funds," which are administered by either a Native *roko* (or chief), or a European Provincial Commissioner, who is also a District Commissioner.

Revenue and expenditure *per capita* of all classes of population (population, 169,667): Revenue, £550,236; expenditure, £478,174. Revenue *per capita*, £3 4s. 10d.; expenditure *per capita*, £2 16s. 4d.

In addition to the expenditure from general revenue shown above, during 1925 a sum of £36,842 19s. 9d. was expended from loan funds. Adding that to the expenditure from general revenue, the expenditure *per capita* for that year works out at £3 0s. 8d.

Total Expenditure of Secretariat. (Fiji Blue-book, 1925, page 60).—Excluding Native section: Personal emoluments, £8,221; other charges, £1,344: total, £9,565. Section "Native Affairs": Personal emoluments, £914; Native personnel, £296: total, £1,210. (NOTE.—The information given in this case and in the previous one, for the reason given in my observations on "Revenue and Expenditure," is partly actual and partly estimated. It is correct, however, to within a very few pounds.)

Treasury and Audit Departments.—Treasury: Personal emoluments, £5,396; other charges, £3,929. Inland revenue: Personal emoluments, £211; other charges, £500: total, £10,036. (NOTE.—The salary of the Commissioner of Inland Revenue, who is also Deputy Treasurer, is included in the personal emoluments of the Treasury proper. The Inland Revenue section embraced then income-tax and stamp duties only.) Audit Department: Personal emoluments, £2,292; other charges, £238: total, £2,530.

Customs Department.—Personal emoluments, £7,537; other charges, £950: total, £8,487.

Customs and Allied Revenue (Fiji Blue-book, 1925, pages 54 *et seq.*)—Import and export, £286,513; licenses, £14,875; income-tax and business profits, £34,118; residential-tax, £21,746.

For the purpose of comparison with the cost of collection, however, the following represents more nearly Customs revenue: Imports and exports, £286,513; licenses (about one-quarter), £3,719; port, wharfage, and lighthouse dues, £16,116: total, £306,348.

Income and business profits taxes as well as residential tax are collected, the former by the Inland Revenue section, and the latter by the Treasury proper. The amount of business profits tax collected in 1925 was nil. While the revenue from port, wharfage, and lighthouse dues are included above because they are actually collected through the Customs Department, for the purpose of arriving at the cost of collecting or earning this revenue the Port and Marine figures should be taken into account. They are as follows:—

Harbour—i.e., Port and Marine.—Personal emoluments, £2,634; other charges, £3,279: total, £5,913. The true cost of collecting this £306,348 shown above is therefore—Customs, £8,487; Port and Marine, £5,913: total, £14,400.

Lighthouse-keepers: For reasons already given it is impossible at this moment to give actual figures of salaries and wages paid, but the estimates were—Lighthouse-keepers, £1,308; Inspectors of Lighthouses, £30; bonuses (approximately), £400: total, £1,738. These figures may be taken as being within a few pounds of actual expenditure.

Other charges under Port and Marine:—

	£	s.	d.
Lighting and care of wharves, receiving-sheds, and offices, Suva, Levuka, and Lautoka	458	1	0
Oil and stores, lighthouses and signal-stations	1,242	1	5
Allowance to unofficial members of Fiji Marine Board	5	0	0
Marine Board Examiners and Surveyors	7	11	6
Marine Board inquiries and investigations	61	6	6
Maintenance of pilot-boats	78	12	0
Maintenance of buoys and beacons	232	15	4
Maintenance and running-expenses of oil-launches	375	17	7
Incidentals	43	7	1
Wages, rations, and clothing, boat's crew	476	19	0
Transport	27	1	0
Rent, lighthouse grounds	3	2	0
Hose for water-supply to shipping	151	7	11
Alteration to electric switches and wiring on the wharf in order to economize in the consumption of current	116	0	0
	<u>£3,279</u>	<u>2</u>	<u>4</u>

Transport.—The main function of H.M.C.S. "Pioneer" is to undertake lighthouse trips, which she does every two or three months. The total cost of the "Pioneer" in 1925, including £12,043 for insurance and extraordinary maintenance charges, was £21,915. In addition to the Harbourmaster's launch under the Port and Marine Department proper, the maintenance and running-expenses of which in 1925 amounted to £376, there are launches under the control of various District Commissioners and Medical Officers, and there is a launch attached to the leper station at Makogai. These launches are maintained by the various Departments. There are also launches under the control of the Public Works Department. The cost of upkeep of water transport under the Works Department for 1925 was £4,589.

Legal Department.—The total expenditure under this head was £7,417, made up by—Personal emoluments, £6,209; other charges, £1,471: total, £7,680. The copy of the estimates for 1925 will show the establishment fairly well (Fiji estimates, page 19).

It must be remembered that all District Commissioners are really in their judicial capacity under the Chief Justice, and form, therefore, part of the Department of Justice.

Police Department.—Personal emoluments, £14,723; other charges, £3,327: total, £18,050. Details of the establishment are shown in the estimates.

Defence Department.—Personal emoluments, £1,251; other charges, £1,265: total, £2,516.

There is no real connection between these two services, though for some years now the Inspector-General of Constabulary has also been Commandant of the Defence Force.

Department of Agriculture.—Personal emoluments, £5,364; other charges (general), £25,903; expenses *Levuana iridescens* campaign, £9,053: total, £40,320.

Indian Section of Secretariat.—The total estimated cost of this service was £988, representing "personal emoluments" only. No differentiation is made between "other charges" for this service and for general service under the Colonial Secretary's Department.

Post and Telegraph Department (Fiji estimates, page 34).—Personal emoluments, £12,090; other charges, £15,598: total, £27,688.

Education Department (Fiji estimates, page 28 *et seq.*).—Personal emoluments, £10,526; other charges, £17,936: total, £28,462. Provision for salaries for 1925: (a) Superintendent of Schools (vacant), £500; (b) Headmaster, Grammar School, £405; (c) Headmaster, Levuka Public School, £383; (d) Headmaster, Queen Victoria School, £500; (e) Headmaster Lau Provincial School, £500; (f) Headmaster, Northern Provincial School, £500; (g) Headmaster, Eastern Provincial School, £400; (h) Headmaster, Kadavu Provincial School, £400. (With the exception of (b) and (c) all these officers drew also bonus at the rate of 15 per cent. plus £22 10s.; the others drew £40 tropical allowance. All were entitled to free quarters.)

Medical Departments.—Medical: Personal emoluments, £13,873; other charges, £5,043: £18,916. Hospitals and asylums: Personal emoluments, £7,604; other charges, £22,000: total, £48,520. The cost of the Leper Asylum was—Personal emoluments, £2,639; other charges, £5,714: total, £8,353. Total medical services, £48,520; less Leper Asylum, £8,353: total, £40,167.

Fares and Allowances and Expenses to and from Overseas.—Expenses of officers appointed from overseas is sometimes charged against departmental votes. The following items, however, represent either wholly or in greater part such expenses; and there may be others not included for the reason given: passages of sisters (Makogai) on leave, £43; expenses for Inspector of Schools from New Zealand, £167; travelling-expenses and passages for New Zealand teachers, £256; assisted passage allowances for officers proceeding on leave, £3,224; travelling-expenses and subsistence allowances of public officers, £1,363: total, £5,053.

Total Expenditure, 1915 and 1926.—1915, £329,038; 1926, £535,957. The above represent expenditure from general revenue. Expenditure from loan funds for the two given years was—1915, £46,207; 1926, £45,515.

H. W. HARCOURT, Acting Colonial Treasurer.

Suva, Fiji, 15th September, 1927.

NOTES.

Note 1 (Population).—The following analysis of the figures given may be of use:—

<i>Samoan Table.</i>				<i>Fiji Table.</i>			
Polynesian or Fijian	..	..	90,209	Fijian	..	..	88,431
Indians	..	..	68,136	Polynesian	..	..	1,778
Chinese	..	..	969				90,209
Solomon-Islanders and Rotuman boys	..	..	2,235	Indians	..	..	68,136
Fijian labourers	..	..	1,041	Chinese	..	..	969
European and other nationalities	..	..	7,077	Rotumans	..	..	2,159
				Others (Rotuma)	..	..	*76
							2,235
				Others (Fiji)	..	..	*1,041
				Europeans (Fiji)	..	..	4,061
				Europeans (Rotuma)	..	..	14
				Half-castes (Fiji)	..	..	2,977
				Half-castes (Rotuma)	..	..	25
							7,077

* These are neither Solomon-Islanders, Rotuman boys, nor Fijian labourers. They are "other nationalities," resident respectively in Fiji proper and the Island Dependency of Rotuma, and should, strictly speaking, be included in the heading "European and other Nationalities."

Note 2.—The basis of all the figures given on pages 6, 7, and 8 is incorrect, and is vitiated by several misstatements. In the first place, district administration is *not* a purely "Native" affair (page 6). As I have endeavoured to explain, it is difficult, if not almost impossible, to arrive at an accurate estimate of the true cost of purely *Native* administration in this colony, for the reason that the District Commissioners are sometimes also Provincial Commissioners—*i.e.*, Native officials—as well, and even while not, have a great deal to do with them; and for the reason that the domestic administration of the provinces does not come within the purview of the Treasury and Government proper. In the second place, I observe a footnote to the item "Assistant Secretary, £700" (bottom of page 7), "Chief Clerk." This is inaccurate. The title of the officer in question was "Principal Assistant Colonial Secretary" (see page 12 of estimates for 1925). As such he was also *ex officio* "Secretary of Native Affairs"; and as the result of this arrangement the "Native Section" was saved the direct charge of at least a considerable portion of his salary. The post of "Assistant Colonial Secretary" was created somewhat differently, inasmuch as the whole of his salary was charged against the Indian Section. As a result of these arrangements the information given on the top of page 8 is also inaccurate. There was no "Secretary for Native Affairs" as such, although a very large proportion of the time of the Principal Assistant Colonial Secretary, at a salary of £700, was occupied in performing duties strictly pertaining to such a post. There was, however, an "Under-Secretary," whose salary for that year was set down at £456; and there was a Second-class Clerk—not an "Assistant Secretary"—drawing a salary of £300. In addition, there were two Fourth-class Clerks and a messenger (As regards these salaries and all individual salaries quoted, it must be remembered that, in addition to the salary itself, all officers drawing over £150 a year received a bonus of 15 per cent. plus £22 10s., and officers drawing under that an average of 30 per cent. The emoluments of the Colonial Secretary (page 7) set down at £1,000 were, strictly speaking, £1,150—*i.e.*, £1,000 plus £150, the latter sum being the maximum bonus payable at that date. He also enjoyed free quarters. The Principal Assistant Colonial Secretary drew £700 plus £105

plus £22 10s. = £827 10s., and so on. This is one of the factors which made it difficult to give accurate figures.) The actual salary drawn by the Secretary for Native Affairs this year is £1,000 per annum, and the officer is entitled to free partly furnished quarters.

As already pointed out, the figures for the Native population are inaccurate. They should be 88,431, not 91,250. The Polynesians do not come within Native administration.

As I have already estimated elsewhere, the direct cost of Native district administration may be regarded as in the neighbourhood of £11,503, and of the Native Section of the Secretariat as £1,336. If to this is added the amount drawn from the Natives as provincial rates and expended directly on them, amounting to close on £20,000, the total cannot be less than £30,000, and is probably more.

Note 3.—It is observed that under the heading "Department of Justice" there is included the office of Titles Clerk. There was no such appointment in 1925. The post was not created until 1926. In criticizing the list of salaries shown of Fiji officers it must be remembered that in each case bonus at the rate already given must be added.

Note 4.—Chinese in Fiji are not treated as coolies, and do not work as coolies. Moreover, a very large proportion of the Indian population in Fiji is agricultural or engaged in storekeeping. There are no special restrictions upon either Indian or Chinese labour.

Note 5.—These notes have been made in the course of preparing the memorandum you required. I find on looking it over that the only occasion on which I have had to approximate figures to a certain extent is in dealing with the expenses of Native administration, and this is owing to the fact that we make little effort here to differentiate between our direct expenditure on Natives and any other section of the community. The rest of the figures are, I think, correct to the nearest pound in every case.

Suva, Fiji, 15th September, 1927.

H. W. HARCOURT, Acting Colonial Treasurer.

TONGA FIGURES FOR 1926-27.

Page 5.—Population: Native, 24,255; others, 1,084.

Page 6.—Revenue and expenditure under following headings:—

Page on Estimates	Revenue.	£	Expenditure.	£	Page on Estimates
4	Direct Native taxes	11,000	Direct to Tongan Royalty	4,149	6
4	Customs	40,000	Legislative Assembly	1,065	6
4, 5	Other sources	26,780	Premier's Office	2,091	6
			Governor	1,019	8
			Audit	1,269	8
			Treasury	1,235	8
			Medical	8,571	20, 22
			Public Works	20,328	24, 26, 28
			Other sources	32,370	
		<u>£77,780</u>		<u>£72,097</u>	

Figures for Public Works include—Personal emoluments, £1,908 (p. 24); other charges, £1,300 (p. 24); works annually recurrent, £8,470 (p. 26); works non-recurrent, £8,650 (p. 28).

A further sum of £11,000 was authorized by Parliament for the purchase of a vessel which does not appear in the estimates.

Page 6.—Revenue and expenditure respectively *per capita*, all classes of population: Revenue, £3 1s. 5d.; expenditure, £2 16s. 11d.

Page 7.—Total personal emoluments and other charges of Secretariat: Personal emoluments, £1,486; other charges, £75; total, £1,561. (Premier's Department, exclusive of certain items which do not come under the head "Secretariat.")

Page 8.—Total personal emoluments and other charges under heading "Native Affairs": Being a Native Administration we have no Department of "Native Affairs."

Page 8.—Total expenditure, personal emoluments, and other charges under Audit Department: Personal emoluments, £1,134; other charges, £135; total, £1,269.

Page 8.—Total expenditure, personal emoluments, and other charges under Treasury Department: Personal emoluments, £1,020; other charges, £215; total, £1,235.

Page 8 and 9.—Total personal emoluments and other charges under Customs Department: Personal emoluments, £2,820; other charges, £1,650; total, £4,470.

Page 9.—Please check figures shown as Customs revenue and total cost of collecting same: Import and export, £40,000; licenses, £2,100. Total revenue collected by this Department is in the region of £62,000. Total cost as shown above is £4,470. This includes Post Office and harbours, and the collection of Native taxes. It is quite impossible to give separate figures for each branch.

Page 9.—Does the sum of £2,148 also cover the cost of the Post Office Department in Tonga? The amount given above under the Customs—namely, £4,470—includes "Post Office" but not "Telegraphs and telephones," which is under a separate head, and totals in the 1926-27 estimates as—Personal emoluments, £1,359; other charges, £457; total, £1,816.

Page 9.—Figures under heading "Harbour": Harbourmaster, Nukualofa, £290; Vavau, £230; Haabai, £276. Other charges appearing under "Customs" which would be under "Harbours" if we had a separate head or that Department amount to £600.

Page 9.—Total personal emoluments and other charges under Legal Department: Personal emoluments, £3,400; legal advice, £50; other charges, £490; total, £3,940.

Page 9.—Total expenditure under heading "Police Department": Personal emoluments, £3,563; other charges, £1,580; total, £5,143.

Page 10.—Total personal emoluments and other charges under Department of Agriculture: Personal emoluments, £916; other charges, £750; total, £1,666.

Page 11.—Total personal emoluments and other charges under Education Department: personal emoluments, £5,945; other charges, £734; total, £6,679.

Page 11.—Total personal emoluments and other charges under Medical Department: Personal emoluments, £5,255; other charges, £3,316; total, £8,571.

Page 11.—Appropriation under heading "Fares, Allowances, and Expenses to and from Overseas," £350.

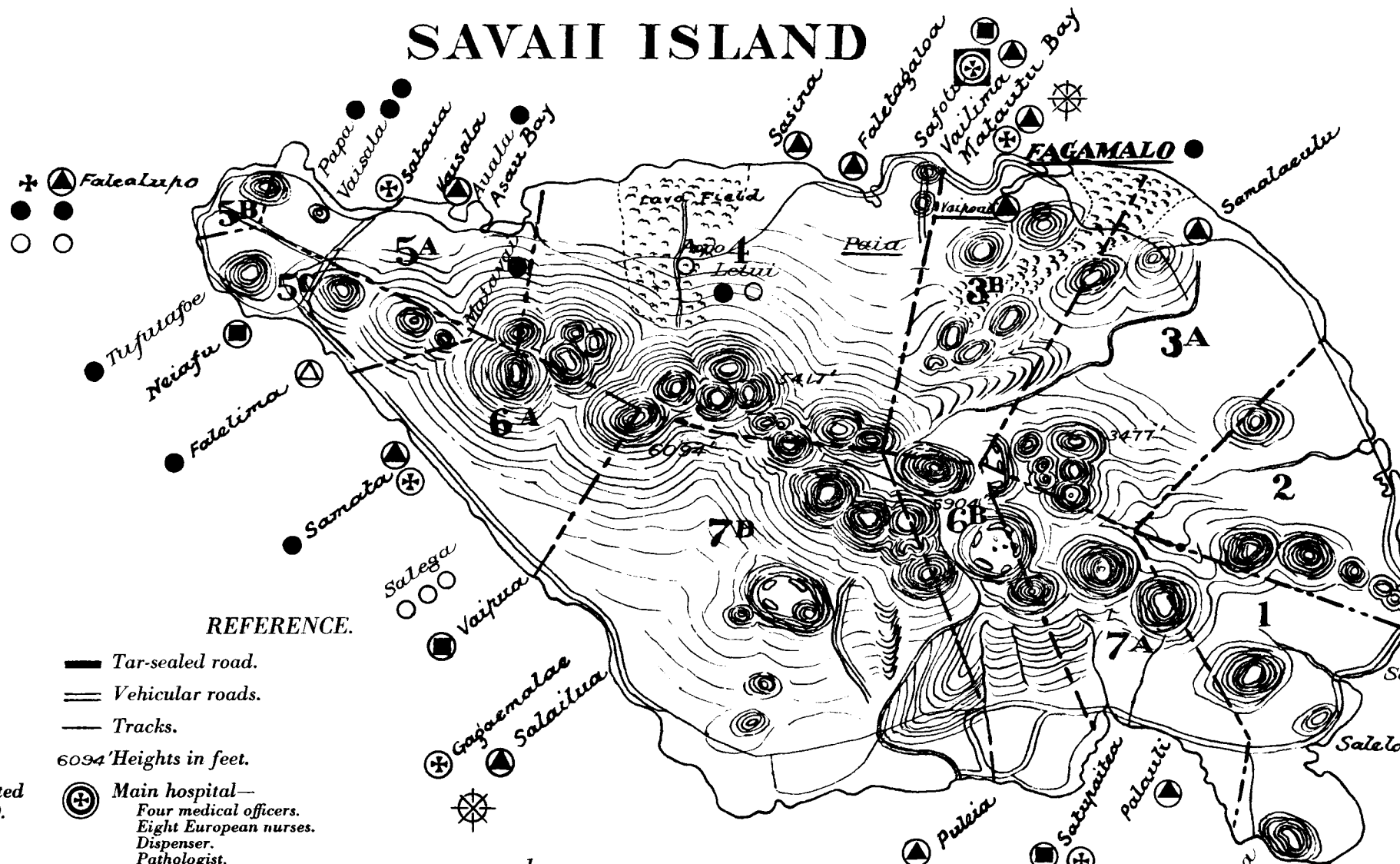
Page 12.—Expenditure, general, 1915 and 1926: Total expenditure, 1915-16, £47,962; total expenditure, 1926-27, £72,097.

W. G. BAGNALL, Treasurer, Government of Tonga.

EXHIBIT No. 62B.

COL. J. W. HUTCHEN'S MAP.

SAVAII ISLAND



REFERENCE.
 — Tar-sealed road.
 — Vehicular roads.
 — Tracks.
 6094' Heights in feet.
 Part only erected prior to 1920.

- ⊕ Main hospital—
Four medical officers.
Eight European nurses.
Dispenser.
Pathologist.
Samoan nurses and cadets, &c. 1
- ⊕ District hospitals—
One medical officer.
Two Samoan nurses.
One interpreter. 2
- ⊕ Native medical practitioner. 2
- ⊕ Mission station dispensary. 13
- ⊕ Mission station dispensary. 1
- ⊕ Dispenser, with small hospital. 1
- ⊕ Government schools, European teachers. 6
- ⊕ Government Schools, Native teachers. 1
- ⊕ Government training-school. 1
- SECOND-GRADE NATIVE SCHOOLS.**
- ⊕ London Missionary Society. 27
- ⊕ Methodist. 10
- ⊕ Mormon. 1
- ⊕ L.M.S. training-schools. 2
- ⊕ Wireless stations since 1920. 4
- Reinforced concrete cisterns since 1920. 18
- 8,000-gallon iron cistern, erected since 1920. 1
- 8,000-gallon redwood cisterns since 1920. 4
- Reticulated water-supplies since 1920, name underlined in blue.

AGRICULTURAL DISTRICTS.

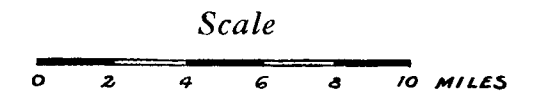
- | UPOLU. | SAVAII. |
|-----------------------------|--------------------------------|
| 1. Aiga-i-le-tai | 1. Faasalealeaga South. |
| 1 ^A . Manono. | 2. Faasalealeaga North. |
| 1 ^B . Apolima. | 3 ^A . Lealatele. |
| 1 ^C . Mulifanua. | 3 ^B . Saleaula. |
| 2. Aana North. | 4. Gagaeifomauga. |
| 3. Tuamasaga North. | 5 ^A . Vaisigano. |
| 4. Itu Anoamaa. | 5 ^B . Falealupo. |
| 5. Vaa o Fonoti. | 5 ^C . Alataua. |
| 6. Aleipata. | 6 ^A . Salega. |
| 7. Lepa ma Lotofaga. | 6 ^B . Satupaitea. |
| 8. Falealili. | 7 ^A . Palauli East. |
| 9. Tuamasaga South. | 7 ^B . Palauli West. |
| 10. Aana South. | |

- ⊕ Wireless stations prior to 1920.
- Mass concrete cisterns prior to 1920. 9
- Redwood cisterns erected prior to 1920. 5
- Reticulated water-supplies prior to 1920, name underlined in black.

All established since 1920 except Ifi, Ifi and Matifa schools.

Since 1920.

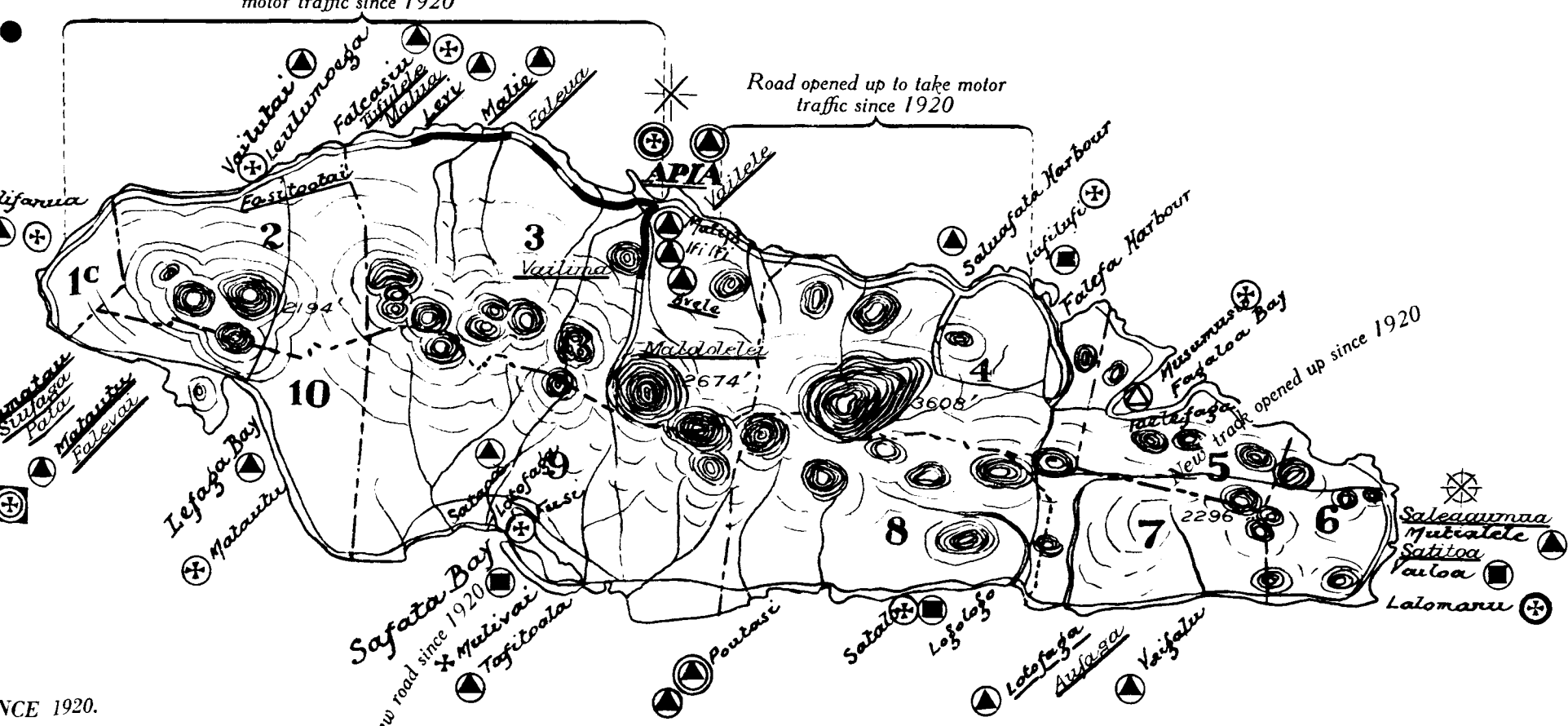
WESTERN SAMOA



Graph to scale, 1,000 to the inch.

Cisterns:	Prior to 1920.
	Since 1920.
Reticulated Native supplies:	Prior to 1920.
	Since 1920.
Apia water-supply:	Prior to 1920, nil.
	Since 1920.
Bitumen-sealed roads:	Prior to 1920.
	Since 1920.

Scale: 100 chains to the inch.

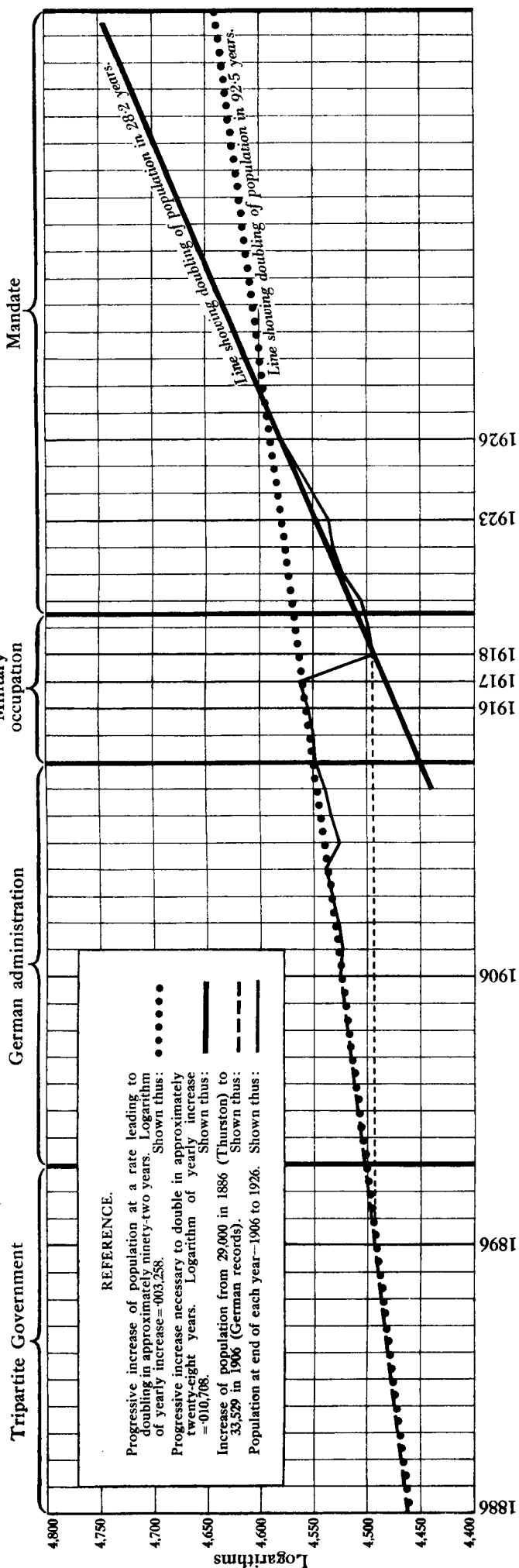


UPOLU ISLAND

SINCE 1920. SINCE 1920.
 SINCE 1920 the Harbour Department has erected five Aga lights (three in Apia Harbour and one each at Apolima and Fanaatapu), as well as installing two new Admiralty standard buoys in Apia Harbour. A new leading beacon was also erected at Saluafata Harbour.

Six miles of new road since 1920.

NATIVE POPULATION OF WESTERN SAMOA,
1886 - 1892.



POINTS OF INTEREST IN GRAPH.

1. THAT for the thirty-one years between 1886 and 1917 the increase in population was very slow leading to doubling in a period in excess of ninety years. This is apparently so for all three stages in the history of Samoa during that period the Tripartite Government, the German Administration, and the Military Occupation.
2. That since 1918 the increase has been more than three times as rapid, and that during the past three years it has been greater than at any other period.
3. That the loss due to the epidemic was equal to the gain in population during the preceding twenty-one years (approximately).
4. That the loss has been more than made up in eight years.
5. That the loss of "potential" population due to loss of persons of reproductive age will be made up within about a year.

EXHIBIT No. 63.

DR. HUNT'S GRAPH.

EXHIBIT No. 64.

ADMINISTRATOR'S CIRCULAR TO VILLAGE OFFICIALS.

Office of the Administrator, 22nd November, 1926.

No doubt you have heard of the meeting held by certain people in Apia in which they raised faults against the Faipules, giving uncivil statements criticizing the said body before the Europeans and Samoans. Every Samoan individual who was present at that meeting and heard what was said against some of the leaders of his own race—the Faipules—but did not stand up and speak with the heart of patriotism against such uncivility ought to feel ashamed now, and should have expressed his sorrow before his Faipule and district for not defending the respect of Samoa. Samoans who stood up at that meeting at Apia and said they were representatives of their districts have performed two great dangerous errors: (1) They have overstepped the mark by placing without authority upon themselves the power to say that they represent their districts. Whoever authorized them to be district representatives? (2) The forming-up of their statements was based on information given them by certain Europeans who wish to find fault with the Administration.

Referring to No. 1, I wish the Samoans to say what do they think of such people who are acting as representatives of Samoa?

With regard to No. 2, I wish to emphasize this to you: that all such points will be on the drift, and will be like waves beating against the rocks. When these points will come in contact with the rock of the truth and the true word they will disappear, and never be seen again.

I wish you to send in a list of every Samoan from your village who is concerned in this matter, also those who made speeches that night, as they will have to come before the Faipules in Mulinu'u on Wednesday, 8th December, 1926, at 10 a.m., there to hear the truth and the true word.

I have warned the Europeans not to invite you to confer with them in political affairs, and I herewith warn you to consider your own affairs only through your leaders.

I would not have warned you from such doings if I had not felt it in my own heart that this is the only possible way for the advancement of Samoa from which they will receive proper enjoyment.

Work together and respect the Europeans, whether they are merchants, traders, or planters. They are all doing certain good things for Samoa, yet they are striving for something quite different from what is useful to you, and that difference is wide.

The Government officials (whites and Samoans), they are the ones who are working for you, and not only for themselves; and although they seem to order you to do unpleasant things, such orders help and work for your prosperity, so I encourage you to always be led by them, and not to be misled by strangers who will cause you to go against your law and Government.

GEO. S. RICHARDSON.

EXHIBIT No. 65.

ADMINISTRATOR'S CIRCULARS TO SAMOANS.

To all Samoans.

Office of the Administrator, 4th January, 1927.

I AM told that certain people are circulating a story that Toelupe, in a speech, had given Samoa over to New Zealand, and, again, that your Faipules did likewise on the presentation of their gift to New Zealand. Now, I wish to point this out to you: that such sayings are false, and that they were only spread about to create anger and dissatisfaction. Samoa is under the management of His Majesty King George V, and by him the administration of Samoa is being directed. No person can alter the aforesaid, and none can give Samoa away. Therefore, knowing that you fully understand my explanation with regard to the above, I do hope that no one will again be reported to be raising and speaking about these false reports. I wish you to report to me any further person who will again talk about this matter after the receipt of this notice.

GEO. S. RICHARDSON, Administrator.

Office of the Administrator, 4th January, 1927.

CIRCULAR TO EVERY VILLAGE OF SAMOA.

I UNDERSTAND that contributions are being collected for the fares of the delegation to New Zealand. I wish that every Samoan should be fully aware of this: The New Zealand Government will not consider such a committee, and that I am directed by the New Zealand Government to inform you that no other authority than the Fono a Faipule is authorized to confer with the New Zealand Government on Samoan affairs. Furthermore, the Minister informs me that he does not see any good reason for an investigation into Native affairs at the present time.

GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 66.

ADMINISTRATOR'S CIRCULAR TO FAIPULES.

Office of the Administrator, 26th March, 1927.

DURING Mr. Meredith's trip to New Zealand he published a statement on Samoa which was sent to different people. That statement is rebellious and contains lying words. I have not done anything to him, because that publication was made prior to the passing of the new Ordinance, on the 13th of this month, imposing a penalty of one year's imprisonment on any one resisting and undermining the authority and dignity of the Faipule, District Fono, Village Committees, &c.; but whereas the publication of that pamphlet or any other similar paper in Samoa after that date will make the person doing such a thing guilty (whether that person be a European or a Samoan) and he will be punished according to the new law, you are to notify your district that there is now only one law for Samoans and Europeans. In past days it was not possible to punish Europeans who created trouble for Samoan people, but the Samoans only were punished. Now I have made a law to strike at all, Samoans and Europeans, so that Samoa may be protected from people who ferment trouble.

You will make this matter quite plain to the chiefs and orators of your District, and you will forward to me the names of traders in your district who have tried to induce your district to defy their Government in the past few months. Send me a letter containing this information, and address the envelope direct to me.

Following is a wireless despatch received by me this day from the New Zealand Government :—

“ From the New Zealand Government to Samoa.

“ THE New Zealand Government has been told that there are certain European residents in Western Samoa, who are not the representatives of the Native people of Samoa, and who have no authority to speak as representatives of the Native people of Samoa, but they have tried to publish statements and papers to cause confusion in the minds of the Native people of Samoa in respect to the truth and justice of the laws and conduct of the Administration regarding various matters, including Native affairs. Samoans should be very careful not to be misled by such wrongful statements, and not to allow themselves to be led away from the true path owing to such wrongful statements. If there should be any one who is not clear on any subject whatever he should go without delay to the Administrator of Western Samoa, who is the representative of the New Zealand Government, or to the Faipule of his district, or to the Government officials, who will give him true guidance and the light. Those are the channels whereby any person may hear the truth in respect to Native affairs and their Government.

“ The New Zealand Government wish to remind the Samoan people that they have already been given the authority and the power to control their own Native affairs under the direction of their Governor and the Fono of Faipule, the District Fono, and the Village Committees set up according to law. The New Zealand Government insist on this authority, as they are truly anxious to promote the welfare and the good of Samoa, and that the Samoans may be taught in the important matters regarding the Government, that they may advance in knowledge and civilization, and interest themselves in the direction and control of affairs appertaining to their own country.

“ The New Zealand Government are very happy in the knowledge that Samoa has advanced, and their health has improved; also that peace and goodwill as well as prosperity have been maintained as result of good government.

“ The Samoans should be patriotic and earnest to uphold that status, with the authority given them by the Government for their own advancement, and they should faithfully assist and work together with their true leaders, who are truly working for their real progress.

“ W. NOSWORTHY, Minister for Samoa.”

You are to read this wireless message in your District Fono. Those who have listened to the words of these people in Apia should now realize that they have been misled after they have read this wireless. They should, therefore, not remember the past, but now start to work together in harmony. They should also remember that their forefathers have often suffered for the same reason. If they could only stand up from their graves to talk to the Samoans in these days they would tell you of the sufferings they often bore during their lives on account of other foolish people in Apia who misled the Samoans, who usurped authority, and who tried to make trouble for the Government. Your forefathers would also have said, “ Be true to your God, your King, your Government, and your country, and do not heed mischief-making people.” There shall come an end to the days of such people and their doings, but the Government remains for ever; it stands for Truth, for the good of Samoa, and for its advancement.

Should a Samoan get into trouble, he should submit such trouble to people of his own (race) country, that it may be brought forward, if found proper; but do not submit to a European—whether he be white or half-caste—who is not a Government official, because he has not sworn to work for the Government, who are trying to establish the wish of the King and the Government, that Samoa may become a great country, loyal, industrious, prosperous, happy, and blessed.

May you live.

GEO. S. RICHARDSON, Administrator.

EXHIBIT No. 67.

CASE OF LAUPU'E.

Lefagaoolii, 21st March, 1925.

THE statement taken in the presence of Faipules Malaitai and Tapusoa on the 19th and 20th March, 1925, concerning the appeal by Laupu'e concerning his family—Solao Tini, Tu'u Fa'atupua, Pepe Iere, and Soalo Taunu'u—because of the following subjects :—

1. Defamation of character of, and insulting words to, Laupu'e : thus :—

Soala Tini : He has usurped the title of Laupu'e and given the control of it to Pepe Iere. He has also taken the right of the title of Soalo Farao and given the control of it to Soalo Taunu'u. He has taken the right of the title of Au Sueima and given the control of it to Au Taupo. He has also spoken insulting remarks concerning Soalo Tolo (deceased) and many other things.

Fa'atupua : He is a party to the former case, and he made a proclamation before the village people in the house of Vaiauga that if Laupu'e came and an inquiry was made, he would lose, and that he (Fa'atupua) would appoint his son to shoot Laupu'e.

Pepe Iere : He is also a party to the first case, and has spoken very strong words and chased away Soalo Farao from the place where he was living.

Soalo Taunu'u : He is a party to the case of Soalo Tini, explained above.

The Faipules attempted to bring about a reconciliation, but were unable, because the defendants excused themselves with lying words. They could not be persuaded to make a true apology for the wrong they had done.

The Faipules and *Pulenu'us* are convinced from their investigation that these people should be punished, as they have transgressed the law.

1. He has transgressed the law, clause 154, Samoan Act in Samoan (clause 150, Samoan Constitution Order, 1920).
2. They have usurped the right of the Governor in respect of taking away of titles.
3. They held a village *fono* calculated to break the peace, contrary to the prohibition of the Faipule and of the *Pulenu'u*, and they were headstrong in making two speeches.
4. They attempted to undermine the Methodist Church in Saumauga.
5. They made false allegations against Laupu'e.
6. They tried to involve Sapeseta with Samauga (villages) in this evil thing, and unjustifiably bring them into disrepute, but the Samauga Village was clear of this matter.

Our Opinion and Recommendation.—That their titles be taken away, and that they be expelled from the village, and further punishment inflicted that the Resident Commissioner of Savai'i and His Excellency the Governor may desire. They should be sent far distant from Gagaeifomauga : possibly this would be a lesson to them.

TAPUSOA, } Faipules. MAUAI, }
MALAITAI, } FUIMAONO, } Pulenu'us.

Confirmed.—GEO. S. RICHARDSON, 6th April, 1925.

I certify that the foregoing is a true translation of the original document.—R. H. ALLEN, Accountant and Inspector, Department of Native Affairs.

I, LEITU (the widow of Laupu'e, a late clerk of the Native Department), resident at Mulinu'u, Samoa, do solemnly and sincerely declare that I was present, together with my late husband, Laupu'e, at Lefagaoolii, Safone, on the 19th and 20th days of March, 1925, when the charges brought by my husband against Soala Tini, Tu'u Fa'atupua, Pepe Iere, and Soalo Ta'anu'u were investigated by Tapusoa and Malaitai, Faipules, and Mauai and Fuimaono, Pulenu'us.

The defendants all appeared in person, and there were also present practically all the chiefs and orators of the village of Safune, as were also a great number of other men and women. I heard the evidence of, and was present when the four defendants gave evidence. They did not call any one to speak on their behalf, nor were any witnesses called by the plaintiff. I know that no minutes were taken of the proceedings, as this was usually the work of my late husband, but as he was the plaintiff he did not on this occasion write any minutes. After the inquiry and on the 23rd March the Faipule Tapusoa, and Laupu'e, and the defendants, appeared before the Resident Commissioner at Fagamalo, when the recommendation of the Board was read by the Resident Commissioner to the defendants.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand entitled the Samoa Act, 1921.

LEITU.

Declared at Mulinu'u, in Western Samoa, this 27th day of October, 1927, before me—R. H. ALLEN, Deputy Registrar of the High Court of Western Samoa.

I certify that the foregoing declaration has been read over in the Samoan language to the declarer, and that she appeared to understand same.—R. H. ALLEN.

BANISHMENTS AND LOSS OF TITLES AT REQUEST OF FAMILY.

SO'OALO TINI, TU'U FA'ATUPUA, PEPE IERE: Banished from Samauga for provoking a breach of the peace.

I investigated this case and spent much time over it; and, in fact, at one stage I had every hope that all parties would be reconciled, but I was not successful.

I had all officials (about four) with me when dealing with this case, and did everything possible to bring about a reconciliation. Later I sent Laupu'e, of the Native Office, to Samauga to discuss matters; he is a member of the family concerned; but still the family refused to be reconciled. I then got Tapusoa F.P., Malaitai F.P., and other officials to try and get parties reconciled, but they were unsuccessful, and as the family still wished the titles removed and the three banished, I then dealt with the case in this office, but without success, and such action was recommended by the officials. I then asked that their recommendation should be carried out. His Excellency approved. Later an application was made that they be pardoned, and it was done. The title of So'oalo Tini was given back to him with much ceremony, and I was asked to attend, but did not do so.

I felt in this case that there was some *fa'u-Samoa* trouble at the back of it all, and did my best to bring about a settlement. Even after they were pardoned they did not return at once to their own villages. So'oalo Tini was sent to Faga, about twenty miles from Samauga. Fa'atupua and Pepe Iere were sent to Satupaitea, about forty-five miles from Samauga.

Pepe caused trouble when in Satupaitea. Amongst other things, he tied a girl to a *fale* post, much to her annoyance and that of the *matai*. He thrashed this girl in the road in front of the Ali'i and Faipule, which is considered an insult to them. He assaulted some young men of the village. The Ali'i and Faipule asked me to have him removed from their village; I did not do so, but had Pepe before me and warned him.

Fa'atupua has been given his title back.

ADMINISTRATION OF WESTERN SAMOA.—IN THE HIGH COURT OF WESTERN SAMOA.

APPEARED before the undersigned at Safotu on Monday, 2nd March, 1925, at 10 a.m.,

LAUPU'E (represented by Lilomaiva, Clerk), *versus* SO'OALO TINI and orators, of Lefagaoalii and Samauga.

Charge: Insulting words and provoking a breach of the peace (contrary to section 153, subsection (2) and section 183 of the Samoa Act, 1921).

So'oalo Tini pleads "not guilty."

No witnesses for plaintiff.

R.C. (to So'oalo T.): What words did you say?

So'oalo T. sworn, and states: There was no *fono* held. I went outside in the *malae*. I replied to what the officials said. I did not say I would take away his title or the title of his people. I said, "These four *matais*, 'Au, So'oalo, Laupu'e and Sasopa, should not be recognized in the *fonos* or any village assemblies. What I meant was that they are not to present themselves in village assemblies. I quite understand that a village cannot take away the title of *matais*. I did not mean that I had the *pule* of their title. I did not say anything more, for just then Faipule Tapusoa and Malaitai came over and we had *fono* for about two days, and I agreed my words should be given back to me. I made an apology to the Faipule and Sasopa and So'oalo, who were present—not to 'Au and Laupu'e: they were not present. I do not know why 'Au was not present, but Laupu'e was in Mulinu'u. The first two accepted, and we shook hands before the Faipule. I am friendly with 'Au. He is of my *aiga*; we are quite friendly. I have not written to Laupu'e; I thought the Faipules would do this.

Tapusoa F.P. states: I have written a letter to Laupu'e; there has been no boat to take it yet.

R.C.: This is a very serious matter. The words you admit are serious, and are liable to break the peace. Pleased with F.P. It is good that you apologized. It is necessary to have witnesses for other side before I give a decision. You must show in every way how sorry you are for this matter.

Decision.

Case adjourned *sine die*.

W. M. BELL,
Commissioner of the High Court of Western Samoa.

I hereby certify that the above is a true and correct copy of the original document.—R. H. ALLEN, Native Department.

EXHIBIT No. 68.

BANISHMENT ORDER.

Administration of Western Samoa, Apia, Samoa, 7th January, 1924.

Order of Local Banishment under the Samoan Offenders Ordinance, 1922.

To Amituanai Tacia, a Samoan male of the village of Sala'ilua, Savai'i.

I, GEORGE SPAFFORD RICHARDSON, Administrator of Western Samoa, being satisfied that the presence of you, Amituanai Tacia, within the district hereinafter mentioned is likely to be a source of danger to the peace, order, and good government thereof, do hereby, in pursuance of the powers conferred on me by the above-mentioned Ordinance, order that you leave the district of Palauli West, in the Island of Savai'i, in Western Samoa, and that you remain outside the said district for a period of twelve months from 1st January, 1924.

Witness my hand, at Apia, this 7th day of January, 1924.

GEORGE S. RICHARDSON, Administrator.

I hereby certify that the above is a true and correct copy of the signed original.—R. H. ALLEN, Native Department.

EXHIBIT No. 69.

BANISHED SAFUNE CHIEFS.

Hon. O. F. Nelson, M.L.C., Apia.

16th October, 1925.

DEAR SIR,—

With reference to the questions raised by you in our interview of the 7th instant and your subsequent letter of the same date

4. *Banished Safune Chiefs*.—Briefly, the facts are as follows: In the first place every endeavour was made by the Resident Commissioner to bring about a reconciliation of the parties concerned, but without success. An official inquiry was therefore instituted to investigate the matter and make recommendations to me for settling the trouble. At this inquiry every possible source of evidence was called upon. The recommendation of the Committee was based on this evidence, and supported by the Resident Commissioner, and confirmed by me under the authority of the Samoan Offenders Act, 1922.

I never exercise my powers under this authority without the fullest investigation. The further trouble now being caused by the offenders is being investigated. You can rest assured that in the exercise of my powers to punish Native offenders for disturbing the peace, those powers are exercised with the fullest consideration for the interests of the Natives. I always incline to leniency where possible, and grant pardon to offenders as soon as I am satisfied that it is in the interests of the good government of the Natives to do so

Yours faithfully,

GEO. S. RICHARDSON, Administrator.

Apia, Samoa, 7th October, 1925.

His Excellency, Sir George Richardson, K.B.E., C.B., C.M.G., Administrator of Western Samoa, Apia.

SIR,—

Referring to our conversation of this forenoon, I am pleased to know you are calling a meeting of the Legislative Council before you leave for New Zealand in November. Perhaps you might give the elected members an opportunity to bring in any new business we may have to propose on that meeting

Banished Safune Chiefs.—As stated this a.m., had I known the Resident Commissioner was in town I should have discussed the matter with him before approaching you. I am, however, grateful for your promise to look into the matter. I trust I have not misquoted you in any of above statements or misconstrued any of your remarks, as I realize that you did not commit yourself in anything. I must, however, thank you for the patient hearing you gave me.

I have, &c.,

O. F. NELSON.

EXHIBIT No. 70.

THE NATIVE REGULATIONS (SAMOA) ORDER, 1925.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 30th day of March, 1925.

Present: The Honourable Sir Francis Bell presiding in Council.

His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of that Dominion, and in pursuance of the authority to make regulations for the peace, order, and good government of Samoa conferred upon him by the Samoa Act, 1921, and of all other powers and authorities enabling him in that behalf, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Native Regulations (Samoa) Order, 1925, and shall come into force on the 1st day of April, 1925.
2. In these regulations, unless the context otherwise indicates, the word "person" means a person who is a Samoan as defined by section 3 of the Samoa Act, 1921.

District Councils.

3. The Territory of Western Samoa is hereby for the purpose of Native self-government divided into the districts named in the first column of the Schedule hereto. The Administrator may from time to time, by notice in the *Western Samoa Gazette*, define or alter the boundaries of such districts or create any new districts. Subject to any such definition or alteration, the several districts shall respectively comprise the villages set opposite to the names of each district in the second column of the Schedule.

4. There is hereby established for each of the said districts a District Council, which shall consist of—

- (a) The Faipule for the time being representing the district by appointment of the Administrator;
 - (b) Chiefs of that district chosen by the Village Committees of the villages in that district to the number which the said Faipule shall from time to time decide;
 - (c) The Pulenu'us from time to time holding office in the villages in that district by appointment of the Administrator;
 - (d) The Pulefa'atoaga from time to time exercising jurisdiction in that district by appointment of the Administrator;
 - (e) Any Samoan Commissioners appointed by the Administrator under the Samoa Native Land and Titles Commission Order, 1920, usually resident in that district.
5. Each District Council shall meet twice yearly at such times as the Faipule of the district shall, with the approval of the Administrator, appoint, and at such other times as the Administrator may direct, and shall be presided over by the Faipule of the district when he is present.

6. The functions of a District Council as hereby constituted shall be—

- (a) The more convenient administration of the district for which it is established and the maintenance of law and order therein; and
- (b) The making of by-laws for the district more particularly defining the duties of the Samoans resident in that district in regard to the matters set out in the next succeeding clause; and
- (c) The exercising of the executive powers which are conferred on District Councils by these regulations or which the Administrator shall from time to time, in his discretion, confer upon them.

7. The District Council for any district may make by-laws for all or any of the following purposes in relation to such district and the Samoan residents therein:—

- (1) The good rule and government of villages :
- (2) Cleaning of villages :
- (3) The laying-out and remodelling of new or existing villages in accordance with principles approved by the Administrator :
- (4) The conserving of public health and the abatement of nuisances :
- (5) Regulating the use and prohibiting the contamination of water-supplies :
- (6) Regulating the laying-out and construction of new roads :
- (7) The maintenance and cleaning of roads :
- (8) The enlarging of plantations :
- (9) The cleaning and cultivation of existing and new plantations :
- (10) Controlling the use of approved cemeteries and regulating burial therein :
- (11) Controlling the keeping of pigs :
- (12) Prohibiting the drinking of fermented or spirituous liquor :
- (13) Enforcing the observance of instructions issued by or by the authority of the Chief Medical Officer :
- (14) Enforcing and regulating the registration of births and deaths :
- (15) Controlling the care and investment in manner approved by the Administrator of trust money subscribed for building churches and other public purposes :
- (16) Prescribing the duties of residents in such district in regard to assistance to be given to Native medical officers and Native nurses :
- (17) Regulating the purchase, care, and maintenance of fautasis :
- (18) Prescribing the duties of Samoans resident in such district in regard to services to be rendered for the public benefit in the making of roads, building and repairing of churches and houses, planting of trees and food-supplies, accommodation and maintenance of visitors, accommodation and transport of Government officials on duty, and such other matters as are by custom of the Samoans commonly the subject of communal effort :
- (19) Prescribing the duties of Samoans resident in such district in regard to services to be rendered to chiefs by their people in the building of fale, planting of food-supplies, building of canoes and fautasis, making of mats and tapa, and such other services as are by the custom of the Samoans commonly rendered to chiefs by their people :
- (20) Regulating and enforcing the attendance of children at school :
- (21) Regulating and enforcing the fencing of plantations :
- (22) Providing for the care and feeding of animals and the prevention of cruelty to animals :
- (23) Providing for the holding of agricultural shows—(a) For such district; and (b) for the villages therein, and regulating such shows :
- (24) Providing for the carrying-out of appropriate ceremonies approved by Administrator on King's Birthday, Samoan Flag Day, and O le Aso Fa'amanatu :
- (25) Providing for the holding of annual sports for the Fetu O Samoa :
- (26) Providing for the adoption of methods approved by the Administrator for increasing the output of copra :
- (27) Providing for the setting-aside of areas of land for teaching children, in co-operation with the missions, the planting and cultivation of copra and other products :
- (28) Providing for the cultivation of cotton by the Native inhabitants of villages :
- (29) Providing for any other matters affecting health and good government in accordance with instructions issued by the Administrator.

8. The following provisions of this clause shall apply to by-laws made by a District Council:—

- (a) No such by-law shall be invalid merely because it deals with a subject dealt with by the general law :
- (b) Any such by-law may be made to apply to part only of a district :
- (c) Any such by-law may require anything to be done in manner to be directed or approved in any particular case by the District Council, or by any person having authority from such Council, or by any Village Committee, or by any person having authority from such committee.

9. No by-law made by a District Council shall have any force or effect unless and until such by-law has been approved by the Administrator.

10. The Administrator shall not approve of any by-law made by a District Council unless he is satisfied that such by-law is limited to one or more of the purposes for which such by-law may be made as set out in clause 7, and that such by-law is reasonable and had been made at a sufficiently representative fono of the District Council, and is the subject of a resolution of such fono carried in accordance with the usage of Samoans in fono.

11. The production of a document purporting to be a copy of a by-law made by a District Council under the authority of these regulations, signed by the Administrator and sealed with the public seal of the Territory of Western Samoa, shall be sufficient evidence of the contents of such by-law, and that such by-law was duly made by the District Council by which it purports to be made, and has been approved by the Administrator, and is valid, and came into force on the day mentioned in that behalf in such copy of the by-law.

12. No by-law made by a District Council shall provide as the penalty for a breach thereof any term of imprisonment or any fine exceeding £2.

13. No by-law made by a District Council shall purport to bind any person who is not a Samoan, nor shall any such person be liable to prosecution under any such by-law.

Village Committees.

14. The Administrator may for the more convenient government of the villages in any district appoint Village Committees with such constitution as he thinks fit, and may, in addition to the executive powers conferred on such committees by these regulations, confer on them from time to time such further executive powers as he thinks fit. Such constitution and further executive powers shall be such as may be notified from time to time in the *Savali*.

Cleaning of Villages.

15. It shall be the duty of the owner or occupier of every Samoan house, and also of any person having control over such owner or occupier, to secure that the refuse from such house and all rubbish, rotting leaves, and other decayed vegetable matter in its vicinity is daily collected and burned or otherwise so disposed of that no nuisance or unsightliness arises therefrom, and that such house and the kitchen and surroundings thereof are kept clean and free from weeds and in a sanitary condition, and free also from any articles which may retain water so as to become a breeding-place for mosquitoes.

Any person who neglects a duty cast on him by this clause is liable to a fine not exceeding £2.

16. Any person who deposits any dead animal, decaying food, or refuse of any kind on any road or path, or in the neighbourhood of any house or village, or in any latrine, or on any beach, or in any place where it is calculated to contaminate a water-supply is liable to a fine not exceeding £2.

17. Any person who allows any decaying bread-fruit, fallen from a tree of which he uses or is entitled to use the fruit, to remain rotting on the ground in the vicinity of any dwelling is liable to a fine not exceeding £2.

Samoa Houses.

18. (1) Any person who shall erect or be concerned in erecting a Samoan house or other building in any village save in pursuance of and in accordance with the conditions laid down in a permit obtained from the District Council of the district in which such village is situated is liable to a fine not exceeding £2.

(2) No such permit shall be issued except in pursuance of a plan approved by the District Council providing for a general scheme of construction or reconstruction of the whole village. Any person concerned in the issue of any permit otherwise than in accordance with this clause is liable to a fine not exceeding £5.

19. (1) No Samoan house shall be built on a land that is swampy until the site has been completely filled in, drained, or levelled to the satisfaction of the District Council.

(2) No refuse shall be used in filling in the site of any Samoan house.

(3) The foundation of every Samoan house shall be at least 1 ft. above level of the ground immediately surrounding such house.

(4) Each Samoan dwellinghouse shall be provided with kitchen accommodation separate from the house, and built in accordance with the requirements of this clause for Samoan houses.

(5) No Samoan dwellinghouse shall be constructed of less dimensions than 3 utupoto in length and 12 ft. in breadth, and no such dwelling shall be boarded or partly boarded in.

(6) No Samoan house shall be erected at a less distance than 30 ft. from any other Samoan house.

(7) The floor of every Samoan house shall be made either of cement or of a layer of coral or shingle, and the roof shall be constructed of thatch.

(8) Any person who builds or is concerned in building any Samoan house as to which any of the provisions of this clause are not complied with is liable to a fine not exceeding £2.

20. If any Medical Officer of the Administration or any Resident Commissioner or the District Council of any district in which any Samoan house is situated is satisfied that such house is unfit for use, or is built otherwise than in accordance with the provisions of the preceding clause, or, being a cook-house, is so situated as to create a nuisance from smoke or a danger from fire to any other house, such officer, Commissioner, or Council may order such house to be taken down and removed within fourteen days of the date of the order. If the owner of such house fails to comply with such order he shall be liable to a fine not exceeding £2, and such officer, Commissioner, or Council may cause such house to be taken down and removed at his expense.

Cemeteries and Burials.

21. (1) Any person using or being concerned in using for burial purposes any land which has not been approved by the Chief Medical Officer as a cemetery-site is liable to a fine not exceeding £2.

(2) Any person responsible for a burial who neglects to complete the same within twenty-four hours of death, or who uses a grave less than 4 ft. in depth, is liable to a fine not exceeding £2.

Latrines.

22. Every District Council is hereby empowered to require for each village with its district the construction and maintenance of latrines to the number which such Council shall decide, or which the Chief Medical Officer shall specify.

23. Every matai who being required by a District Council to provide and maintain a latrine fails, without reasonable cause, to do so is liable to a fine not exceeding £2.

24. (1) Every pit privy shall be so constructed as to prevent the access of flies to the pit, and the aperture thereof shall be provided with a cover, which shall be kept in place when the privy is not in use.

(2) No pit privy shall be constructed or allowed to remain within 20 yards of any Samoan house or other building, or within 50 yards of any well, stream, or spring of water used or likely to be used by man for drinking or domestic purposes, or otherwise in such a position as to render any such well, stream, or spring liable to pollution.

(3) The pit of every pit privy shall be filled with clean earth before the faecal matter therein rises to within 12 in. of the surface of the ground, and the privy shall not thereafter be used, but shall be moved elsewhere.

25. Every person owning or occupying or having control over the persons owning or occupying any Samoan house—

(a) For which sufficient privy accommodation is not provided either independently or in common with other houses; or

(b) The privy accommodation for which (if consisting of a pit privy) is constructed or maintained otherwise than as required by the last preceding clause—

is liable to a fine not exceeding £2.

26. Any person who deposits faecal matter in any place other than a latrine provided for the purpose is liable to a fine not exceeding £2.

Water-supplies.

27. (1) In any case in which the water-supply of a village is derived from a well or tank the Chief Medical Officer, or other officer authorized in that behalf, may require such well or tank to be covered or otherwise protected.

(2) Any person who being required to carry out any work necessary to afford such cover or protection neglects without reasonable cause so to do is liable to a fine not exceeding £2.

28. (1) The Chief Medical Officer or other officer authorized in that behalf may, if he is of opinion that any well or other water-supply is liable to contamination, prohibit the use of the same.

(2) Any person who without reasonable cause uses for drinking or domestic purposes, or who permits any person under his control so to use any well or water-supply the use of which has been prohibited as aforesaid, is liable to a fine not exceeding £2.

29. Where any structural work has been carried out for ensuring a wholesome water-supply to a village, the matais of such village are hereby required to keep such work in repair, and any such matai neglecting so to do is liable to a fine not exceeding £2.

30. Any person who installs or is concerned in installing or commences to install a water-supply for any village under a scheme which has not been approved by the Administrator, or who, without the consent of the Administrator, alters, or is concerned in altering, or commences to alter, any village water-supply which has been installed with such approval is liable to a fine not exceeding £5.

Keeping of Animals.

31. (1) Pigs shall be confined in pens sufficiently fenced, no part of which shall, unless good cause is shown to the contrary, be within 200 yards of any Samoan house, and which shall not be so situated as to be liable to pollute any water-supply used for drinking or domestic purposes.

(2) Any person who keeps or permits persons under his control to keep a pig or pigs otherwise than in accordance with the provisions of this clause is liable to a fine not exceeding £2.

32. (1) The owner of any pig found at large upon any road or in the neighbourhood of any dwellinghouse is liable to a fine not exceeding £1, and the Pulu'u of the village where any such pig is found, or any person authorized by him so to do, may, if he has good reason to believe that such pig is the property of a Samoan, destroy such pig, unless it has been previously brought into proper confinement by the owner.

(2) The Pulenu'u shall cause any pig so destroyed to be returned to the owner, but if after reasonable inquiry he is unable to ascertain the owner he may dispose of it as he thinks fit.

33. The Chief Medical Officer or any person authorized by him may destroy any diseased pig or other animal belonging to a Samoan wherever found, or may require the owner thereof or some other person to destroy it, and any person who fails to comply with such requirement shall be liable to a fine not exceeding £2.

Gatherings in Villages.

34. (1) The Village Committee of any village in which any gathering of visiting Samoans is held is hereby empowered and required to so regulate such gathering that no breach of these regulations and no danger to public health by contamination of water-supplies, insufficient privy accommodation, accumulation of rubbish, or otherwise arises therefrom, and that any requirements of the Chief Medical Officer or other person authorized by him in regard to privy accommodation are complied with.

(2) Any member of a Village Committee of such village who without good cause neglects or is party to neglecting to comply with the requirements of this clause, and any person who being required by the Pulenu'u of such village or by any one having authority from such Pulenu'u or from the Village Committee to do any work or thing for the purpose of compliance with this clause, fails without good cause so to do, is liable to a fine not exceeding £2.

Roads.

35. Each District Council is hereby empowered to construct roads within its own district subject to the approval of the Officer in Charge of Public Works, and in accordance with instructions, plans, and specifications given and approved by him.

36. Roads so constructed shall be either "main roads"—that is, roads having a width of not less than 16 ft.—or "main tracks"—that is, roads having a width of less than 16 ft. and not less than 6 ft.

37. District Councils shall be entitled to receive the sum of 6s. per fathom in length for main roads and 2s. per fathom in length for main tracks constructed by them subject to the following conditions:—

(a) That the Officer in Charge of Public Works, or other person authorized by him, is satisfied after inspection that such main roads or main tracks are constructed as provided by clause 35.

(b) That the length of main road or main track completed is such as in the opinion of the Officer in Charge of Public Works is a substantial benefit to the public.

38. (1) It shall be the duty of each District Council to repair and maintain in good repair, properly cambered and drained and clear of vegetation and fallen trees, to the satisfaction of the Officer in Charge of Public Works or his representative, and without payment, all main roads and main tracks now existing or hereafter to be constructed in the district under its control, except only such as the Administrator shall decide are to be maintained at the cost of the Administration.

(2) Any member of a District Council who without reasonable cause neglects or is party to neglecting to comply with the requirements of this clause, and any person who being required under the authority of a District Council to do any work or thing for the purpose of compliance with this clause, fails without good reason so to do, is liable to a fine not exceeding £2.

Village Funds.

39. There shall be established in respect of each Samoan village a fund under the control of the Pulenu'u, into which shall be paid as it is received three-fourths of every sum collected on a fine inflicted by the Fa'amasino, or the Pulenu'u, or the Pulefa'atoaga, on any resident of such village.

40. The Pulenu'u shall keep, to the satisfaction of the Inspector appointed to examine his records, a record of all payments received or paid by him on account of the Village Fund, together with the name of the person paying or receiving the same, and the date of such payment or receipt, and together also with such vouchers as shall be required by such Inspector.

41. The Village Fund shall be expended by the Pulenu'u only, and for such purposes only as are of general benefit to the village.

42. (1) Any Pulenu'u who shall fail to keep a record of a village fund in accordance with clause 40, or shall make any expenditure therefrom otherwise than in accordance with clause 41, shall be liable to a fine not exceeding £2, and shall also be liable civilly at the suit of the Administrator for any moneys which may have been lost through such failure or otherwise through the negligence of the Pulenu'u, or which may have been wrongly expended as aforesaid. Nothing in this clause shall take away or affect the liability of the Pulenu'u to be prosecuted for theft.

(2) Any person who receives any money from a village fund knowing the same to have been paid otherwise than in accordance with clause 41 shall be liable to a fine not exceeding £2, and shall be also civilly liable at the suit of the Administrator to repay such money, notwithstanding that he may have given consideration therefor.

Plantations and Food-supplies.

43. Subject to the rights of Samoans under the law governing the Native title to Native land, the Administrator is hereby empowered to provide from time to time for each able-bodied male Samoan in Samoa such area for cultivation as the Administrator may think fit out of Native land available for the purpose and not presently required by the Samoan owner thereof.

44. Subject as in the last clause provided, any Native land in the neighbourhood of a Samoan village not presently required by the Samoan owner thereof may, with the consent of the Administrator, be used by Samoan residents of that village for cultivation or other purposes approved by the Administrator.

45. Each District Council is hereby empowered and required—

(a) To allot the Native land owned by the villages within its district, together with any other Native land made available under the last two preceding clauses, among the able-bodied male Samoans resident in the respective villages in its district in such manner that each such Samoan shall have as nearly as may be an area of ten acres for his cultivation; and

(b) To set aside areas of Native land approved by the Administrator for communal cultivation of cotton and other products.

46. Every person to whom land is allotted as aforesaid for his cultivation who without reasonable cause fails to comply with the reasonable requirements of the District Council or Village Committee for its cultivation, and every person who without reasonable cause fails to comply with the reasonable requirements of the District Council or Village Committee for the communal cultivation of any area set aside for that purpose, is liable to a fine not exceeding £2.

47. (1) Each District Council is empowered and required to fix the number of coconut-trees, bread-fruit trees, banana, taro, yam, and sugar-cane plants, and other trees or plants for food purposes which shall be annually planted by each able-bodied male Samoan resident in its district.

(2) Any such Samoan who, without reasonable cause, fails to comply with the reasonable requirements of the District Council under this clause is liable to a fine not exceeding £2.

48. Every person who occupies or takes the produce of or who controls persons who occupy or take the produce of any land planted with coconuts is liable to a fine not exceeding £2 if and as often as such plantation is not kept weeded to the satisfaction of the Director of Agriculture or his appointee, unless such person can show that he has made all reasonable efforts to keep it so weeded.

49. The holding of an "aitagi" or death feast... is liable to a fine not exceeding \$20.

50. It shall be the duty of the father, or, in default of him, of the mother or other guardian, of any child suffering from yaws to immediately report the fact to the village health officer...

51. It shall be the duty of every person who has information that any child suffering from yaws to immediately report the fact to the village health officer...

52. No person having custody of a child suffering from yaws shall permit such child to remain in any other village than that in which he is suffering from the disease...

53. No person shall refuse or neglect to treat any other person for yaws...

54. It shall be the duty of the father, or, in default of him, of the mother or other guardian, of any child under the age of ten years to produce such child for inspection and treatment...

55. It shall be the duty of the father, or, in default of him, of the mother or other guardian, of every child treated by a Medical Officer or by a person having the authority of such officer to permit such child to receive...

56. No person being a patient of a Medical Officer or of a person having the authority of such officer to submit himself for treatment for the disease...

57. Any person who, without reasonable cause, fails to comply with the requirements of any of the preceding sections numbered 50 to 56 (inclusive) shall be liable to a fine not exceeding \$2 for such default.

Breaches of the Law by Village Communities.

58. (1) If upon the information of any officer of the Administration authorized in writing to inspect the same, charging that there has been a general breach of the law in the village...

(2) Any fine payable by a village community shall be paid by the village health officer...

(3) The Court shall direct such measures to be taken as it shall think necessary in order to bring such village into compliance with the law...

(4) If a village fails to comply with this clause within the time specified by the Court...

Reservation of Native Land for Church Purposes.

59. In the following classes of these regulations "Church purposes" means and includes the provision of a site for a school, for a pastor's house, or for a school conducted by a religious denomination...

60. If and whenever the Administrator shall be satisfied that any Native land has been sold or set aside by the Samoan owners thereof exclusively for Church purposes for the benefit of any Christian denomination...

61. Native land shall from time to time determine.

SCHEDULE.

DISTRICTS OF WESTERN SAMOA.

Table with 2 columns: Name of District, and a blank column for details. Rows include Tuamasegalo, Aiga-i-le-tai, Malifaono, and Matautu.

SCHEDULE—continued.
DISTRICTS OF WESTERN SAMOA—continued.

Name of District.	Names of Villages comprised in Districts.			
<i>Upolu—continued.</i>				
Tuamasaga Sante	Saasapu Sataoa Lotofaga	Ninamata Valea Fusi	Famaga Tafitafu Mafua	Maninoa Si'umu Saaga.
Falealii	Iliili Saleliua Poutasi	Tavani Faleasau Faleasau	Satale Sapapala Faleasa	Saleatale Salei Sapa's.
Lepa and Lotofaga	Lepa Sataoa Lotofaga	Itemuli Vavau Aufaga	Lepa Vaigahu Lealatele	Si'aga Sainapaga.
Aleipata	Lalomanu Vailoa Ulutogia	Satitoe Mutiatele Saleasumua	Utufaalafa Samusu	Asafie Ti'ava.
Vaa o Fonoti	Falea Falea Falea	Falea Falea Falea	Falea Falea Falea	Falea Falea Falea
Ancama's	Falea Lufiufi	Falea Fusi	Falea Eva	Solosolo Lustuanuu.
<i>Savai'i.</i>				
Faasaleleaga	Tafua Salelolaga Salelavalu Iva	Lalomalava Sapapalii Salelulafai Tapulelele	Si'ufaga Faga Saleipi Sama	Asaga Lano Faleaga's.
Gaga'emauga	Falea Falea	Falea Falea	Falea Falea	Falea Falea
Gagaifomauga	Falea Falea	Falea Falea	Falea Falea	Falea Falea
Vaisigano	Falea Asa	Falea Falea	Falea Falea	Falea Falea
Falealupo	Avata	Vaitupua.		
Alataua i Sisifo	Tufutafae	Neiafu	Falelima.	
Salega	Si'uveo Fagafau Samataitai	Samatainta Fogatuli	Faleai Vaipu'a	Fogasavaii Segone.
Palauli i Sisifo	Foalalo Foaluga	Satuiatua	Sale'ilua	Tago.
Satupa'itea	Satufa	Vaaga	Falea	
Palauli	Valea	Falea	Falea	

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SCHEDULE

Presidents of Western States

Name of District	Name of President	Name of Vice-President
Alaska	Walter E. Sweeney	Walter E. Sweeney
Arizona	Walter E. Sweeney	Walter E. Sweeney
California	Walter E. Sweeney	Walter E. Sweeney
Colorado	Walter E. Sweeney	Walter E. Sweeney
Idaho	Walter E. Sweeney	Walter E. Sweeney
Montana	Walter E. Sweeney	Walter E. Sweeney
Nebraska	Walter E. Sweeney	Walter E. Sweeney
Nevada	Walter E. Sweeney	Walter E. Sweeney
New Mexico	Walter E. Sweeney	Walter E. Sweeney
North Dakota	Walter E. Sweeney	Walter E. Sweeney
South Dakota	Walter E. Sweeney	Walter E. Sweeney
Utah	Walter E. Sweeney	Walter E. Sweeney
Washington	Walter E. Sweeney	Walter E. Sweeney
Wyoming	Walter E. Sweeney	Walter E. Sweeney

Approved and adopted at the meeting of the Board of Directors of the Western States Association, held at Denver, Colorado, on the 15th day of June, 1910.

Walter E. Sweeney, President

Walter E. Sweeney, Vice-President