

30. I may here, parenthetically, remark that imprisonment in Tonga in default of payment of a fine means that the person shall be employed at Government work, which he must execute to the value of 1s. a day until the amount of the fine is paid; but that it does not necessarily imply that he is subject to any actual restraint beyond that of locality. He may, if he pleases, sleep in the gaol; but he is generally permitted to live in his home, and, in that case, must feed himself.

31. The second law to which I have alluded is a land-law, under which the chief of a district, or of a particular piece of land, may summon to return to the cultivation of that land any persons whom he may discover elsewhere who are *kakai totomu* to his land. This law was reversed in its application, and was held to justify the expulsion from any town or village of persons who were discovered by the chief of that town or village not to be *kakai totomu* to his land, although, in some cases, they had cultivated their *abis* (individual holdings) for generations. This straining of the law was not, I am bound to say, the result of a judicial decision, but was the pretext urged by the chiefs, and apparently concurred in by the Government, to justify many of the deportations both before and after the law was passed.

32. In September, 1885, or two months before the passing of these laws, Mr. Thurston, as Assistant High Commissioner and Acting Consul-General, paid a visit to Nukualofa (see his report to the Foreign Office, No. 22, of the 30th September, 1885). The King was then at Haapai. Mr. Thurston found that a large number of Wesleyans had been collected from all parts of the group at Nukualofa by the King's orders, to await, as he had said, the coming of the man-of-war which Mr. Moulton had threatened should take away the people to Fiji: the assertion that this threat was ever used rested, I may here remark, on very slender foundations. Mr. Thurston remonstrated with Mr. Baker at this unjust detention, and he was promised that the people should return to their homes; and they were, in fact, permitted to do so some few weeks afterwards. Mr. Thurston appears to have done his utmost to counsel moderation on both sides; but either his advice was misinterpreted to the King, or the King himself invented the stories that were put about, for it was reported everywhere that the Governor of Fiji had come to tell the King Mr. Moulton was to be at once withdrawn; that the British Vice-Consul was in disgrace; that the Governor had reproved the Wesleyans and told them they were the cause of the trouble; that no man-of-war would come to Tonga, &c.

33. I attach some importance to this matter from the fact that a paper, or rather two papers, were put in evidence by Mr. Moulton (attached hereto with translations), and purported to be the instructions given by the King, then at Haapai, to a constable whom he had sent to hold one of the then frequent *fonos*, and was dropped accidentally by him, picked up by a Wesleyan, and by him given to his minister. Mr. Baker denied the authenticity of this paper, and so, in a hesitating manner, did the policeman who was asserted to have been its bearer. Not being satisfied with this repudiation, I procured specimens of the handwriting of all the Government writers then in Haapai, and the letter was proved to my satisfaction, and subsequently admitted by Mr. Baker, to have been written by a Government scribe called Apaiata Kaitu. The handwriting in the disputed document was also recognised independently by a former Government scribe called Akapusi as being Apaiata Kaitu's.

34. Mr. Baker, when this was proved, at once sought to establish that the King was alone responsible for the instructions contained in this document, and that he (Mr. Baker) had made no such representations to the King of the results of Mr. Thurston's visit as were contained in it. Mr. Baker produced the man who had carried the letter from Mr. Baker purporting to contain an account of the Assistant High Commissioner's visit to the King at Haapai, and this man swore that, after reading Mr. Baker's letter, the King had asked him (the messenger) whether there were any reports current in Nukualofa, giving him at the same time a pencil and a piece of paper, and directing him to write them down. This the man, who cannot write, asserted that he did by the help of another man, and the rumours that he stated he wrote down to a great extent corresponded with statements in the disputed paper.

35. I told Mr. Baker that the most satisfactory proof to me of his not having misinformed the King would be the production of his letter to the King, or of the office copy of it, or even of the paper said to have been written by his witness at the order of the King. Mr. Baker was unable to produce either of these documents.

36. Immediately after the occurrence of this episode, the King, who was still in Haapai, gave orders that the remaining Wesleyans in that part of the group should be confined in the Mission premises of Lifuka, the capital of Haapai, where they were kept for about two months, suffering considerable hardships. This was no doubt done by the direct order of the King.

37. In the latter part of 1886 the militia organization appears to have been used by Mr. Baker for the purpose of bringing pressure to bear on the Wesleyans. On one occasion we find him inspecting the Militia with a view to the selection for discharge of those too old to serve, and we find the question being put to each man fallen out of the ranks, "Are you Wesleyan or Free Church?" If the former, he was directed to re-enter the ranks; if the latter, he was allowed his discharge.

38. There was also the enrolment of a large number of the students of the Wesleyan College in the Militia, and the trial and punishment by the Magistrate of those who declined to take the oath. Further, Mr. Baker directed a Court-martial to be held on two of these students who had been acquitted by the Magistrate, and himself directed, in writing, that they should be sentenced to two years' imprisonment (letters and translation enclosed).

39. I do not know that I need further dwell on the occurrences during the first stage of the period under inquiry. I have said enough to show you that, even then, the will of the King was deliberately substituted for the law and the Constitution, and that no adequate protection was afforded to those who chose to remain Wesleyans in spite of the King's will.

40. I now come to what I may call the second phase of events—namely, the attempted assassination of Mr. Baker.