

The Arikis' Court, on which we are now dependent, cannot be expected to deal with other than the most primitive cases, and are notoriously swayed by external influences of different kinds. The present position has become intolerable, and we appeal to you, as British Resident, to insist in some change that will give us confidence in the administration of justice in the Cook Islands.

And your petitioners will ever pray, &c.

SOCIÉTÉ COMMERCIALE DE L'Océanie,
DONALD AND EDENBOROUGH,
WILLIAM DODGE,
And twenty-seven others.

Frederick J. Moss, Esq., H.M.B. Resident, Rarotonga.

REPLY.

To Messrs. Donald and Edenborough, the Société Commerciale de L'Océanie, Mr. William Dodge, and the other gentlemen who signed the petition to me on the 29th July.

GENTLEMEN,—

I have to acknowledge the receipt of your petition, dated 29th July, with reference to the Federal Court Bill put by me before the Federal Parliament.

Your petition cannot fail to have great weight. I have communicated its contents to Parliament, which has not any Standing Orders to debar the Bill being brought up for reconsideration.

I have, &c.,

FREDERICK J. MOSS,
British Resident.

Enclosure No. 3.

From the BRITISH RESIDENT to the PARLIAMENT of the Cook Islands.

SALUTATIONS! I have received a letter signed by thirty "merchants and others resident in Rarotonga," who write that "they view with great regret the rejection by the Cook Islands Parliament of the Federal Court Bill, and the Juries Bill, by which it was supplemented." They "desire to state that they have no sympathy whatever with the petition signed by a few persons against the Bill, but regarded it with hope, as likely to lead to the establishment of a Court whose proceedings would be public and intelligible, whose records would be properly kept, and whose judgments would be prompt and in accordance with the principles which prevail under the British flag."

"They consider that the Arikis' Courts cannot be expected to deal satisfactorily with other than the most primitive cases, and regard the present position as intolerable."

Therefore they hope that "some change will be made which will give confidence in the administration of justice in the Cook Islands."

I agree entirely with the sentiments and opinions expressed in this petition. I am anxious to see the Arikis' Courts conserved as the means of administering justice in the simple cases among the Maori people; but this will be impossible unless other and more suitable means are provided to deal with the more difficult cases which occur among the merchants and others accustomed to a different system in other countries.

I therefore ask Parliament to set earnestly to work to devise some other means, if they persist in the rejection of the Bill which was submitted to them.

Rarotonga, 2nd August, 1897.

FREDERICK J. MOSS,
British Resident.

Enclosure No. 4.

From the BRITISH RESIDENT to the CHAIRMAN of the Cook Islands Parliament.

SIR,—

British Residency, Rarotonga, 30th July, 1897.

I have the honour to acknowledge receipt of your letter of this date, informing me that the Federal Court Bill has been rejected by Parliament.

The Constitution Act of 1891 provides that all laws shall be made by the British Resident and the Parliament, who have therefore always constituted the Legislature. In previous sessions the Parliament has rejected measures submitted to it, but they were not of an urgent character, and the Resident raised no objection. With the Federal Court Bill the case is different, for the reasons stated in the opening message of the Government to the Parliament, and it is desirable that some course should be adopted for guidance on this and similar occasions.

I suggest, therefore, that the proper course would be for Parliament to state to the British Resident, in writing, what are the objections to the Bill in question (with the Juries Bill as its necessary addition), in order that the objections of Parliament may, if possible, be met, and a Bill drawn up to which both the Parliament and the Resident may agree.

I have, &c.,

FREDERICK J. MOSS,
British Resident.

J. M. Salmon, Esq., Chairman of the Cook Islands Parliament.