

the annexation of the Cook Islands, and the consequent deprivation of the native legislative and executive powers. Rumours of all kinds were probably rife. For instance, a day before I left Rarotonga, Mr. Moss was concerned at a rumour that he was to be taken away by me in the "Torch;" while, on the other hand, Makea Ariki was concerned at a rumour that she was to be deported and the islands annexed. I found nothing existing with regard to the supposed threats to which any importance could be attached. It appears, however, that in a letter of Mr. Moss, dated the 2nd September, 1897, and of which a copy is on Government House file (254/97), and is referred to by the Arikis in their "heads of complaint," a passage occurs which the natives understood to be a threat to go to England; for they said in reply, "We also can go to England." All this was in correspondence between Mr. Moss and themselves about the Federal Court Bill and its rejection.

(21.) *Liquor and Licensing Officer*.—I have gone very fully into this already. Mr. Garnier holds many offices, but none of them can engage a good deal of time. He seemed a respectable, reliable officer, but not physically strong.

XVI. *The Ariki's Petition and Complaint*.—The petition of the Arikis and the heads of this complaint amount only to this: that they say Mr. Moss does not suit them—that he has not patience and forbearance with them. No doubt they are referring to what took place with regard to the Federal Court Bill. By their heading they seem to admit that the Federal Court Bill was the commencement of the trouble with Mr. Moss, and that, after that trouble arose, then they reviewed Mr. Moss's previous acts and found them bad. They refer to the fact that the Parliament and Arikis invited Mr. Moss to meet them to discuss the matter of the Federal Court Bill, and he declined to come (see correspondence, which will be found amongst the papers herewith relative to the Federal Court Bill, marked 26 in red). It will be seen from Mr. Moss's letters of the 2nd, 4th, and 14th September why he declined to attend the proposed meeting, and also what the Arikis mean by saying that they also could "go to England." As to not attending the meeting, what I understood from Mr. Moss was that he had attended a previous meeting of the members of Parliament, and that Dr. Craig had at the same meeting been allowed to use an insulting expression towards him without check or disapproval, and that he had therefore declined to attend further meetings. The conclusion I arrived at is that there is at present, with the Arikis and chiefs, a fixed feeling of dislike of and distrust in Mr. Moss, and I doubt whether any patience, forbearance, or prudent conduct on his part in the future would result in removing or substantially diminishing that feeling; that the feeling has originated partly in mistake; and that it was very much brought about by unfounded or petty attacks made upon Mr. Moss by Europeans, who have private or political grounds of hostility towards Mr. Moss, is tolerably certain.

XVII. I send herewith a copy of the Auckland *Herald* of the 11th instant, with a communication therein from a correspondent at Rarotonga. What professes to be a report of what I said to Makea Ariki, and what she and the chiefs said, appears to have been taken down in shorthand, and is substantially accurate. I learnt that Ngamaru, Makea Ariki's husband (himself an Ariki), had urged Mr. Moss not to leave the office he had occupied in Makea's grounds, but he persisted in leaving. This, to a person other than a native, may seem a trivial matter. It is clear, however, that the natives looked upon that act as a final separation of the British Resident from them. I think it right to state that Mr. Moss demurred even to visiting me at Makea's house, on some supposed ground of loss of mana by doing so. I think that Mr. Moss was himself surprised at the exhibition of feeling displayed against himself on the occasion reported in the cutting from the Auckland *Herald*. Of course, the correspondent's deductions and opinions I do not refer to; they are his own. Subsequently to what is there reported, and when I took leave of Makea Ariki, I addressed her again on the same subject, and eventually, after much discussion, she stated her intention of endeavouring to act with Mr. Moss in the discharge of public business till your Excellency's decision, or the decision of the Secretary of State, was made known to her; but that if that decision was for Mr. Moss to remain, she would no longer act with him in public business. If this feeling did not exist, or if some competent and acceptable person were British Resident, I think that the present political constitution might well be allowed a further trial—I mean a Protectorate, with the existing Constitution, as agreed upon by the delegates and finally fixed by law. But I am inclined to the opinion that it is only a question of time, and that ere long it will be found inevitable to give up the Protectorate, or modify the position of the British Resident, or to annex these islands to the British Crown, with a delegation by the Crown of executive and legislative powers to either the Governor of New Zealand or of Fiji, with a Deputy-Governor or Administrator at Rarotonga. Legislative powers might be left to the Federal and local Parliaments on all subjects not dealt with by the Crown or the Crown's appointee.

XVIII. The fact of a partially-civilised people accepting the protectorate of the Crown of Great Britain or any other civilised State does not, so far as I can ascertain, amount to a consent that the protecting power shall govern the protected country. This seems to be recognised in the 6th paragraph of the Secretary of State's despatch to Lord Onslow, dated the 13th December, 1890 (No. 58), printed in Appendix to Parliamentary Papers, A.—2 of 1891, and Lord Onslow's instructions to Mr. Moss founded on that despatch (A.—1, page 10, same session).

XIX. As to the subjects for inquiry by me mentioned in the 6th paragraph of your Excellency's letter of instructions to me, I am of opinion that "the work of the constitution of the islands" has not yet proved to be a failure. The natives, under missionary guidance, before the establishment of a Protectorate, had become accustomed to some sort of "law-making," and administration of justice, and were otherwise well advanced in civilisation. I formed the opinion that the constitution, as fixed by law after the British Resident went to the islands, has been fairly well observed. There was one omission in the laws relating to the constitution of the Parliament which has not since been rectified: it is that omission which has caused the doubt as to whether other than natives can legally be members of the Federal Parliament.