

The action of Makea Ariki in that matter at the time, and in all things since connected with it, was also in direct violation of the 13th section of "The Federal Act, 1891," requiring that her acts should be subject to the approval of the British Resident. In this case she has acted in direct opposition.

The Judge, Te Pou, died on the 16th instant, after surgical operation at the hospital for tumours during the preceding month. His death removes the only Judge (native) with the most moderate pretensions to ability. Te Pou was also Judge of the Federal Court, which could not, with a Native, be refilled, except by his son Makea Daniela, who has no desire to hold such offices.

The Ariki's Court (Avarua) Makea has taken into her own hands, and judges accordingly.

Prosecution of the glaring breach of law and defiance of authority in connection with the seizure of the printing plant and its subsequent usage can only be dealt with in the High Commissioner's Court.

Mr. H. Nicholas had sent his application, as reported in my despatch (No. 3/98) of the 2nd February, and informed me that he had received from the High Commissioner a reply that no sitting will be held except the application came through your Excellency, and with your approval. I respectfully represent that the need for a sitting of the High Commissioner's Court in Rarotonga at the earliest moment possible is manifest for the maintenance of law and authority in these islands.

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

I have, &c.,

FREDERICK J. MOSS,
British Resident.

No. 2.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 29th March, 1898.

I have received the enclosed application, from persons therein named, to the High Commissioner for the Western Pacific, asking for the sitting of a Court in Rarotonga to adjudicate on certain cases therein stated.

The applicants write to me that they had no knowledge of the propriety of addressing the subject to your Excellency, but are now informed by the High Commissioner that he returns their application, which must be made to the Governor of New Zealand.

They request me to forward the application to your Excellency accordingly, and I confirm their statements as to the impossibility, without a Commissioner's Court, of seeking adjudication in Rarotonga.

I have, &c.,

FREDERICK J. MOSS,
British Resident.

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

Enclosure.

YOUR EXCELLENCY,—

Rarotonga, 1st February, 1898.

We, the undersigned, have the honour to request that you will send a Judicial Commissioner to try the law cases hereunder mentioned, in which we are plaintiffs.

Our reasons for troubling your Excellency are that there is no Court here competent to deal with these important cases, the Native Courts and Judges being quite incompetent, subject to outside influences, and possessing no machinery for carrying out their judgments when given.

Trusting to hear shortly that our claims will be heard in a properly constituted Court,

We have, &c.,

DONALD AND EDENBOROUGH.

A. MILLAR & Co. (per VICTOR GUNQUET).

MAKEA DANIELA.

HENRY NICHOLAS.

AH SIN (per Power of Attorney, FREDERICK J. MOSS).

A. BEVINS & Co. (per Power of Attorney, FREDERICK J. MOSS).

His Excellency Sir George O'Brien, K.C.M.G.,

Her Majesty's High Commissioner for the Western Pacific.

NAMES OF ACTIONS AND PARTICULARS OF CLAIMS.

Donald and Edenborough *v.* Frederick Goodwin.—Claim for goods sold and delivered and unpaid for. Undisputed. £307.

A. Millar and Co., Auckland, New Zealand *v.* John Mortimer Salmon.—Claim for goods sold and delivered and unpaid for. Undisputed. £407 7s. 7d.

Makea Daniela *v.* George Craig, William Craig, and Sons.—Damages for slander and defamation of character.

Henry Nicholas *v.* Oscar Owen and Sons.—Forcible entry (statement sent to High Commissioner); also for compensation.

Ah Sin *v.* Emil Piltz.—For settlement of account, and damages for illegal seizure of goods and stoppage of business.

A. Bevins and Co., Auckland *v.* William Dodge, Rarotonga.—Claim £416, a matter of disputed accounts. Proposals now being made for arbitration and settlement.

All defendants in these proposed actions reside in Rarotonga.