

our earlier Samoan customs, or they would know that the present forms of punishment are accepted by us as mild and kindly administered."

It is necessary to recall to your recollection that one method of punishment in these cases by the Samoans themselves was to place the offending chief in a *paopao* (dug-out canoe) with a few coconuts and set him adrift in the open Pacific.

This is such an important subject and has been so misrepresented that I deem it necessary for the enlightenment of the public within and beyond the Dominion to quote in full the explanation furnished to me by His Excellency the Administrator, as follows:—

"No individual chief can in these days wield autocratic power, and the system of properly constituted committees not only prevents this, but the Faipules themselves are subject to the same laws as other Natives, and in their cases they are rigorously enforced. If a Faipule misuses his authority or is guilty of misconduct, he is promptly dealt with, and if the seriousness of the offence merits it he is deprived of his appointment and sometimes his title also. No title is, however, taken away from any chief in these days without a very thorough investigation by a special Native committee, whose duty it is to inquire into the circumstances of the offence, and to advise the Administrator on two points—viz., (1) What punishment would be awarded according to Samoan custom; (2) what punishment will meet the case in the present circumstances.

"The punishment of chiefs for various offences by depriving them of their title is not restricted to Samoa, as the reports from other colonies show. The following is from a report just received from another colony: 'The depositions of two Head Chiefs and four Chiefs were also confirmed.'

"The deprivation of titles is a very old established Samoan custom. It was sufficiently important to be dealt with by Pratt in his Samoan Dictionary, who gives the translation of the word formerly used by the Natives for this custom, '*Fa'aeavaeva*' (= your titles are taken away).

"Owing to the harsh methods of punishment adopted by the Natives themselves in carrying out this custom, the German Governor of this Territory issued a Proclamation in 1901 prohibiting the Natives from themselves exercising the custom of banishment, and reserved the power unto himself to deal with such matters. This Proclamation was re-enacted in 1922 in the Samoan Offenders Ordinance, which gives power to the Administrator to himself banish or deprive of title any Samoan whose conduct he considers to be prejudicial to peace, order, and good government. I have never used this power in an autocratic manner, but consider each case sympathetically and ensure that before I give final decision the offender has had a proper trial, and, furthermore, that the evidence is subsequently submitted to a Committee of Faipules for their consideration and advice. By this means it is ensured that titles are not removed without the fullest consideration, not only by the Administration authorities, but by a committee of disinterested members of the Samoan race, for no chief who has any personal interest in the case is allowed to sit on such inquiry. As an illustration of such cases,—

"No. 1. A Faipule of high standing was reported for repeatedly attempting sexual offences against his *taupou*, a most serious offence *fa'a Samoa*—i.e., according to Samoan custom. His brother Faipules did not hesitate to recommend the deprivation of his title and his dismissal from his official position. Had they done otherwise, they would have been guilty of partiality in the eyes of their people.

"No. 2. A chief was found guilty of making intoxicating liquor and selling it to Natives. He also robbed his own people of a large sum of money. He also was considered to be unfit to retain his title.

"When titles are taken away from a person, they are not controlled by the Administrator, but by the family, who are free to withhold it until the chief has served his punishment or pardoned, and to restore it to him, or to give it to any other person which the family agree upon.

"Thus, in the first place, titles are bestowed by the family, who hold a *Saofa'i* on the death of a chief, for this purpose; secondly, the Natives themselves have the fullest possible say in depriving of titles which have been so bestowed; and, thirdly, they have the power to reinstate any person who has been deprived of his title.

"No fairer or juster means of dealing with titles could be imagined, and I can certify to the whole of Samoa approving of this system, with the exception, perhaps, of a small number who themselves have offended and have been deprived of titles, and who wish me personally to reinstate them, the power for which does not rest with me, but with their own families."

Your committee's agitation for the removal of the prohibition which the Samoans voluntarily placed upon themselves in regard to the holding of fine-mat ceremonies conveys to the Government no earnest of your expressed declaration that "the welfare and advancement of the Samoan Natives are identical with the best interests of the European settlers and residents." The whole of the thirty-three Faipules asked for this regulation to be tried for three years, and at the end of that three years, during which period your committee's views were spread amongst the Samoans, the Faipules have confirmed it. Their considered opinion is that there are fewer troubles amongst the Samoans to-day, and plantations are better cared for as a result of the reduction in the number of journeys undertaken in connection with these ceremonies, which often caused acute hardship due to the burdening of one village with almost the entire population of another for such a duration of time as caused all available foodstuffs to be devoured. In plain words, such village is eaten out of house and home.

As you know, these same considerations forced the Administrations of both Samoas to restrict by legal enactment the number and duration of cricket matches between villages.

The position with respect to *malagas* is well explained by Robert Louis Stevenson in his "Foot-note to History," as follows:—

"But the special delight of the Samoan is the *malaga*. When people form a party and go from village to village, junketing and gossiping, they are said to go on a *malaga*. Their songs have