

In connection with the suggested scheme for reforming the Legislative Council it is instructive to notice the misstatement made by Mr. Nelson himself in his report on the Legislative Council which was read at the public meeting of the 15th October, 1926, which has so often been referred to. In his report Mr. Nelson states (see page 5, 1927 State paper A.—4B): "In Fiji there are ten official and ten unofficial members in the Legislative Council. The latter are made up of seven elected Europeans, two Fijians, and one Indian. Where the elected members vote *en bloc* in opposition to the Government members the matter is referred to the Secretary of State for the Colonies, even though the Governor's casting-vote gives the Government a majority." This is an entire misstatement. The Legislative Council in Fiji consists of fourteen nominated and seven elected members. The nominated members include eleven European officials, two Fijian officials, and one Indian member. There is nothing that requires any matter on which the elected members vote *en bloc* in opposition to the Government members to be referred to the Secretary of State for the Colonies. As a matter of fact, the Governor of Fiji has power to disallow any vote or resolution of the Council; and, further, when a Bill is passed by the Legislative Council the Governor may either declare his assent thereto or refuse his assent to the same, or may declare that he reserves the same for the signification of the King's pleasure. This error is the more singular because the actual facts relating to the constitution of the Fijian Legislative Council could, with very little industry, have been ascertained from the Fijian Year-book for the year 1925, which was in the possession of the European committee.

• BOOK OF LAWS.

Another matter was discussed at the close of the inquiry by counsel for the complainants. The Administrator prepared a collection, in the Samoan language, of all the laws, Orders in Council, and regulations affecting Samoans. In this book he included some resolutions of the Fono of Faipules which were only advisory and experimental, and which were not enforceable under any sanction. It is clear that the Faipules knew the laws which were binding and those which were experimental. There was no evidence before us of a single case in which an experimental or advisory resolution had been enforced as a law. Technically, of course, it was a mistake to include these experimental and advisory resolutions amongst the enforceable and binding laws. In our opinion, no harm was done by the adoption of this course.

TRADERS' LICENSES.

A complaint was made that the Administrator had purported to cancel the traders' licenses of three persons named—Henry Hunken, Ale Lui, and John Kruse. It was submitted by Mr. Slipper that the cancellation was not valid. The provisions as to licenses are contained in the Taxation, Licensing, and Revenue Ordinance, 1921, as amended by the Taxation, Licensing, and Revenue Amendment Ordinance, 1924.

Mr. Meredith, counsel for the Administration, admitted (see page 356) that the Ordinances did not provide for the issue of a trader's license. Only two kinds of licenses are prescribed—viz., business licenses (section 42 of the 1921 Ordinance) and store licenses (section 3 of the 1924 Ordinance). Mr. Meredith further admitted that the three men named "had no licenses of any kind which could be cancelled."

After consideration of the Ordinances we are of opinion that these admissions were properly made, and that the purported cancellation of licenses was of no effect, there being no licenses to cancel. The position was misconceived by the Administrator's legal advisers.

A PASSENGER-BOAT LICENSE.

A further complaint was made that a boatman's license issued to one Papalii-Ulu under the Taxation Ordinance had been taken away. Mr. Slipper, who appeared for the complainant, did not submit that the taking-away was illegal, and his examination referred indifferently to boatman's license and boat license. The