

person whose conduct was complained of was present at the inquiry and given the opportunity of presenting his case. Inquiries were conducted by (a) the Administrator himself, sometimes associated with the Secretary for Native Affairs, or (b) by the Secretary for Native Affairs, or (c) by the Secretary for Native Affairs and a Board of Faipules, or (d) by a Board of Faipules, or (e) by the Chief Judge, or (f) by the Resident Commissioner of Savai'i. The report of the tribunal investigating each matter was transmitted to the Administrator for his consideration. If he thought proper he adopted the recommendation of the report, either with or without modification.

The orders in these cases were orders that the Samoans complained of should leave a village, district, or place and remain outside such limits for such time as the Administrator thought fit, or during his pleasure; and sometimes it was directed that the Samoan should reside in a place specified in such order. If a place was directed in which the person named in the order should reside such place was usually, although not without exception, a village or district in which the Samoan had relations, and in which he had, according to Samoan usage, a right to share in the produce of and to cultivate the village lands.

In certain cases the order contained a prohibition of the use by the Samoan of his Samoan title or titles, either for a definite time or during the pleasure of the Administrator.

It is necessary to state in what way orders for banishment and orders which prohibited the use by a Samoan of any of his Samoan title or titles affected his interest in the family lands. Usually the person against whom the order was made was a *matai*, and therefore had the control or *pule* over the family lands. If a *matai* is banished from his village or district or is deprived of his title, then the family have the right to appoint another person as *matai*, and that person then becomes entitled to exercise the *matai* control, or *pule*, over the family lands. If, however, the family do not choose to appoint a new head of the family, the family lands of the banished *matai* remain unaffected, and the family and relatives attend to the plantations and the land during his absence from the village, or during the deprivation of his title. If, however, the family choose to elect and do elect another *matai*, that person will have all the rights of the *matai*, and the first-mentioned person will lose his rights as *matai*, but not his rights as an individual member of the family. The effect, therefore, is that it requires not only the banishment or loss of title of a *matai*, but, in addition, the substitution of another person as *matai*, to deprive the person who is banished, or affected by the order of his *pule*, or control of the family lands. It is therefore clear that an order of banishment, or deprivation of title, does not affect the rights of the person banished, if he be a *matai*, to the family lands: It is only the substitution in addition of a person in his place as *matai* that produces that result.

With reference to these orders, we have come to the conclusion that they were regularly made after a proper investigation and report by a competent quasi-tribunal at which the person proceeded against was able to present his case, and after the report had been personally considered by the Administrator.

(b) *Orders after the "Mau."*

We now propose to deal with the orders made after the Mau organization had been recognized as one which should be suppressed. It is necessary to remember what we have already said with regard to the conclusion which, in our opinion, the Administrator properly came to as to the Mau organization, and as to whether the existence of such an organization was consistent with administration under the mandate. As we have said, Apia was full of members of the Mau. Faumuina and AINU'u had been selected as delegates to proceed to Savai'i to collect funds for the Mau and to tell the people about the meeting. To the delegates was added the Native secretary of the Mau, Matau Karauna, to assist in the same purpose. Faumuina proceeded to Savai'i in November, 1926, taking copies of the circular "O le Fono Tele," before referred to, for distribution. AINU'u was stopped by the police from proceeding to Savai'i for the same purposes. To anticipate a little, matters got worse from the point of view of the Administration in Apia, and in June and July, 1927, it became clear that the large number of people in Apia were determined to remain there indefinitely, or until they heard the results of Mr. Nelson's