

compel the dispersal of the Natives to their respective homes. It is clear to us that the Administrator was right in his opinion that the organization of the Mau as understood and used by the Natives could not exist alongside of and concurrently with the administration of the country under the mandate. One or other must give way.

LEGISLATIVE COUNCIL.

It was urged upon us that we should recommend alterations in the constitution of the Legislative Council. It was suggested (a) that the Samoans should in some way select representatives on the Council; and (b) that the number of elected and Samoan members should equal the number of nominated members, preserving the Administrator's casting-vote.

The constitution of the Council is purely statutory. It is defined by section 48 of the Samoa Act, 1921, as amended by section 6 of the amending Act of 1923. The Council now consists of—

- (a) Official members (not being less than six in number), being the holders for the time being of such offices in the Samoan Public Service as the Governor-General from time to time appoints as entitling the holders thereof to sit in the Legislative Council; and
- (b) Unofficial members (not more in number than the official members), who may be either elected members or nominated members, or partly elected and partly nominated members, as the Governor-General in Council may determine.

By regulations made by the Governor-General in Council the number of the elected members of the Council was fixed at three. The qualification both for office and as an elector was confined practically to persons of European or mixed European descent, and to persons possessing a certain property or trade qualification.

The alteration of the constitution of the Council appears to us to be purely a matter of policy to be determined by the Parliament of New Zealand and in part by the Governor-General in Council. It is plain, however, to us that under the conditions which at present obtain there are great difficulties about any scheme providing for the election of representatives by the Samoans. The Samoan system has no conception of a popular election. Local and family combinations and jealousies and antipathies would tend to prevent the working of any scheme which might be devised. In the year 1925 the Administrator suggested for discussion at a Fono of Faipules the question whether it was desirable that the Fono should elect representatives to the Council. The Faipules decided that they did not desire such representation, and the Administrator's suggestion was negatived. He has since formed the opinion that Native representatives would not do useful work on the Council, and that they do more useful work on their own Native Councils. We see no reason to dissent from the views of the Administrator. We are by no means satisfied that there is a genuine demand amongst the Samoans for representation upon the Council, or that their presence on the Council would be advantageous. But, subject to what we have to say later, on the question of numbers, we see no real objection to Samoan representatives on the Legislative Council if a satisfactory method of election or appointment can be evolved.

The suggestion that the Samoan and elected representatives on the Council should equal in number the nominated members appears to us to be unwise and dangerous. The casting-vote of the Administrator as President of the Council is insufficient to give that stability to his policy which it ought to possess. He would have responsibility without power. The danger that the Native representatives might fall under the influence of the elected members is, in our opinion, real, and should be constantly borne in mind. Indeed, we doubt whether it would be possible to procure a man of self-respect and reputable standing to accept the administratorship of the Territory under conditions which might render him practically powerless to say, subject to the supervision of Parliament and of the Minister, what the policy of the Administration is to be. Under such a system he would soon lose his authority and influence with the Samoans. The suggestion that whenever the Administrator should in the reformed Council exercise his casting-vote the matter as to which it is exercised should be referred to the Minister in New Zealand for final determination is, in our opinion, unworthy of consideration. Such a system would be wholly impracticable.