

*Prohibition.*

1. That the mandate provided only for the prohibition of liquor being provided for the Natives.
2. That the Government of New Zealand exceeded the provisions of the mandate and made the prohibition general.
3. That the result is that the evident intention of both mandate and the Samoan Act has resulted in the very misfortune that both sought to avoid.

*Cancellation of Trading Licenses.*

That the cancellations that have been attempted and those that have been threatened are unjustifiable at law, and have been regarded and are in fact nothing less than intimidation by the Administration.

*Deprivation of Titles.*

1. To deprive Samoans of their titles is to effect a punishment which is of a most serious nature to the Samoans.
2. That the deprivation of titles carries with it the deprivation of landed rights.
3. That no deprivation has been accompanied by any authoritative statement as to the term of such deprivation, and that, on the contrary, every such deprivation appears by the order relating thereto to be for life.
4. That, while the deprivation is made by His Excellency the Administrator, it is possible for the family of a person so deprived to supplant him without reference to the Administration.

*Banishments.*

1. That banishments are a form of punishment not contemplated by the Samoa Act of 1921.
2. That there has not been a systematic method of impartial inquiry into all matters leading to banishment.
3. That banishments have been effected in addition to punishment for the same offence in the British Court of law.
4. That the records of banishments show on their face that irregularities have occurred.
5. That the records show that there is no case of banishment based on any matters that could not have been properly dealt with and tried under the Samoan Act by the British Courts.
6. That the precedent of ancient *fa'a-Samoa* banishments has been perversely used by the Administration for political purposes, and that it is admitted that only a German precedent is relied on.

*Generally.*

The matters of cancellation of trading licenses, of deprivation of titles, and of banishments have proceeded without reference to the age-old requirements of fair trial, the three essential elements of which are,—

- (a) The presenting of a definite charge or charges, brought to the notice of the accused in time for him to prepare a defence;
- (b) Evidence on oath;
- (c) The right of cross-examination.

APPENDIX III.

EXAMPLES OF COMPLAINTS MADE AGAINST FAIPULES TO SHOW THEIR CHARACTER.

AGAINST MATA'AFU.

*Charge.*—That he had not obtained payment for roadwork at Aleipata for which he had signed a contract on behalf of the people. (Page 206.)

*Answer.*—That the work was not carried out properly, and the Public Works Engineer would not pass it; but on Mata'afu's representations the Engineer agreed that if the work were done properly he would pay something extra to the contract price, but the people would not do it. (Page 275.)

*Charge.*—Alleged interference with the Fa'amasino in trying two cases. (Page 209.)

*Answer.*—He heard one case only at the request and in the absence of the Fa'amasino. It was a case between two girls, one of whom slandered the other. Settled by directing £1 compensation to be paid to slandered girl. The charge or complaint was not by the girl who paid, or by her family, but by the family of the girl who received the money, "because the procedure is not proper." (Page 276.)

AGAINST TUILAEPÄ.

*Charge.*—That he tried cases, instead of the Fa'amasino. No details given. (Page 119.)

*Answer.*—Absolute denial. (Page 281.)

*Charge.*—That he conferred title of To'oa. (Page 119.)

*Answer.*—That he controlled the title and had the right to confer it, and accordingly did so. (Page 281.)