

SECTION 4. KING GEORGE TUPOU I AND THE DEVELOPMENT OF PARLIAMENTARY
GOVERNMENT AND THE RULE OF LAW.

One of the very significant products of the partnership between King George and the Wesleyan Missionaries was the development of written codes of law. Tonga, of course, had had its own law for centuries. This law was an unwritten law, but its provisions were nevertheless clearly understood. It found its expression in the concept of the 'Tapu'. However, with the advent of Christianity, Tongan culture began to experience a number of important changes. Apart from a new set of "Taboo's" based on the 10 commandments and the beliefs of Wesleyan Methodism, the missionaries also introduced reading and writing into Tongan culture. By 1839 therefore it became possible to promulgate a written code of laws. In 1875 a complete Constitution had been drawn up. The 40 intervening years had seen an incredibly rapid transition in Tongan society. From a society governed by ancient traditions and the rule of powerful individuals, Tonga had become a 'Nation in the family of Nations', able to boast a code of Laws and a Constitution.

The first of the written codes of Tonga was the Code of Vava'u of 1839. As its name suggests the code was limited in its jurisdiction to King George's subjects in Vava'u. He was master of Ha'apai and Vava'u at this time, but his uncle Aleamotu'a as Tu'ikanokupolu, ruled in Tongatapu. The 1850 code was promulgated 5 years after he had succeeded his uncle Aleamotu'a as Tu'ikanokupolu. This 1850 Code of Laws therefore can be justly regarded as the first written code of law for the Tonga Islands as a whole. The 1862 Code was also an 'emancipation edict', and the 1875 Code provided Tonga with a Constitution. The creation of these codes of law is another illustration of the effective partnership between the Wesleyan missionaries and Tupou I. The Wesleyan Catechism taught the King the Ten Commandments and the sermons of the missionaries and the Bible became sources of information and formative influences for a King who wished to see progress and development in his Kingdom. The Missionaries were probably the only advisers to King George in the drawing up of the first two codes. By the middle 1850's however, things were changing. The King had travelled abroad, and the visit to Sydney in 1853 broadened his horizons in more ways than one. He saw things that he had not seen before, and he met new people. We note that in 1854 the King commenced correspondence with a Charles St. Julian, a Sydney resident and the Consul to the King of Hawaii. The King sought outside opinion on the laws that had been drafted under Wesleyan missionary advice. This correspondence with St. Julian is clear evidence that the King wished a 'second opinion' on his experiments in law and government.

The 1862 code, which included the 'emancipation edict', was a very important step along the road to constitutional monarchy. In the preparation of this code the newly arrived missionary, the Rev. S.W. Baker, played a significant role. Many of the provisions of this code are simply a repetition, in new and more extended phraseology, of the previous codes. There were, however, important innovations. The emancipation itself was something new, although the King had discussed the matter with his missionary advisers as early as 1831. (See Document 48). The Rev. S.W. Baker was also instrumental in drawing up the 1875 Constitution, using legal codes from N.S.W. and the Hawaiian Constitution as models.

The missionary lawmakers have been criticized by a number of people, including Basil Thomson, the adviser sent by Britain to assist the Tongan Government after the deportation of the Premier, Mr Baker. Thomson, however, in his desire to ridicule and satire, is blind to the many admirable features of this lawmaking. He is blind, for example, to the monumental importance of the land laws. As early as 1850 sale of land was forbidden, and this law was strengthened in every code of laws that followed. It could well be argued that this land legislation prevented European and other foreign influences from taking hold in Tonga, and therefore, indirectly, played an important part in Tonga's fight to maintain independence during the second half of the 19th century. Had Tonga allowed sale of land, European interests would have become significant enough to warrant annexation by one or other of the great powers - as we know was in fact the case in Samoa, Fiji and a number of other Pacific nations.

[45]

INSTRUCTIONS TO WESLEYAN METHODIST MISSIONARIES 1821

[Instructions of the Committee of the Wesleyan Methodist Missionary Society to Mr Leigh, and to Mr Morgan; the former going out to establish Missions in New Zealand and the Friendly Islands; the other to river Gambia, in West Africa; read to them at a Public Ordination Service, in the New Chapel, City Road, Jan. 17, 1821. Printed Instruction, Mitchell Library Sydney, A 1959.]

(These instructions were given to Mr Leigh prior to his departure for New Zealand and Tongatapu. Circumstances prevented Leigh from fulfilling his hopes, and the society sent Hutchinson and Thomas to establish the work in Tonga. In a letter to the Rev Hutchinson and the Rev Thomas (dated 18th April 1825) the Rev George Morley on behalf of the society issued the same instructions as had been given to Leigh:

"For the regulation of your conduct to the Committee, to your Colleagues and to the Native inhabitant of the Tonga Isles, we refer you to the printed General Instructions and to the particular.....instructions given to Mr Leigh January 17th 1821, when it was expected that he would have gone to that station

..... In giving instruction to the natives, it is of importance, that you rather propose and enforce with meekness the glorious truths of the gospel, than dispute with their superstitious, and absurd opinions. No true Christians have any where been made by mere disputations, however well conducted. You are to propose the gospel in its simplest and most explicit truths, as an undoubted revelation from God; to dwell upon the wretched and guilty state of man, and upon the love and grace of our Lord Jesus Christ; and invite and persuade them to be reconciled to God. Do all this, not with the air and spirit of a dogmatist, but with the sympathy and kind solicitude of him who came "to seek and to save that which was lost." Nor let it be ever absent from your minds, that all your hope of success depends upon the Divine influence and power accompanying truths thus spoken, in the benevolent spirit, and according to the true doctrine of the gospel. Let every word of advice, and every public discourse, be given and delivered in the spirit of prayer, and steadfastly fix all your hopes in God.

As you will be appointed to assist the natives in acquiring the knowledge of agriculture, and some of the useful arts of life, habits of labour and industry must be cultivated by you, at least in the early stages of your Mission. To all things by which you can promote the real good of the natives you must apply yourselves, even as the great Apostle of the Gentiles, working with your

our hands. In all this beware of the secular spirit. These are works to be done in the name of the Lord Jesus, and for him. Whatsoever you are called to in this respect, "do it heartily, and do it as unto the Lord."

The peculiarity of the new Stations in New Zealand and Tongataboo, will require that you should be furnished with a considerable quantity of articles of hardware, implements of agriculture, &c. which you will have to barter with the natives for the food convenient for you, for timber to build your houses, chapels, and schools. In these transactions you are to remember, that the instruction which prohibits all our Missionaries from engaging in trade is still binding upon you. This barter is to be established merely for the procuring necessary supplies for the Mission, in a place where money is unknown, and no more. It is also explicitly to be understood that no Missionary employed in stations so circumstanced as New Zealand, and other of the South Sea Islands, is to acquire any property. His wants will be supplied by the Committee, by the regular transmission of those articles by which necessaries may be obtained in those places; and the buildings, land, and every thing else which may be procured for the use of the Mission, shall remain the property of the Missionary Society alone, to be used by the Missionaries who may in succession be appointed to those Stations.

Should you acquire influence and consideration with the natives of the places of your destination, as we trust by the blessing of God you will, you may be placed in circumstances of some difficulty arising from the quarrels and different views of the various chiefs. Your plain line of duty is to take no part in their civil affairs, and to make it understood, that interference in these matters is no part of your object, and that you are sent to do good to all men. This, however, will prevent your giving them such advice as may be beneficial to all parties when it is desired; and more especially you ought earnestly to endeavour to induce them to abandon those cruel practices which are so frequent in their wars. Kind and prudent remonstrances against cruelty of every description, may be the means of softening the barbarism of their manners, even before they are efficiently brought under the influence of the Gospel.

The Rules in General Instructions, as to the administration of Baptism, and discipline in general, are specially recommended for your guidance. Our aim is not merely to civilize but to convert; and in every instance careful instruction in the Christian faith, and evidences of a true turning of the heart unto the Lord, is to be required before that sacred ordinance is administered.

As in New Zealand especially, and ultimately on the banks of the Gambia, the Brethren with their Families must live together in the Mission-house, the

careful cultivation of the kindest brotherly affection is solemnly enjoined. To promote and establish this, let the rules for your conduct towards each other in the General Instructions, be sacredly adhered to. Let the heathen around you behold and say, "See how these Christians love". In honour prefer one another. Remember your great work; your brief and uncertain life; your solemn account. Live in peace, and the God of love and peace will be with you.

ADDITIONAL INSTRUCTIONS TO Mr. LEIGH.

As you are appointed to superintend the Missions to New Zealand and Tongataboo, we recommend to you great kindness and mildness of manner to your Brethren; as well as great prudence and economy in the management of the whole of our affairs. There must be no inequality among you; you must submit to privations in common, and all your comforts must be equally shared.

It is recommended, that you purchase by barter not more than 500 acres of land, at a fair remuneration to the natives, for the use of the Mission at New Zealand; and if it be thought expedient, not more than the same quantity at Tongataboo.

That you, as soon as possible, and in the most economical manner, erect at the place of your location in New Zealand, suitable premises for a School, a Room for Public Worship, and three suits of apartments, one for the residence of each family, all under the same roof; that there be a common Room, in which the meals of the whole Mission-family may be taken together, and family worship regularly performed. The same is to be done at Tongataboo. Each family to have for its separate use one sitting-room and one sleeping-room for the present.

That all articles furnished from time to time, for barter, for the use of the Mission, shall, both at New Zealand and Tongataboo, be considered as common stock, in no case to be appropriated to his convenience and use by any individual Missionary, either for building, purchase of land, provisions, or other expenditure.

That one of the Brethren shall be appointed Secretary to each Mission, whose business it shall be to enter into a book to be provided for that purpose all the articles sent out for barter, from time to time, by the Committee, and those first taken by the Brethren; and that no articles shall be taken out of the common stock, to be bartered or otherwise made use of, but by the consent of at least two of the Brethren, whilst the number shall be three in each station; or when the number shall be increased, of two-thirds of the whole, and not without an entry being made at the time of the number and kind of articles so taken out

of the stock, and the purposes for which they are to be bartered; which entry is to be signed in the hand-writing of the Missionaries as in the first instance, and two-thirds, when the number shall be increased. The Secretary shall be required to make copies, half-yearly, of the book-account of all stores received, expendedmade up half-yearly, to June 30, and Dec. 31, of each year, in duplicates by the first vessels. These duplicates, as well as the originals, are to be signed by all the Brethren on each station. At Tongataboo, as long as there shall be but two Brethren employed on the Mission, the stores to be applied only by the joint consent of both.

The Secretaries to each Mission shall, with his half-yearly account, also inform the Committee what articles are most in request among the natives for barter; and also state the rise or fall in the value of the various articles, as the case may be.

That for the purchase of articles of food for the Mission-family, each of the Brethren shall in rotation, week by week, be appointed to barter with the natives, one only at the same time being empowered to transact that business; and that each of the Wives also, in weekly rotation, take the charge of cooking the provisions and preparing the meals for the common table. The rotation to be so regulated, that the Wife of the Brother who purchases the articles of food, shall superintend its preparation for the same week.

That a fowling-piece be furnished to each Missionary, but that no barter shall be allowed in muskets, or warlike weapons of any kind.

That Missionaries at New Zealand and Tongataboo will expected to establish Schools for the children of the natives, and, as soon as practicable, bring the natives to contribute to the support of the children of these schools. At each of those stations the Committee will allow, for the support of schools, to the value in goods, of £50 per annum, and the Brethren and their Wives are directed to adopt such methods of instruction as they may, on mutual consultation judge most suitable, and that they themselves act as Teachers.

That on each of these Missions £50 per annum shall be allowed to each married Missionary, and £12 per annum for each child as quarterage, and that the Society send out, from time to time, as many suits of clothes as each Missionary may order, to be charged to his account; and any surplus of cash, due to him as the balance of the above named allowance, be paid to him either in goods or cash, as he may direct.

THOMAS COMMENTS ON GOVERNMENT AND "LAW" 1826

[Thomas to Mason. Diary and Letter Book . Rev. J. Thomas, letter Number 5. Hehefo Tonga, September 21, 1826. Mitchell Library, Sydney. A 1959.]

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In a place like this, so remote from civil Society and under a diabolic government, our situation is far from being enviable, and if we did not feel an assurance of the protecting hand of the Lord our God, it would not be any ways comfortable, but "the Lord reigneth even amongst the heathen, this blessed truth supports the mind, and we also thankfully remember that we are connected with a praying people, blessed be God, thousands of petitions have been heard for us and this Mission, we hope constant prayer will be made for us and these people and then we shall fully expect the divine blessing.

Satan is alarmed for his subjects here, he has been permitted to try us in various ways, he has thrust sore at our own peace and union, but the snare is broken. The people here are notorious for fornication lying and theft. We have lost several articles, the chief tried means to recover our property but did not succeed, from the least to the greatest they will steal if they can and except they are detected they think it rather an excellency than an evil. The chief 'as not behaved very well to us since we came, he has broken his promises so that we can place no confidence in his word. Here is another chief of the name of Ulakai, son of the King Tuku'aho who was murdered in 1799, who is very kind and friendly to us, his Father was the greatest chief here and protected the London Missionaries that were on this part of the island while he lived, his son is willing if he had power of doing a great deal for us. If he should be put into his proper place, he would be the greatest chief by far, and there has been some talk ^{about} it. We trust we are in our proper place though it is in the heart of the enemies territories, if we should be spared and the chief should favour us, it is likely great good will be done, as Ata is a great chief and connected with the Ha'apai and Vava'u Islands, we shall gain access there, but we can do but little without the consent of the Chiefs.

A VOYAGER WARNS ABOUT LAWS 1830

[Waldegrave, W. Extracts from a Private Journal kept on board H.M.S. Seringapatam in the Pacific, 1830. Journal of the Royal Geographic Society, London. Vol 3. 1833. pp. 186-187.]

The Missionaries are hardworking, industrious teachers, and of good private characters; but they are ignorant of their own language. Their congregation consists of about three hundred persons and is said to be slowly increasing. They do not interfere in any questions amongst the natives, but confine themselves to their religious duties. They are not traders. I cautioned them against proposing laws to the natives.

THE KING SEEKS ADVICE ON LAWS 1831.

[Journal. Rev. Peter Turner. 1831. pp 106-109. Mitchell Library Sydney. B. 301.]

December 24th The king is kind and has been up to see us, and to ask some questions. One question was whether it was the duty of children to consult their parents when they wished to be married; of course we told him it was the duty of children to obey their parents "in all things in the Lord". Another subject of enquiry was, whether his servants should leave him when they pleased, and marry without his permission. These were formerly at the will and pleasure of their chiefs, and were a kind of slaves and they could on the least provocation knock them on the head. Some of these are beginning to avail themselves of the profession of Xty to get clear of their political disabilities. This question was not so easy to answer as the former, but we gave him to understand that Xty knew nothing of slavery, but that he must treat them kindly, and that ultimately he would be able to give them their liberty. He seemed to be thoughtful, but said he would think upon the subject.

December 25th Praise God that I have been enabled to get through the labour of this day with more pleasure than I expected. I read the second chapter of Mtt. and informed them that this was Christmas Day and endeavoured to impress upon them the condescending love of the Saviour. They were surprised and pleased and many followed me to know the name of the day, and begged to have the chapter to read in their houses.

December 26th. The king came up this morning and wished to have some laws for the regulation of his servants, but as I was in expectation of Bro. & Sis. Watkin I would not do anything until he comes, that I may have the benefit of his counsel. The King says he wishes to imitate Abraham, and those of whom the Scriptures speak. May he always be thus teachable.

DISTURBANCE CAUSED BY MASTERS OF VESSELS AND THEIR CREWS 1832.
 [Diary-letter book. Rev. J. Thomas. Letter 118, 1832. pp.139ff. Mitchell
 Library Sydney. A 1959.]

I wish to make a few remarks on a subject I have not generally alluded to viz the conduct of masters of vessels and their crews at these Islands, we have long been grieved to hear of their wickedness committed ^{by} our own countrymen who visit the Friendly Islands, it has spread its deadly influence far and wide and presents an obstacle of no trifling importance to the spread of the gospel at many parts of this Island and is a constant stumbling block to the infant church of Christ at this place. And from what we have lately witnessed we find that the evil we complain of is increasing upon us. and the consequences are the most afflicting. I do not hesitate to say that 10 out of 20 of the accidents which have happened at these Islands, have taken place through the degraded and wicked conduct of the Crews, as they drink to excess - riot and revel on board and on shore burn in their lust and commit the most abominable sins - quarrel and fight among themselves - insult and ill-treat the natives, especially the females, which leads to quarrels with the men, and sometimes with the heads of the people who are not disposed to put up with such conduct from people they can easily overcome, thus designs are formed to revenge the evils they suffer, which leads to murder and theft to the great loss of property to the owners of vessels, the disgrace of our common Christianity, and the English as a people and the ruin and eternal disgrace of the perpetrators, as well as the injury of the Missionaries and the natives generally. Yet we know not what we can do it. It were well if such persons knew the hundredth part of the mischief they do. "Oh that they were wise that they would consider their latter end."

Another thing we complain of is Captains of vessels leaving their wicked and disorderly men at these Islands to our no small annoyance, and the injury of our people. We are aware that it is contrary to the British laws for Captains to act so. Yet they continue to do it. We have not reported their conduct to the Secretary of the Admiralty because we do not know your mind upon the subject, but think perhaps it is the one thing that will check this great and growing evil. If you wish to try the effects of it I here relate a case which you can do as you please with.

Captain Richard Banks of the Mary Jane Whaler of Sydney. S.B. Bettington owner, was in here a few days ago. he said his Steward was a scamping fellow and he would leave him on shore at this place. we told the Captain he had no right to leave him here also that we had too many such men at this Island.

We furnished him with a copy of the British law on the subject but notwithstanding that he has left the fellow here, the man's name is --

The Captain of the Forward Castle of London has long been in the habit of frequenting Tonga he has generally taken up his abode at what is called the Mua, it is the East part of Tonga the chief under whom Mr Lawry lived. The above Captain though an old South Sea Whaler yet I am sorry to say conducts himself in a very wicked manner. He and his officers and crew have made that part of Tonga a kind of rendezvous where all kinds of wickedness has been committed at which even the poor heathen have been ashamed. A boats crew were on shore there on Monday last, they continued all night for what purpose I need not mention. In the course of the night one of the men went to the young Chief's house (as it is reported) to look for a woman, it is said the young Chief's wife, but the young Chief was at home. He rose up and chased the Englishman and caught him but the Englishman being very strong held the Chief, and while they were struggling together the Englishman drew out a large knife and stabbed the other in eight or nine places about his sides and back, and left him near death and escaped to the bush and hid himself. but was soon pursued by the people of the young Chief who killed him without any further to do (and it is said by some) that they roasted the body, and eat a part, out of revenge to the Captain for his conduct towards them. We have been applied to for Medicine for the wounded Chief and have sent him some but his recovery is very doubtful. The remainder part of the boats crew were sent on board for which we feel thankful, it is a great mercy they were not all killed as the young man who is stabbed is the eldest son of Fatu and of considerable rank. If our Englishmen would profit by this awful event I should be glad, and it may then be worth the trouble of printing. If the young Chief dies I fear they will seek further revenge and our ungodly countrymen put themselves entirely into the hands of the natives while they riot and revel with them in drunkenness and lewdness. Oh shame on English Seamen. What a disgrace to our Holy Religion and the land of Bibles in devilish and beastly conduct.

KING GEORGE'S SPEECH 1833 - A PRELUDE TO THE 1839 CODE

[Journal. Peter Turner. Vava'u, Tuesday 30th April 1833. pp.9-11.
Mitchell Library Sydney. B 302.]

This has been a high day for the natives. They have more formally acknowledged Taufa'ahau as their King. He delivered a very long speech to them in which he taught them their duty. He began by saying that there are few things he wished to mention to them. It was true he said that we have a partial famine, - that some of you have not much to eat in consequence of the late hurricane. Some may think that this is the main cause of their poverty. I am not quite of that opinion. Here are some other causes - besides the late storm. Many of you are idle, and some are wasteful - and others are thoughtless. We have not taken care of the abundance God gave us - in the time past. We eat to our fill, and then we threw much away. We should have made our bread, and should have had many stores of it; then we should have had food to eat in this time of want.

Thus how thoughtless we have been - and how wasteful also. And have we not been idle? Are there not some who do but little work; but go about and live on others. God has been very good in giving us so good a land, but we must dig the soil and plant, or we shall not have much food. My mind is, that those who will not work should not eat: and you will do right to deny the idle young men when they come to beg your food.

There is another thing I wish to tell you about. That you must not all live at Neiafu, but you must go to your own places inland, or to the islands, and you must build your houses, cultivate your fields, and attend to your schools ^{to your} and chapels. And let the chiefs live with their people in their own places, and not remain altogether here. If you will do this you will have plenty of food and will have the blessing of the Lord upon all your labours. He said there are some among us who make excuses when they are required to work more, by saying they want to read the word of God, but such people cover their idleness by these excuses. It is very good to read God's word, but you should not neglect your digging - nor your planting - nor your building, by reading at improper times. You should do your work of this world, and read when your work is done. You have much time for reading if you will not sleep in the day, and go about drinking your Kava (native drink). This speech has made a move among the chiefs and people, and many are leaving for their respective places.

THE "HA'APAI CODE" 1838

[Lyth R.B. Journal. Oct. 8th 1836, - Oct. 8th 1842.
Typescript Copy. Palace Records Office Nuku'alofa.]

Dec. 12, 1838 - The King assembled the people from all the islands and gave them new laws. The meeting commenced by daylight and was ended in about 2 hours. This has in consequence brought many of the people to Lifuka.

KEEPING THE SABBATH 1838

[Journal. Vol. 1. Stephen Rabone. Mitchell Library, Sydney MSS 47]

11th February, 1838. "A good day this morning and evening O may the seed sown today spring up and produce an abundant harvest. I do long for the spiritual prosperity of our people many of whom are yet very ignorant and weak and like new born babes require every attention and care and if left to themselves they do wrong. One thing has taken place today for which I feel very thankful. Ulakai when up here begged 'Ata to order the people to desist from all heavy and open labour on the Sabbath. Yesterday 'Ata sent round the fortress to inform the people and today our ears are not dinned with the noise of their beating out the native cloth and other labour. This I pray may be the beginning of good days and that yet the Heathen of Hihifo will know the day of their visitation and turn to God. I long for this - I pray for this - I earnestly desire to see the day when this shall be, but if not and it please the Lord I trust I shall not be unwilling to die even for this."

CRITICISMS OF "DEFECTIVE GOVERNMENT" 1838

[[Journal. Stephen Rabone. Sunday 23rd September 1838. p.152.
Mitchell Library, Sydney. MSS 47.]

Tonga is a trying situation. The Government is horribly defective and every man appears to do what is right in his own eyes, perhaps it is one of the scourges of God Almighty to a sinful people to suffer a man to assume the reins of Government who had neither the head, hand or heart for such a work -- may the Lord help us and remove any hinderance.

THE PUNISHMENT OF OFFENDERS 1841 - 1845

[Journals of Peter Turner. 1840-1842, 1845. Mitchell Library
Sydney. B 306-308.]

Thursday 27 (August 1840)

.....The King has been very busy during his visit in receiving visits from his chiefs and in trying those who have done evil since he left. Some old offenders have been beaten by his orders as nothing seems to have any influence upon them.

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September 23 (1841)

.....All the chiefs and matabules have been commanded to assemble with all their people to report the conduct of all their people. The result of the investigation is that many scores of young men have been in the habit of indulging in sinful and foolish sports. Some work has been assigned them - as a punishment, which I hope will prevent any further indulging in the practice.

* * * * *

28th (Feb. 1842)

The King came up to ask our opinion about punishing those who violate the laws of the land. They have punished them of late by beating them in the face with the fist. We told the King that we did not like their manner of punishing culprits, but that like himself we were at a loss to give any new mode which would be useful as almost every kind had been tried and had failed - that we desired not to have much to do with the affairs of the land in a Political sense. We advised him to do the best he could until we should fakataha - meet in our D. Meeting when we would give him some advice upon some subjects if he desired us. We recommended hard labour - and to appoint officers to look after those appointed to work.

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Sunday 17th (August 1845)

I have to record another fire. About 8 o'clock this evening the alarm was given that the Institution was on fire and in a few minutes it was a heap of ruins. We are at a loss to conjecture what the motive can be - or in what we have so much displeased some of our people.

Monday 18th

We have had some talk with the King today as to the burning our houses. We told him that we feared lest our houses should be burned down while we were asleep and we burned to death, or at least, that all our property, and the property of the society would be destroyed and the death of our sick on the station hastened in consequence. As were this to be done while we were asleep we should scarce have time to put on our clothes on. He was very sorry, but does not know what to do. We told him that as the judges sometimes came up to make enquiries as to what they should do with certain delinquents - the most abandoned of our people might think that we influenced the judges to inflict certain punishments upon them, and that therefore we do not wish to be consulted any longer upon such subjects. He was much pained - and quite approved of all we said. He promised to do all he could for us to make us comfortable. This we believe. But we are much pained at these things and what the end will be we cannot tell.

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Feb. 3rd 1846. This is the day for the monthly sessions of this group. And what a sight do we witness - old and young are come to confess their misdemeanors to the Judges. The Holy Spirit has so wrought upon the minds of the people as to compel them to make full confession. More than 300 individuals come forward to make known some breach of the laws.

Feb. 4th 1846. More than 200 have been today to make confession. The entire number is 529 - and as most of these profess to have obtained mercy, the chiefs have bestowed a free pardon upon all with the exception of those who have been guilty of setting houses on fire, and injuring the persons of others, and those who have wantonly destroyed canoes, and those who have not made frank confession of their sins. These will have to make some remuneration for their offences. When the principal chief arose and declared the benevolent intention of the chiefs to forgive the offenders - the effect was almost overwhelming and reminded me of the declaration of liberty of state, and when he asked them whether it was their intention to endeavour to fear and serve God for the future? they answered as with one voice it was - and when he required a show of hands every hand was raised. He exhorted them to return home and to live at their own places - to attend to the schools - and to the duties of religion. Afterwards I spoke to the people and at my wish all arose to thank the chief for their clemency - and they again stood up to render thanks to Almighty God for his saving grace vouchsafed to us. We then sang and 5 chiefs and myself engaged in prayer - when the assembly broke up with thankful hearts.

THE CODE OF VAVA'U 1838

[Ko e Gaahi Lao ki he kakai 'o Vavau mo Haafuluhao. Vava'u, Me Me 16, 1838. Printed document in English and Tongan. Photostat copy from Palace Records Office, Nuku'alofa.]

These are the names of the King and the Chiefs in council at Vavau Haafuluhao.

GEORGE The King

Jobe Soakai, Steward or Governor
Osaiasi Veikune, Chief Judge or Magistrate
Eliesa Kijikiji, Judge
Tiofilosi Kaiuanu, Judge

I George make known this my mind to the chiefs of the different parts of Haafuluhao, also to all my people. May you be very happy.

It is of the God of heaven and earth that I have been appointed to speak to you, he is King of Kings and Lord of Lords, he doeth whatsoever he pleaseth, he lifteth up one and putteth down another, he is righteous in all his works, we are all the work of his hands, and the sheep of his pasture, and his will towards us is that we should be happy. Therefore it is that I make known to you all, to the Chiefs and Governors and People, as well as the different strangers and foreigners that live with me.

That the Laws of this our Land prohibit.

1.

Murder, Theft, Adultery, Fornication and the retailing of Ardent spirits.

If any shall transgress these laws of ours, the case must be made known to the proper authorities, that the judge may examine into it.

If any woman shall beat herself or by drinking any liquor or by using any means cause her child to depart from her, her case shall be brought before the judge.

In case of ones eating a poisonous fish or shell fish, knowing it to be destructive to life, the case shall be brought before the judge.

And should one die from taking poison, knowing it to be such, he shall not be buried in the Christians burial ground or as a christian.

In case of a person being found dead a man, woman, or child and it is not known by what means the person came by his or her death, the judge shall be informed of the case, upon hearing of which he shall fix upon a house to which the body shall be removed, he shall then choose three men out of the nearest four villages to the place where the corpse was found, being twelve in number who shall assemble at the place appointed with the judge, who shall inform them of the object of his calling them together, they shall then proceed all together to view the body, and the place where it was found, after which they shall return to the house and sit in judgement on the case, and each speak his mind as in the presence of God, as to the cause of the persons death, viz whether by the visitation of God or by violent hands, and if their minds are satisfied that the person had been killed, they shall make every enquiry in order to discover the perpetrator who if found shall be brought to judgement, and wait the consequence of his crime.

N.B. No person shall be put to death, except by the express command of the King.

If any person shall rise up and lift up a club (or any other instrument of death) against another for the purpose of killing him, the person so offending shall be brought before the judge, and judgement passed upon him.

2.

My mind is this. That all my people should attend to all the duties of religion towards God; that they should keep holy the Sabbath day, by abstaining from their worldly occupations and labours, and by attending to the preaching of the word and the worship of God in their places of worship.

Should any man on shore or from on ship board come to the chapel for the purpose of sport or to disturb the wordhip; should he insult the minister or the congregation, he shall be taken and bound, and be fined for every such offence, as the judge shall determine.

3.

My mind is this. That each chief or head of a people, shall govern his own people, and them only: and it is my mind that you each show love to the people you have under you, also that you require them to be industrious in labouring to support the government and in their duties to you their chiefs; and that you divide to each one of them land for their own use, that each one may have means of living, of supporting his family procuring necessaries, and of contributing to the cause of God.

4.

It is my mind that my people should live in great peace, no quarrelling, or backbiting, having no wish for war, but to serve the God of peace in sincerity, therefore I wish you to allow to your people some time for the purpose of working for themselves; they will work for you as you may require them in working your Canoe; in planting your yams, and bananas, and in what ever you may require their services; but I make known to you it is no longer lawful, for you to hunuki, or mark their bananas for your use, or to take by force any article from them, but let their things be at their own disposal.

5.

And it is my mind that the land should be brought into cultivation and planted; hence I inform you it is unlawful to turn your hogs outside the fence or sty: in case of a pig being found eating the yams or destroying the produce of the earth, the owner of the pig shall be apprised directly of it, that he may put his pig up, also he shall make amends for the mischief done; in case the owner pays not attention to his pig either to confine it or to recompence the damage done, and the pig is again found eating the plantation, it shall then be lawful to kill the pig, and the person owning the plantation shall claim it.

6.

In case of an Englishman, or any other foreigner wishing to remain in this land, he will be expected to obey the laws of the land and contribute in some way, (as he may have the means) to the support of the government, by working occasionally for the King, or by what means he may choose, while he does this, the laws of this land will protect him and his from evil.

7.

I beg of you my Chiefs and heads of the people that you pay attention to these words, and make known these laws to your people, and see that they practice them.

8.

In reference to the small and light offences, each chief will examine and adjust, in his own place but all the more important offences must be brought to Mua at Neiafu.

N.B. The day for hearing cases of disorder at Neiafu, is the first Tuesday in the month and you need not come at any other time.

On the day of hearing it is expected that the following persons will be present, viz. Jobe Scakai, Osaiasi Veikune, Eliesa Kijikiji, and Tiofilusi Kaianuanu.

N.B. The King will present and take a part when ever convenient.

In case of a person retailing ardent spirits, he shall pay a fine to the King of Twenty Five Dollars and be liable to have the spirits taken from him.

In case of a man either living on shore, or from on ship board, being drunk and, causing disturbance, he shall be taken, and imprisoned, and for the first offence pay a fine of six dollars, which fine shall be doubled in case the offence is repeated.

In case a man living on shore, shall entice or otherwise induce any seaman to leave his vessel for the purpose of living on shore he shall pay a fine of eight dollars to the King; in case a person fails to make known one whom he knows to have run away from his vessel, such an one shall be fined according to the nature of the offence.

In case a man leaves his wife and escapes, she shall claim his plantations and whatever other property he may have left.

In case a woman forsakes her husband, she shall be brought back again to him, and in case she will not remain with him, it shall not be lawful for her to marry any other man while her husband lives.

It is not lawful to tatatau or to kaukau or to perform any other idolatrous ceremonies, if any one does so, he will be judged and punished and fined for so doing.

It is unlawful to leave the island in a clandestine manner, also to give away or enslave any person.

It is also unlawful to cut down timber without liberty so to do.

.....OOO.....

B. THE 1850 CODE OF LAWS.

[56]

THE KING AN "ENEMY TO CIVILIZATION" 1842

[Records of the Methodist Missionary Society, London.
Tonga Circuit Report 1842. Microfilm Reference
F M 4/1397, Reel 6. Mitchell Library, Sydney.]

It may be right to notice that one thing that tends to increase crime here is that no notice of it is taken by the King (Josiah), he has no laws hence the people do as they please and sin with impunity. Another thing which tends to injure them is the support of the old Heathenish customs which the King seems more disposed to encourage than religion in the land. By these things they are so poor as scarcely to have the means of keeping themselves clothed and fed, and much less to improve their circumstances. The King is an enemy to civilization so that scarcely a person is now seen with any other dress than a natives.

DISCUSSION ON LAWS; ASSISTANCE FROM NEW ZEALAND 1847

[Rev. Walter Lawry, Friendly and Feejee Islands: A Missionary visit to the various stations in the South Seas in the year 1847. Second Edition. London 1850. pp.23;29]

Sept 2nd. 1847

The King has just now announced his intention to quit Tonga, and live at Hapai; but he intends first to visit Samoa, and to carry the teachers thither. This has operated all at once as a thunderbolt. On the part of the congregated chiefs there is consternation. Yesterday I delivered a lecture to them and the King on various public matters, connected with education, laws, government, and public morals, all of which ought to be in accordance with Christianity. About five hundred persons listened with marked attention for an hour and a half. The matters then discussed have since been fully canvassed, and pronounced to be "the truth and just what is required"

"They are now in a transition state: their old habits are broken up, and their new state of things is only formed in embryo. Formerly they were ruled by terror: the chief dealt death to whom he would with the end of his club; a man who was found refractory was quickly dispatched. But, now that they are freed from the reign of terror, it would be too much to expect that such an emancipation would not be abused. It is abused by certain young Chiefs, who are merely nominal Christians; and it is also abused by a few disorderly persons here and there: but order is rising out of disorder. A code of laws is under consideration; and I am to seek assistance from one of our judges, on my return to New Zealand. Governors are appointed at Vava'u and Ha'apai, and courts of justice are set up. All this needs much to make it complete: but the matter is advancing as fast as such matters usually do, and the movement is in the right direction.

KING GEORGE AND MARRIAGE LAWS 1850

[Rev. Walter Lawry. A Second Visit to the Friendly and Feejee Islands. London 1851.]

pp.23-24. May 29th 1850

One small and dark spot in the distance had the effect of a shaded

background to this picture: three Englishmen or Americans stood outside - men of the baser sort who estimate the Missionary as one who stands in their way. Men without character, living in a society leavened with Christian morals, are happily doomed to be men without influence or consideration of any kind. But still their day is coming; and what will they say, when, side by side with these believing Gentiles, they shall stand before the judgement seat of Christ and hear him say? -

"Behold, ye despisers, and wonder, and perish: for I work a work in your day, which ye shall in no wise believe, though a man declare it unto you! "

As Mr Amos and I were walking by the sea-side early this morning, one of these men came up to us and desired to be married forthwith to a native woman, with whom, it appeared, he had been living for some years, and had several children. Upon inquiry, we found that he had been residing at the Bea, a colo partly Popish and partly Heathen, - if there be any difference between the two things.

There men live as they list, and no one interferes: but now this man has come to Maofanga to live, which is a Christian colo, and not far from Nukualofa. One of the laws over all King George's sovereignty is that persons are not allowed to live together in a state of adultery: hence this white Heathen has complied with Christ's law, because the magistrates require him to do so. What reason can be given why every land claiming the name of Christian should not do the same?

.....

Here we have a King who rules in love, and makes laws against overt sin; "in whose presence a vile person is contemned" What God has declared to be wrong, he causes to be refrained from, or punished when done; but religion, in all its operations, he leaves where his God leaves it, between God and the conscience: God has dominion over the conscience: the Magistrate rules over men's conduct.

[59]
KING GEORGE : A MAN AHEAD OF HIS TIMES
 [Rev. Walter Lawry. A Second Visit to the Friendly and Feejee Islands. London 1851 p.49.]

June 15th 1850

"The King is expected here from Hapai..... The coming of the King,

and of such a King (one who lives before his times, and is wiser than the wise men of his day, who dwell in these Isles) is quite an event among this people; and beside this, the King is coming to preside at our Missionary Meeting, to consult his Chiefs about some new laws, and to honour the marriage of a chief lady of Mua, the daughter of Eliza Ann"

[60]

HESITANCY OF THE CHIEFS

[Walter Lawry, A Second Missionary visit to the Friendly and Feejee Islands. London 1851. pp.53-54.]

June 17th 1850.

"Some new laws are desired by the King but the Chiefs hang as a drag upon his wheels. The present system is this:- The King, as supreme, not only rules all the people, but owns all the land in the Tonga Isles; the Chiefs hold under him, and the people under the Chiefs. When the King wants a thing, he sends to the Chief to send it to him. When the Chief desires a thing, he sends for it, and the owner gives it up. Hence no man can say that any thing he may possess is his own.

This state of things most effectively cuts up by the roots all energy and exertion, and each man tries how little he can do; for he says to himself, "Why should I work hard, and another person eat the fruit of my labour?" The Chiefs seldom work, but they sometimes command, and often beg: they are the first beggars in the land. The Missionaries see this evil, and the King sees it, with here and there a Chief. They propose a tax for the King, and another for the Chiefs, and the rest to be the property of the man who holds it, who grew it, or who made it. But this is too great a thing to do at once: the difference between it and the old system is so great as to create considerable hesitancy on the part of the chiefs and all the idle ones, of whom there are many.

. . . . as the dawn of a better day for Tonga has begun to appear, the full day will certainly follow: but it requires time to elevate and to civilize a barbarous nation. The Schoolmaster has followed the Gospel preacher; and when the people are more fully taught, they will more easily adopt an enlightened system of civil government.

[61]

THE KING'S REQUEST

[Friendly Islands Annual District Meeting 20/4/1848, 9/5/1849, Re Records of the Methodist Missionary Society London. Mitchell Library Sydney. Microfilm references F M 4/1397 Reel 6.]

"Q 31. Can any measures be adopted for the promotion of the work of God in this district?

- 1.
- 2. The King having repeatedly and earnestly requested the assistance of the Missionaries in preparing a code of laws for the government of his subjects, this meeting appoints Bro. Rabone to prepare the said code, and agree to follow as far as applicable to this people the code adopted in Tahiti published in Ellis's Researches."

* * * * *

Annual District Meeting 9/5/1849 Miscellaneous resolutions.

No.7. The code of laws drawn up by Rev. Rabone was unanimously approved by the meeting and is recommended to the King and chiefs for their adoption and promulgation.

[62]

NON-MISSIONARY ASSISTANCE WITH THE 1850 CODE - 1849
[Journal, Rev. Peter Turner. 1849. Mitchell Library Sydney. B. 309]

November 1st, 1849, (Vava'u)

..... Mr Pritchard ("Daphne", British Man of War), has also recommended some alterations in the Port Regulations which we hope the King will adopt. He assembled the chiefs, the King not being here, and advised them what to do with runaway sailors and advised them to unite with the King in making a code of laws for the government of the people.

[63]

REACTION OF THE KING and CHIEFS TO MISSIONARY ADVICE 1849
[Journal, Rev. Peter Turner. 1849. Mitchell Library Sydney. B 309]

28th November, 1849.

This is a time of some trial. Our vessel is detained, and when will she come? And the King and chiefs are becoming jealous of our interfering with what they think their prerogatives. We have been recommending to them a better Code of Law, but O no, things must remain as they are and we are thought evil of for our wishing to elevate them in the scale of civilisation and we have but little hope of seeing them much better,

PROGRESS TO BE GRADUAL 1850
 [Rev. Walter Lawry, A Second Missionary Visit to the Friendly and Feejee Islands in the year 1850. John Mason. London 1851. pp.81-82.]

The King is holding his court, and they have now fully agreed upon a code of laws, which are to be published forthwith. They are not all that we could wish them to be; and this I told the King and Chiefs; remarking especially on the mode of paying the judges out of the fines levied on the offenders, which is sure to corrupt the seat of justice: but the King's reply was, "We must do things little by little." Upon the whole however, this movement is a grand step towards the civilization of the entire nation, comprehending nearly two hundred islands. This ought to have been done several years ago, and there is no good reason why it has been so long delayed. No doubt, however, now rests upon any mind, that much good will result from this first attempt at legislation by a written code. The Statute book is to be printed at our Mission press.

These laws were first published by our brethren at Tahiti; and have generally been commended as simple, wise, and just, a pattern of Christian legislation. They were, however, originally drawn up in Sydney, by one of our Local Preachers (since deeply fallen) at that time in high repute among all who knew him. This fact I learnt from his own mouth many years ago.

[65]

THE DECISION TO PROHIBIT SALE OF LAND. 1850
 [Rev. Walter Lawry. A Second Missionary Visit to the Friendly and Feejee Islands in the year 1850. John Mason; London, 1851. pp.64,71,72]

24th (June 1850).

I spent the evening with the King and Messrs West and Amos. George was utterly tired out with the crowds who waited upon him with food, cava and cloth during the day; but in the evening he was exceedingly open and communicative. We heard him give a detailed account of his title to the crown of all the Friendly Islands.

25th. To prevent all possibility of mistake I wrote the King this morning the following note:-

TO KING GEORGE TUPOU

"I beg to ask, with great respect, whether I understood the matter correctly last night; namely,

First, That you were determined not to part with any land in your dominions throughout the Friendly Isles ?

Secondly, That though you greatly desire the friendship and alliance of Great Britain, yet you do not intend to be in subjection to any power or State whatever, but to remain, you and your people, a free and independent nation?

I am, Sir,

Your obedient and respectful Friend,

Walter Lawry."

THE KING'S ANSWER

"My mind is, that I will not verily sell any piece of land in this Tonga; for it is small; then, what of it can we sell? and what shall be left for ourselves? I verily wish to be the friend of Britain; in friendly alliance, with all fellowship; but it is not my mind, nor the mind of my people, that we should be subject to any other people or kingdom in this world. But it is my mind to sit down (that is remain) an independent nation.

I am,

GEORGE TUPOU."

Note: There is no indication in the report of Lawry as to why he asked the King this question. Obviously they had discussed the questions of sale of land and independence on the previous evening, but in what context it is not clear.

THE ORIGIN OF THE 1850 LAWS

(Thomas West, Ten years in South Central Polynesia etc etc. London 1865.
pp. 211-213)

With the rapid advance of education, the king felt the need of a more comprehensive and complete code of laws for the government of his people. On this subject, he frequently and earnestly conversed with the Missionaries, and finally applied for their official help in framing it. The subject was carefully considered, in the annual assembly of the Missionaries, presided over by the Rev. Walter Lawry, in 1847; and, after an interesting and important discussion of the whole matter, we recommended the king to obtain the opinion and advice of the highest English legal authority in New Zealand. The king, therefore, drew up a communication upon the subject, which Mr. Lawry conveyed to the proper quarter. A reply came, in due course, to the effect, that King George could not do better than adopt a code of laws, similar to that drawn up for the natives of the Society Islands, with such modifications or alterations as might be considered necessary, for its adaptation to any special peculiarity in the Tonguese government, or the customs of the people. A translation of these laws was prepared by the Missionaries, and placed in the hands of the king and chiefs, for their united consideration. Many consultations were held with the chiefs, and various alterations, amendments, and additions were made. After these were completed, the king waited upon the Missionaries to obtain their further opinion and advice, upon the rough draft thus submitted. Upon carefully and unitedly examining and discussing the whole, we suggested several important alterations, which he and his native advisers were to consider for themselves, to either adopt or reject as they might deem proper. We were very careful to impress them with the conviction, that these laws must be adopted and promulgated as their own, and not as the laws of the Missionaries. This was accordingly done; and, when the code was finally completed, and made law, by public and regal authority, the Missionaries found in it much that was contrary to their own views. It was, however, a great advance upon the brief and imperfect code already in operation, and would, no doubt, prepare the way for something better still.

[Erskine Capt. J.E. Proceedings at the South Sea Islands the Journal of the Royal Geographic Society of London, Vol.21. 1851.] pp.227,228.

"Should George Tubou live for a few years (and he is a man apparently about 45 years of age), it is probable that all the population will become Christianized, and the succession of his son be secured; but should his death happen at an early period, disputes will certainly arise as to the sovereignty of the different islands, and civil war be the consequence. Besides the dignity of Tui Kanakabolu, which gives the right to rule in Tonga, there is another and a higher one called Tui Tonga, the holder of which is considered to be a kind of sacred personage, and above the cares of government. It is said that the Roman Catholic party advocate for their own views the right of the present Tui Tonga (one of their converts) to the actual rule, and that the heathen party would perhaps assist them; but as the office must expire with the present holder, and he is imbecile, it is not probable that there will be much trouble on his account. George has, under any circumstances, the whole power in his hands at present, having governors at the islands where he is not actually present, and a regular Government at all, with laws for the punishment of offenders.

[68]
MISSIONARIES FEAR ABUSE OF POWER 1854

[Haabai Circuit Report, 1854. Friendly Islands District.]

"During the past year we have found the following to be the main obstacles to a more extended revival of God's work.....

1. A growing worldly mindedness amongst our members ^{and} the people generally arising from the increased opportunity of trading with resident Europeans. God forbid that we should discourage the desire for bettering their condition and covering the nakedness of our people, but we are free to aver that it will require a watchful eye and no small amount of Pastoral care to prevent them being hurried away and their affections set upon the fleeting vanities of the world.
2. The danger that exists in the case of many of our leading Local Preachers and Leaders connected with the government and administration of Justice lest they should abuse the new prerogatives and power placed in their hands and use the same, not so much as a means of checking crime as for self-aggrandisement and a source of oppression of the people."

THE TONGAN CODE OF 1850
 THE TAHITIAN CODE OF 1822: } A COMPARISON OF SOME CLAUSES.

[Reverend William Ellis, Polynesian Researches ...etc etc,
 Fisher Son and Jackson MDCGGXXIX. pp427-439.]

The Tahitian Code of 1822

V. Concerning lost Property.

When an article that has been lost is discovered by anyone, and the owner is known to the finder, the property shall be taken to the person to whom it belongs. But if such property is concealed, when the finder knew to whom it belonged, and yet hid it, he also is a thief; and that his punishment be equal to that of a thief, is right.

VII Concerning disregard for the Sabbath.

For a man to work on the Sabbath is a great crime before God. Work that cannot be deferred, such as dressing food when a sick person desires..... warm or fresh food, this it is right to do; but not work such as erecting houses, building canoes, cultivating land, catching fish, and every other employment that can be deferred. Let none travel about to a long distance on the Sabbath. For those who desire to hear a preacher on the day of food(the preceding day) it is proper to travel. If inconvenient to travel on the preceding day, it is proper to travel on the Sabbath(to attend public worship) but not to wander about to a great distance (to different villages.) on the Sabbath. The individual who shall persist in following those prohibited occupations, shall be warned by the magistrates not to do so; but if he will not regard, he shall be set to work, such as making a piece of road fifty fathoms long, and two fathoms wide. If, after this, he again work on the Sabbath, let it be one furlong.

The Tongan Code of 1850

XXIII The Law referring to lost property

1. Anything, the property of a person being lost, and found by another, the finder knowing the owner, but does not make it known to him, shall be tried as for theft. Anything being found, but the owner unknown, it shall remain with him who finds it.

2. Payment shall not be demanded by the person who finds the lost property of another.

XII The Law referring to the Sabbath-Day.

The breaking of the Sabbath is a great sin before God. Work which cannot be dispensed with, such as preparing food for a sick person, may be done, or any unforeseen accident occurring; but other works, such as house-building, making canoes, gardening, seeking fish, journeying to a distance, and assembling together for wicked purposes, are all forbidden. Any person found guilty shall work one month, and on a repetition of the crime, two months.

Note: The Tongan Code of 1850 is quoted from Latukefu: Church and State in Tonga. Unpublished Ph.D. thesis. Australian National University, 1967.

The Tahitian Code of 1822.VIII. Concerning Rebellion, or stirring up War.

The man who shall cause war to grow, shall secretly circulate false reports, shall secretly alienate the affections of the people from their lawful sovereign, or any other means for actually promoting rebellion, the man who acts thus shall be brought to trial; and if convicted of stirring up rebellion, he shall be sent to his own district or island, and if there again stir up rebellion, his sentence shall be a furlong of road. If he repeat the offence, he shall be banished to some distant island, such as Palmerston's, and shall return only at the will or pleasure of the king.

XV. Concerning False Accusation.

The man who shall falsely accuse another before a magistrate, with intent to have the accused person brought to trial, or the man who shall falsely come as a witness, it being his intention or purpose, in giving false evidence, that the accused may be punished or convicted; if his accusation or evidence is proved to be false, the penalty that would have been adjudged to the accused, (had he been found guilty) shall be transferred to the false accuser.

XXVIII. Concerning Voyaging in large companies.

When a member of the reigning family, or a Governor, or other man of rank or influence, shall project a voyage to another land -- such as those from Raiatea or Tahiti, visiting Huahine -- it is right that he select steady men, such as are of

The Tongan Code of 1850.XXV. The Law referring to Chiefs and people who may cause any Evil to arise in the land.

If such Chiefs or people are discovered, the same shall be banished from the land that they live in, into another land; nor shall they be permitted to return to their land, but it shall be with the Government, their returning or remaining until the end of their lives.

IV. The Law referring to WITNESSES.

If anyone accuse another, or any one confirms it, but on trial it is afterwards found that both the accuser and witnesses have lied, the punishment which would have been inflicted on the accused, the Judge shall order to be enforced against the accuser and false witness; but when any one works unjustly through a false accuser and false witness, the Judges shall order the false witness to pay him who has laboured contrary to justice, according to his amount of work done for the Governing Chief, and punish the false witness accordingly to the punishment unjustly inflicted on the accused.

XXVI. The law referring to Voyaging.

Should any Chief, with his crew, voyage and do wrong in any land, on his return they shall be tried, and punished according to the evil committed. It shall not be lawful for persons voyaging to bring away the people of the shores they may

The Tahitian Code of 1822.

the church, or have been baptised, not immoral or mischievous men, that cease not from crime; such should remain in their own land. But if these voyagers continue to bring troublesome persons, when they land upon the shore, the magistrates shall admonish them not to disturb the peace of the place, nor wander about at night. If they do not regard, such disturbers shall be bound with ropes until their masters depart, when they shall be liberated.

XII. Concerning (Divorce) putting away husbands, and putting away wives.

That a man should put away his wife, who has not been unfaithful to him, is wrong. The magistrates shall admonish such a one that he receive his wife again. If he will not regard the admonition, let him be punished with labour till the day that he will return to his wife. If he is obstinate, and will not return, then they shall both remain till one of them die; the husband shall not marry another wife. The woman also who shall forsake, or put away her husband without cause, the above is the regulation with regard to such. But if a man put his wife away on account of her great anger (violent temper) and for her bad behaviour, such man put (her) away, the magistrates shall admonish the wife and the husband that they live together; but if they are perverse, they shall remain; the wife shall not take another husband, and the husband shall not take another wife. They shall also be adjudged to labour until they live together again. The husband's work shall be on the road or the plantation. The wife shall perform such work as weaving mats or beating cloth. For the King one part, and for the Governor the other part, of the work they shall do.

The Tongan Code of 1850.

visit, unless at the request of the Chief of such land, in that case they may; but if they are brought away without the knowledge of the Chief of that land, such Chief taking them shall pay ten dollars.

VII. The law referring to man and wife.

8. In reference to man and wife separating, this is the law:- Nothing can justify their separation but the crime of adultery committed by either party. And if any man cast away his wife, or any woman her husband, save for that crime, the Judge shall order the offending to support the offended party, and on refusal, the man or woman offending shall labour until such time as he or she shall be willing to live together again. In case of separation, these things are to be regarded:-

1. The thing that makes it lawful for a man and woman to separate.
2. But the thing that is right and commendable is to forgive, and live together again; and on no account, after so doing, ever more to refer to it.
3. In the case of either party doing wrong, and the other takes no notice of it, at the time, when the mind of the injured party may be pained towards the other, he or she shall not then be at liberty to refer to it.
4. Let all know that the separating of a man and a wife is a difficult matter; since the marriage contract is a command of God, the minister must first marry them; but, in case of trial, and the crime proved, then the minister must pronounce them separated, in the large Chapel, before all the people, even as their marriage was performed. etc.

THE 1850 CODE OF LAWS

[Latukeyu, Sione. Church and State in Tonga: The influence of the Wesleyan Methodist Missionaries on the Political Development of Tonga, 1826-1875. Thesis submitted for the degree of Doctor of Philosophy in the Australian National University. Feb. 1967. pp.553-563]

I. - The Law referring to the King

1. The King, being the root of all government in the land, it is for him to appoint those who shall govern in his land.
2. Whatever the King may wish done in his land, it is with him to command the assemblage of his Chiefs, to consult with him thereon.
3. Whatever is written in these laws, no Chief is at liberty to act in opposition, but to obey them together with his people.
4. The King is the Chief Judge; and anything the Judges may not be able to decide upon, shall be referred to the King, and whatever his decision may be, it shall be final.

II. - The Law concerning Taxes

Whatever the King deems proper, shall be done by the people for the King.

III. - The Law referring to the Judges

1. It is the province of the King to appoint all the Judges in his kingdom.
2. This is the office of the Judges:- If any one or more be charged with having committed a crime, it is the business of the Judges, when such are brought to trial, to hear the person by whom the charge is made, as also the statement of the prisoner. The trial being over, and his guilt proved, the Judge shall then pronounce sentence, according to what is written in these Laws.
3. The remuneration which the Judges and Officers shall have made to them by the King, is the distribution of the convicted persons amongst them, to labour for them at their respective places.

A brief allusion to the business of the Judges

1. There shall be no respect of persons with the Judges in their trial of offenders. Though the offender be a Chief, or next in rank, he shall be tried, according to these Laws; it being unjust to differ between the trial of a Chief, and that of a common man.
2. On no account for the Judges to receive food or payment from those about to be tried: should any one so receive, and it be discovered, he shall be deposed from his office, having acted unjustly.

* * * * *

4. The day of trial arrived, and the Judges seated, the prisoner, complainants, and witnesses, shall be brought before them; and the Judge then state the crime with which the prisoner is charged, and about to be tried for.
5. The Judge shall then inquire of the accused, whether the charge against him be true or not; and if he admits its truth, the Judge shall at once pronounce sentence; but if he denies it, the Judge shall order the witnesses to state

what they know, the accused being at liberty, if he can, to produce witnesses to prove his innocency of the crime of which he is charged.

6. Should the accused wish to question the witnesses on anything they may state he is not at liberty to address them, but make known his inquiry to the Judge, and for the Judge to put his question to the witnesses, that on no account there be either talking or quarrelling in the presence of the Judges; and if any one breaks this law, it is with the Officers present in court to put a stop to it.

7. And with regard to any serious crime, such as murder, incendiarism, the burning a canoe, or personal assault, or the like, - when the Judges shall have tried the case, and they are of one opinion as to the punishment to be inflicted, not for it to be enforced immediately, but for the Judges and King to confer; and should the King deem it proper to lessen the punishment, well, but not for him to increase it.

IV. - The Law referring to Witnesses

If any one accuse another, or any one confirms it, but on trial it is afterwards found that both the accuser and witnesses have lied, the punishment which would have been inflicted on the accused, the Judge shall order to be enforced against the accuser and false witness; but when any one works unjustly through a false accuser and false witness, the Judges shall order the false witness to pay him who has laboured contrary to justice, according to his amount of work done for the Governing Chief, and punish the false witness accordingly to the punishment unjustly inflicted on the accused.

V. - The Laws of the Chiefs and those who govern

1. The Chiefs to whom these Laws refer are those whom the King has appointed to govern portions of the land, and their people.
2. It is with those Chiefs only to harangue and govern their people, and it is not admissible for any other to order or govern those people.
3. And any one, not being a chief of high rank, who shall break this law, shall be tried for the same, and be ordered to pay to such persons according to the work they have been made unlawfully to do for him.
4. This is the labour which the Governing Chiefs shall lawfully demand from their people yearly, even to the extent they may think proper; and such Chief shall pay strict attention in seeing the King's work properly executed, but in case of his negligence, his people shall do the less for him.

VI. - The Law referring to Officers

1. On the perpetration of a crime being made known to the Judges, it is the province of the Officers to take care and bring the offender to the place of trial on the day appointed.
2. On the accused being brought before the Judges, it is for them to prevent confusion and quarrelling between the persons on trial and the witnesses; and should any speak loud, or shout, it is for them to put a stop to it, and demand silence.
3. The trial of offenders being over, and they being condemned to pay or work,

it is for the Officers to see that their payment is brought on the appointed day, and to see that the work of the offenders is performed in a proper and correct manner.

4. It is with the King to remunerate the Officers according to their labours.
5. It is the duty of the Governing Chief of the land or place to bring the offender to the place of trial.

VII. - The Law referring to Man and Wife

1. Marriage is a covenant between man and woman, that they shall be one, and their property one, until the termination of the existence of one of them.
2. Those who are eligible to marry must be 16 years of age, and no one who is less than 16 can be married.
3. No man can have two wives, no woman two husbands at once, but each to live with his or her lawful partner; should this law be broken, the parties shall be judged, and work as for committal of adultery.
4. Another thing forbidden is, the improper interference of any one to promote or stop a marriage. Where the parties are of one mind to marry, they shall not be prevented, unless there be a just and sufficient cause; should this law be broken, the punishment to be inflicted shall be with the Judge.
5. When a man and woman marry, their parents shall no longer govern them; they shall act as they like, and no relative shall forcibly influence them; should they, it is with the Judge what punishment to inflict.
6. From the present evil and impoverishing system at marriages, whatever the friends may think proper to present to either the man or woman about to be married, it shall be his or hers, and on no account be again distributed.
7. Let all men know that it is just to labour and provide food for their families, and in case of their voyaging, to leave food for them; and whosoever shall neglect to keep this law, the Judge shall inflict punishment to the extent he may think proper.
8. In reference to man and wife separating, this is the law:- Nothing can justify their separation but the crime of adultery committed by either party. And if any man cast away his wife, or any woman her husband, save for that crime, the Judge shall order the offending to support the offended party, and on refusal, the man or woman offending shall labour until such time as he or she shall be willing to live together again. In case of separation, these things are to be regarded:-
 - (1) the thing which makes it lawful for a man and wife to separate.
 - (2) But the thing which is right and commendable is, to forgive, and live together again; and on no account, after so doing, ever more to refer to it.
 - (3) In case of either party doing wrong, and the other takes no notice of it at the time, but they continue to live together; at any future time, when the mind of the injured party may be pained towards the other, he or she shall not then be at liberty to refer to it.
 - (4) Let all know that the separating of man and wife is a difficult matter: since the marriage contract is a command of God, the Minister must first marry them; but, in case of trial, and the crime proved, then the Minister must pronounce

them separated, in the large Chapel, before all the people, even as their marriage was performed. Then the writing of divorce shall be given to the innocent party.

(5) All parties who have separated, but not according to this law as here written, shall be considered as man and wife; and it shall not be lawful for either again to marry whilst both are still living.

(6) Where both parties do wrong, and it is their minds to separate, they may separate; but it shall not be lawful for either of them to marry until one of them become deceased.

VIII. - The Law referring to Adultery

When a man or woman shall be tried for adultery, and be found guilty, if the man has transgressed, he shall pay to the injured man, which whose wife he has sinned, three large hogs and sixty yams, and afterwards work three months; and where the woman sins, the payment shall be the same as in the other case.

IX. - The Law referring to Fornication

When a case of fornication is tried, and proved, the guilty man shall work for two months, as also the guilty woman. Where the crime is repeated, the parties shall work three months, and so on.

X. - The Law referring to Illigitimate Children

Let all persons know it shall not be just for a relative to take forcibly a bastard child from its mother, but by her consent only; and if any one break this law, the Judge shall order the child to be restored.

XI. - The Law referring to Dances, and other Heathen Customs

Let all people know that Dancing is strictly forbidden, as well as all Heathen Customs: and if any are found practising such, they shall be tried, and on being proved guilty, work one month; and, in case of a repetition, two months.

XII. - The Law referring to the Sabbath-day

The breaking of the Sabbath is a great sin in the sight of God. Work which cannot be dispensed with, such as preparing food for a sick person, may be done, or any unforeseen accident occurring; but other works, such as house-building, making canoes, gardening, seeking fish, journeying to a distance, and assembling together for wicked purposes, are all forbidden. Any person found guilty shall work one month, and on repetition of the crime, two months.

XIII. - The Law referring to taking anything forcibly

Let all persons know, that taking anything forcibly, or on the score of relationship, is strictly forbidden. If any one takes that which is the property of another without his (the owner's) consent, the Judges shall reprimand him, and he shall bring back that which he took; and in case of his repeating the act, he shall pay four times the value of the article he has taken by force: or, on the score of relationship, twice the value of the thing taken to the owner, and twice its value to the King.

XIV. - The Law referring to Fighting, Quarrelling, and things very disorderly

Should any persons fight, quarrel, or create any disturbance, they shall work three weeks; and if all concerned be equally bad, their punishment shall be the same.

XV. - The Law referring to Murder

Persons committing murder, from an evil mind, shall be hung.

XVI. - The Law referring to Manslaughter

The signification of manslaughter is, the killing another accidentally, whilst working, or with the weapon of another, but not designing to kill. Should such a case occur, be tried, and an individual found guilty, but it appear that he had no bad design towards the deceased, or expectation to commit such an act, but that it was purely accidental, he is*discovered that they quarrelled, or fought, or fought with clubs, or wrestled, or did anything from which sprang the death of one, but which was not done with an intent to kill, he shall work for the space of two years. *not guilty and shall be discharged. But on trial, if it be

XVII. - The Law on producing Abortion

That to which this law refers is a most disgusting crime, and highly deserves punishment. In case any woman should take any medicine, or eat anything, or do anything, in order to produce premature delivery, and she be tried and found guilty, she shall work for the King a whole year.

XVIII. - The Law referring to Incendiarism

Should any person set fire to a canoe, or house, with intent to destroy it, and be found guilty, such person shall pay the value of the house, as well as of all the property it contained.

XIX. - The Law referring to Robbery

If any one steals a thing from the house or plantation of another, or from elsewhere, the thief shall pay four times the value of the thing stolen, half to the person he robbed, and half to the Government. Any one stealing a trifle, whom the Judges think proper to punish, it shall be done unto him as they may see to be right.

XX. - The Law referring to the breaking, or committing a nuisance on, a Canoe

If any one breaks, or commits a nuisance upon, a canoe, the property of another, and is detected, he shall be tried, and the Judge order him to pay a carpenter for repairing her. The offender shall after wards work for Government according to the extent of damage he has done to the canoe. This law extends also to a similar injury done to a house.

XXI. - The Law referring to breaking of Fences

Should a man or woman break the fence of any one, the person so transgressing shall repair it, and work for Government according to the extent of the injury

committed. If the animal of any one whether dog, pig, or goat, shall injure a good fence, the property of another, the owner of such animal shall repair the fence; and should he not afterwards secure the animal in his own premises, but permit it again to injure a fence, he shall forfeit his animal to Government, and Government shall do as it deems proper with it.

XXII. - The Law referring to Pigs, and all destructive animals

In case the animal of any one be discovered injuring a plantation, or anything else, it shall first be made known to the owner of such animal that he may put it in a sty, or tie it up. If the same animal should destroy a second time, the Judge shall order the owner of it to pay the person who has sustained the injury, that which may be equivalent to it, and forfeit the destructive animal to Government. But should the fence injured be an old or rotten one, the owner shall pay for the first damage it does, agreeable to this law, but he shall not forfeit his animal to Government for the first offence.

XXIII. - The Law referring to lost Property

1. Anything, the property of a person being lost, and found by another, the finder knowing the owner, but does not make it known to him, shall be tried as for theft. Anything being found, but the owner unknown, it shall remain with him who finds it.

2. Payment shall not be demanded by the person who finds the lost property of another.

XXIV. - The Law referring to such persons as shall make known a Crime about to be perpetrated

Should any persons agree to commit a great evil, whether two, three, or ten; and they shall have determined to perpetrate it, but one shall repent and make known what they were going to do, he shall be forgiven; but all the others concerned shall be punished according to the evil they intended committing, even as though it had been committed.

XXV. - The Law referring to Chiefs and People who may cause any Evil to arise in the Land

In such Chiefs or people are discovered, the same shall be banished from the land they live in, into another land; nor shall they be permitted to return to their land, but it shall be with the Government, their returning or remaining until the end of the lives.

XXVI. - The Law referring to Voyaging

Should any Chief, with his crew, voyage and do wrong in any land, on his return they shall be tried, and punished according to the evil committed. It shall not be lawful for persons voyaging to bring away the people of the shores they may visit, unless at the request of the Chief of such land, - in that case they may; but if they are brought away without the knowledge of the Chief of that land, such Chief so taking them shall pay ten dollars.

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XXIX. - The Law referring to the Soil

It shall not be lawful for any Chief or people in Tonga, Haabai, or Vavau, to sell a portion of land to strangers (ie. foreigners); it is forbidden; and any one who may break this law shall be severely punished.

XXX. - The Law referring to Carpenters

Carpenters, working at their trade, shall do their work faithfully, and shall be paid by those for whom they work; but should those for whom they work not pay them, the Judge shall order them to pay them even more than was originally designed.

XXXI. - The Law referring to waving to Canoes

Canoes may be waved to, and should the canoe not come to the beckon, the person in it shall be fined a pig. In particular cases of urgency, Chiefs may wave to a canoe under sail.

XXXII. - The Law referring to the Roads of the Land

The Chiefs shall see that the roads are hoed. The payment for not hoeing a road of any length, shall be a pig and twenty yams; and the not hoeing a short path, the fine shall be twenty yams.

XXXIII. - The Law referring to the digging Graves

It shall not be lawful for any other than the appointed persons, called 'Haatufunga,' to dig graves; but, should there be no Haatufungas where the deceased is to be interred, in that case only others may dig the grave. The relatives of the deceased shall pay to the Haatufunga according to the work done; and, should the friends of the deceased refuse to do so, the Judges shall compel them to pay the Haatufunga.

XXXIV. - The Law referring to Deceased Persons

There shall be five days of cooking food for the Chiefs, four days for the mata-bule or gentlemen, and three days for the common people; the 'tukufo,' with the 'toka' and the 'lanu kilikili,' shall be given up; and if the friends have not wherewith to inter the dead in, others may furnish what is needed. The thing most becoming is, for the relatives to take care of the afflicted whilst yet alive; to feed, clothe, give drink, etc., and contribute something towards the burial before his decease. The people shall please themselves about the cooking at the burial.. If the corpse is buried as to-day, not to cook until to-morrow; and not for the burial to be as a feast, for it is a visitation of the God to that family, and it is right that they should humble themselves before God.

XXXV. - The Law referring to the Tortoise

If any man catch a tortoise, and take the first he catches to the Governor, and then take another, the second shall be his, the third he catches shall be the Governor's, the fourth his, and so on.

XXXVI. - The Law referring to Men

You shall work and persevere in labouring for the support of your family, as well as yourself, and in order to trade and contribute to the cause of God, and the Chief of the land; and each man shall seek his piece of land to cultivate. Any man not willing to work, he shall neither be fed nor assisted; all such persons being useless to the land and its inhabitants, and unprofitable to their friends.

XXXVII. - The Law referring to the Women

You must work, women, and persevere in labouring to clothe your husbands and children; unmarried women shall work to be useful to their relatives and parents. If they do not work, they shall not be fed or assisted; for our assisting the indolent, is supporting that which is an evil.

XXXVIII. - The Law referring to Chiefs, and those who have people under them to govern

The duty of such is, to make known these laws to the people they govern, whether they keep them or not; and, if they do not keep them, exhort them to do so; but, if they still break them, make known their disobedience.

XXXIX. - The Law referring to persons who depreciate the character of others, and to Evil-speakers

If there is any one who shall depreciate the character and speak evil of the King, the Chiefs who govern the people, the Judges, or the Missionaries, and, when tried, are found guilty, the Judge shall order him to be punished according to the evil he has done.

XL. - The Law referring to Foreigners

If any foreigner desire to reside in this kingdom, and will act agreeable to the laws of this land, the laws of this land shall protect him; but if he breaks the laws of this land, he shall be tried as the people of this land; and if any of the inhabitants injure him in any way, they shall be punished accordingly. Foreigners shall pay yearly according to the portion of land they hold, whether large or small; and it shall be with the Judges to demand such payment from the foreigners.

XLI. - The Law referring to Clothing

The Chiefs, Governors, and people shall clothe.

XLII. - The Law referring to Catching Fish

Any persons catching the larger fish shall not do as they please with them, such as the turtle, albigore, bonito, and ulua, etc., but, on obtaining one, shall take it to the Chief; the second he takes shall be his, and so on afterwards.

XLIII. - The Law referring to Disobedience

All persons disobedient to the King, or to the Governors of the people, shall be taken to the Judge to be punished, according to the evil they have done.

Translated by G.R.H. Miller.

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THE KING'S VISIT TO SYDNEY 1853.

[Sydney Morning Herald. 24/12/1853. Microfilm copy from Mitchell Library, Sydney.]

KING GEORGE OF TONGA

Yesterday evening, a very large meeting of ladies and gentlemen interested in the spread of Christianity throughout the islands of the Pacific, took place in the Central Chapel, York Street, for the purpose of taking leave of the distinguished chief George Tupou, who is about to proceed to his native country, Tonga. The Rev. Mr Boyce, occupied the chair, and opened the business of the meeting with prayer and praise; he then explained that the object for which they were assembled that evening, was to present King George with an address expressive of their regard for him in the deep interest which they felt in the conversion and civilization of his fellow islanders. He concluded by reading the address. It was then proposed by the Rev. N. Turner and seconded by the Rev. Peter Turner, in speeches of great length replete with interesting anecdotes, illustrative of the progress of the missions in the Friendly Islands, that the address be adopted, signed by the chairman, and presented to King George Tupou, on behalf of the meeting. The resolution was carried unanimously. The address was written in the native language and read to the King by the Rev Mr. Pabone. The following is a translation:-

"We being friends and supporters of Christian Missions would express to you our great pleasure in having you with us for a season. We have long prayed for your lovely islands, that they may be over-spread with righteousness. We rejoiced when the missionaries were received in your land, and especially when tidings reached us from time to time of the glorious triumphs of the gospel among your people. The account of your personal conversion to God, was a cause of abounding joy. Your high position by hereditary rank, and the respect which your energy of character and personal talents had already commanded all led us to expect much as the result of your personal decision and faithfulness. We have been gratified to hear of your steady devotion to God - your respect for His servants, the Missionaries - your zealous labours in the cause of your own redeemer and your deep anxiety for the salvation and welfare of your people. We admire your sacrifice in leaving your queen and family to take this voyage, for the purpose of

learning how you can best improve the temporal circumstances of your people. We acknowledge our national greatness as subjects of the British realm, and all the benefits of civilization, as resulting from the elevating influence of our Holy Christianity, and we shall look with interest on your islands and expect to see them rising gradually into all the comforts of the highest civilization. Present our Christian respect to your Royal Consort Queen Charlotte, and say that we have been gratified to learn that she is exhibiting such truly Christian zeal in the welfare of the young, and we have heard of her labours in the Sabbath School, and in other departments of Christian usefulness. Assure your ministers of our affection for them as God's servants, and of our special and prayerful remembrance of them and their important labours. Remember us with affection to your chiefs and people; we rejoice in their changed circumstance, we have greatly admired their union with you, in the truly Christian and successful methods you have recently employed to subdue and annihilate the unhappy rebellion against your paternal Government, which for a length of time existed and at last demanded suppression. We have already appealed to your Kingly clemency exercised towards these subdued rebels as a glorious evidence of the triumph of the cross. And we earnestly hope that habits of industry among your people will result from their sense of responsibility to God, and realize to them all the blessings and conveniencies of civilized life.

In conclusion we pray that the King of Kings may long spare your valuable life, may direct all your movements in behalf of your people, and afford you abundant success in aiming at their improvement, and when at his call you lay down your earthly sceptre, may you receive a crown of glory that fadeth not away, and have a place among those who stand by the eternal throne."

The King then rose, amidst loud cheering, and spake as follows, each sentence being interpreted by Mr Rabone.

"I stand up in your presence to make known my thankfulness, and to tell you that I rejoice in the great things I have seen since I came amongst you. And if I did rejoice, would it be out of order - would it be wrong or unbecoming - would it be a rejoicing without a meaning, or good foundation, after all that has been done for me and my people

(Cheers) If, for instance, a very gracious or good thing came to the mind of a man or woman, is it a matter for surprise that his mind should literally dance and his mouth laugh (Cheers) In my hearing this writing (alluding to the address) has been read to me this night, and I have listened with feelings of admiration to the kind spirit which it breathes towards me and the cause of the missionaries. I am also very thankful to the Missionaries who are here tonight, for the chiefs of this congregation for their kind expressions of love towards me. Why should I not rejoice, - and why should not the people of my land rejoice also (Cheers.) Has your work amongst us been in vain in the Lord. Has not your work of prayers - your work of tears been prospered by the Lord - and has not the promise of scripture been admirably fulfilled in our case "Those that sow in tears shall reap in joy" (Loud cheers.) In these prayers and tears and labour of the missionaries in our behalf when we were in great darkness - but thank God we see a great light now, - is this not cause for rejoicing, not only for us, but for every man, woman, and child in the world? (Cheers.) Would it be right that my thanksgiving should be little, seeing that your labour for me and my people has not been little? (Cheers.) And as I listened to this writing and heard that it had reference to us especially, I was much gratified to find that you took such a deep interest of the success of missions in our land. And in sending us missionaries, did you send them because they had no land, no house, no home, - because they were rebellions subjects in Great Britain, because you had no love for them, - no, but because you had a great love for us, and were anxious to show us the way of life (Cheers.) And is there anyone in this house tonight who will feel the least offence in his mind at my expressing my gratitude for what you have done for me and my people. When the Missionaries arrived at our lands what accompanied them? Did they take with them soldiers, cannons or guns? No, they took with them the word of God, the strong sword of life, and was not the fruit of the fruit of the teaching of that word to be found in the islands now (Cheers.) What was the meaning of Barnabas - what was the meaning of Phillip, when he went down to Samaria? Was it not a rejoicing in both cases that the grace of God had descended on them? Have I not cause also to rejoice in the grace of God, which was a thing to be seen; like a city placed upon a hill it cannot be hid. (Cheers.) When, in my own

land, the missionaries used to tell me and my people of what God had done in England and elsewhere, we have listened with very great interest. Some of us believed, and some did not; and I therefore resolved in my mind to come and see this land (Cheers). I found on my arrival that all I had heard previously was but a little thing compared with what I have seen since. I found that everything I heard was perfectly true, and, like the Queen of the South, I found that only one half had been told to me (Loud cheers.) Say it who will that I ought not to be glad for the kindness that has been shown to me during my residence amongst you. Has any one spoken of me as a foreigner or a stranger - have I been hungry and not been fed - naked and not been clad. Has not all I have met with been love, and nothing, but love (Cheers) Mr Boyce, ministers, and Christian friends all - it is impossible for me to express to you any sense of gratitude for all the kindness I have received from you since I have been here. As I go along the street, one says, King of Tonga, come and eat; another says, George, come and drink warm water (meaning tea); a third says King George come and see this thing, - so that between one thing or another my days in Sydney have been the most pleasant of my life (Cheers). Ever since I came here, I have found the love of the people a matter of the greatest astonishment. Go where I will, along the street, along the sea-side, round the Domain, and I meet with women, children, and men, who take my by the hand and vie with each other in manifesting their love towards me. (Cheers) In fact, I never was in a land where people showed so much love towards me. And when I am sitting alone in any place, or when I lie down on my bed at night, my most ardent wish is that the people of my land were here to see all the great things that you have done, and to participate in acknowledgements of your great kindness towards both me and them. This is my saying to you in your presence; I hope it has not been too long for you. (The King resumed his seat amidst great and prolonged cheering.)

After a few observations from the Chairman, the meeting terminated as it began, with prayer and praise.

THE OUTCOME OF THE SYDNEY VISIT 1853-54.

[Friendly Islands District Minute Book. The Tonga Circuit Report for 1853-4. Archives of the Free Wesleyan Church of Tonga, Nuku'alofa.]

One circumstance which has seriously militated against the prosperity of the cause of God is the removal of two of your missionaries to the Colonies in consequence of ill health. The Western part of the Circuit has been without a missionary for six months, excepting an occasional visit from one who resides several miles distant. If the shepherd be not in the fold to watch his flock, the wolf will enter in, and thus the sheep will be scattered and destroyed. We hope, therefore, that the Committee will be able to send us missionaries to take charge of our vacant stations. If the great work which has been commenced is to be carried on, if the harvest is to be gathered in, labourers must be sent into the field. Another circumstance which has been the occasion of much injury to our cause is the evil reports which have been circulated throughout the length and breadth of the land by those who sailed with King George to New South Wales. They went up to see the land, and returned bringing an evil report with them. They saw much which they were not accustomed to see in their own land, while they participated largely in the Christian kindness and hospitality of our friends in Sydney. It was hoped that much good would result from this visit to the Colony, while we feared also for the evil that might arise. But we would not be understood as saying, that no good has arisen from it; one thing has been learned by King George, that the Colonies support their own Ministers, and the churches bear their own burdens; and he has resolved to do what he can for the support of the Missionaries who minister to the spiritual necessities of his people; and we have ^{recently} obtained a subscription of between five and six tons of Cocoa nut oil; and had we been supplied with large iron tanks or oil casks, our subscriptions would have amounted to much more.

KING GEORGE SEEKS CONSTRUCTIVE CRITICISM 1854.

[M.S.S. copy. Foreign Office and External Papers. Hawaiian Officials abroad. May 1855. Hawaii State Archives.]

Literal translation of Letter from the King of the Friendly Islands to Mr. St. Julian, the Commissioner of the King of Hawaii.

November 24th. 1854.

Charles St. Julian.

I am thankful with a rejoicing heart this day in my receiving the letters which have been brought to me from you my friend, to aid me and my people and my land. And I wish to be truly thankful to you, you and the King of Hawaii, in the manifestation of your true kindness -- in the manifestation of the desire of the Government of Hawaii and its Council, to be serviceable to me and to my people -- to elevate my Kingdom.

Yes! and are my thanks and my rejoicing unfounded? For is it your desire to injure my Kingdom? Is it not your desire to raise me and my Kingdom? Therefore it is that I call you my friend. My Kingdom is established in these days. It has its laws and the people obey them. Chiefs are Chiefs; Gentlemen (Mataboole) are Gentlemen; people are people. And I greatly desire in these days to raise my people and my land that they may become civilized like the various Kingdoms of the world. And I earnestly beseech you, the King of Hawaii * that you will not cease writing nor your desire to assist me, but write to me and cease not. And this is the Book of our Laws + that I send you. Do you look into it, and if there be anything that seems strange or wrong you make it known to me and I will consider respecting it. And this is the end of my letter to you.

I am

George Tupou

Your Friend.

* It is obviously myself, as the Kings representative, and not His Majesty in person, to whom the Tongese Prince thus addresses.

+ A printed copy in the Tongese language of the laws which are in force in the states of Tonga, Habai, & Vavau united under the rule of King George was enclosed with this letter.