[172]

A EUROPEAN MERCHANT WRITES TO A SYDNEY PAPER

[A.W. Mackay to Sydney Morning Herald, March 3rd, 1887. Appendix. Report of Sir C. Mitchell etc, etc. London 1887. pp.127-128.]

.....

They said (The Catholic Priests) that Baker was feared by many, but hated by all, loved and respected by none; Mr Moulton was loved and respected by all. They also said there had been an attempt to shoot Baker, and that had failed. Six men had already been shot, some of them innocent; five more were to be shot, three of whom were innocent men; still, there were many more on his track, and some of these were so embittered by his tyranny that they were more like demons than human beings.

You will already have heard via New Zealand of the attempt to assassinate Baker, the Premier, so I need not repeat the whole of those wretched details. Suffice it to say that, as soon as he got over his fright, he had the whole of the male population of Tonga turned out to search for the unfortunate men. The poor fellows quietly gave themselves up; still Baker thought it a fine excuse to put the island under martial law, and therefore, in defiance of the wish of the King and high Chiefs, he sent an order to Haapai and Vavau for a regiment of warriors from each place. In due time between 600 and 700 ruffians, all painted and in war costume, and armed with every conceivable weapon, from the ancient club to the modern Martini rifle, with 'bayonet fixed,' arrived, proceeding at once to burn, fire, and otherwise outrage the inoffending Wesleyans. It is worthy of note that immediately after being fired at, Mr Baker sent for the British Pro-Consul and requested British protection, and to have the British flag hoisted over his house. As soon, however, as 'his Haapai rowdies' (as he proudly calls the ruffians who have arrived from that quarter) arrived, he removed to the King's palace and required the British flag no more. This conduct gave rise to much comment. No one seemed to know of what nationality he really is, but this much is known, that some years ago he was foiled in his attempt to become a German subject, and that he thereupon passed the law concerning letters of denisation. As soon as he could put this law in force he took out his papers and declared himself a Tongan subject.

The six men who gave themselves up were brutally treated by their captors before being placed in the prison. One of them, of whom they were all afraid when he was at liberty, was so ill-used after the irons were rivetted

on by the blacksmith, that his life was for a time despaired of. His teeth were knocked out with the butt-end of a musket, and his leg and ribs were broken. The trials were a disgrace to even Tonga itself, which has long enjoyed a most unenviable reputation for unfairness and corruption. The most disgraceful part of all is the fact that an Englishmen is at the bottom of it all.

The trials were conducted with closed doors, and no Europeans were admitted into Court save the British and German Pro-Consuls, and the former not understanding the language, and not being permitted to bring an interpreter into the Court, found that he could do no good, and therefore stopped away. The Reverend J. B. Watkin, the new minister of the Tongan Free Church, was also present, and sat in judgment with Mr Baker. Mr Baker was Judge, prosecutor, and counsel combined. The jury was a 'packed' jury, and was composed of Baker's creatures; none other than Baker's creatures were admitted into Court. No Wesleyans or Catholics were allowed within the doors. Mr Baker addressed the jury as a Judge, and Mr Baker distinctly said to them - referring to one of the prisoners - 'Remember that the prisoner has confessed to having participated,' a thing that he had not confessed at all. Not only that, but Baker went out with the jury - little wonder that they were all convicted. One of the jury, a man named Titi, refused to hold up his hand as a signal of finding one of the accused guilty. When asked about it he said that he thought a juryman must obey his conscience. He was quickly silenced, and was told he had no right to differ from his betters. They were all finally found guilty of having participated, and condemned to be shot. Some of the doomed men were Wesleyans and some were Roman Catholics, yet neither Mr Moulton nor the priests were allowed to see the poor men after sentence. Mr Baker promised the priests that he would give them due notice and plenty of time to administer the last rites, yet the men were hurried on board the schooner at midnight, so as to get them away before they could make a confession. We afterwards learned Baker's reason for this, for on the way from Nukualofa to Mallinoa two of the men confessed that they alone were guilty, the others being perfectly innocent. They also declared that the Wesleyans had nothing whatever to do with the affair, that it was a political plot to remove the tyrant Baker, and that the highest Chiefs in the land were implicated and were the instigators. A similar confession was made at the place of execution, and all the Wesleyans declared that they were innocent to the last. I believe that others are publishing newspaper reports of the execution. I shall not, the details are too horrible. Tui Toko, the Minister of Police, behaved like a very demon, dancing and singing,

taunting and jeering at the unfortunate men in their last moments, remarking, 'Now we'll try your courage,' and 'Now you will go to hell,' 'Now I'll have your daughters, ' &c. A document petitioning the old King to temper justice with mercy, and asking him to reprieve the unfortunate men, had been hastily prepared, and signed by all the Europeans in the place, including both the Consuls and the Roman Catholic priests. It was presented to Mr Baker by the British Consul. Baker said: 'I will ask you one question before I look at it. Is Mr Moulton on it? If it is, I will not touch it, or let the King see it.' On being told to look, he read it. Then coming to Mr Moulton's signature, he said, 'I thought as much,' and refused to receive it at all.

On the 3rd instant it was reported that six more men were condemned to be shot, and that Tevita Fenau, an ordained Wesleyan minister, was amongst the six. Inquiries were made, and it was found to be correct. It was also reported that thirty more were to be shot. All the European residents protested strongly against any more executions, and many resolved that before they would allow Tevita Fenau to be taken on board the death-schooner they would shoot Mr Baker, and end the whole disturbance. One gentleman went so far as to enter the King's Palace, and warned Baker that if he spilled any more innocent blood he (Baker) should die. Baker remarked that if a single white man touched him, every white man in the place would be massacred. Owing to the threatening attitute of the European residents and the admirable firmness and tact displayed by the British Pro-Consul, Mr W.E. Giles, the evil day of legalized murder was indefinitely postponed."

[Note: Sir Charles Mitchell commented in his Official Report. (paragraph 58) that this was "a fair sample of the exaggerated accounts that were sent to Fiji, Australia and New Zealand..... The exaggerations were not confined to one side."]

[173]

THE ASSASSINATION ATTEMPT : BAKERS STATEMENT

[Appendix. Report of Sir C. Mitchell etc, etc. London 1887. p.150.-

OFFICIAL REPORT OF THE REV. S. BAKER IN REGARD TO THE ASSAULT ON HIMSELF AND FAMILY ON THURSDAY.

January 13, 1887.

After dinner on Thursday evening, at 7.40 P.M., I ordered the buggy to be ready, and got into it with my son and daughter, ordering at the same time

my driver to follow on with a horse behind. I have not been in the habit of driving of an evening, but as we had a fresh and rather restive horse in the buggy, I told my son that I would drive.

I was sitting on the front seat, my daughter being seated immediately behind me, and my son sitting beside her.

The horse being fresh was travelling rather fast, and as soon as it got near Mary Halaevalo's house it shied at a native who was standing directly in the road. My son Shirley called out "That man has a gun," and immediately jumped out of the buggy and commanded him to put his gun down, stepping towards him as he spoke. I was unable to pull up the horse, but I noticed that there was another man also with a gun, in a stooping position, looking forward, evidently to see where I was, the light of the buggy lamp shining full on his face. There were two other men a little farther on; also with guns, and there was also what I took to be a woman at a little distance, and a reflection like the shadow of some one else a short distance from her.

The horse was still travelling, and my daughter jumped up from her seat and leaning forward threw her arms around me. I must have given the horse an extra pull on the right-hand rein, and he made a swerve, when immedieately a gun was fired by the man first seen, and from the double flash it must have been a double-barrel gun that was used. Both my son and daughter saw distinctly by the flash the man's face who fired, and also the whole of the vicinity. My son seeing he was aiming at me stood between the man and myself, thinking no doubt to protect me. After the gun was fired my son called out that he was shot, when my daughter immediately let go of me, and said, as she jumped from the buggy, "I must go to Shirley; he is shot."

The horse being wounded also made a plunge, which caused my daughter to be thrown on the back of her head.

She then called to me to drive on, and to my son Shirley to run, and as I did so, Shirley told me to drive on, as he would be all right.

As the horse bolted round the corner of the King's Palace past Mr Watkin's house I tried to guide him towards Tui Toka's house, and succeeded in doing so. I saw Tui Toka, who was at a house opposite, and I then drove to the College, and directed the people there to go down at once and see what assistance they could render, and then I went to the doctor's and asked him to go at once to Shirley's assistance.

The doctor called my attention to the horse bleeding, as he jumped into the buggy; and I then for the first time noticed that several bullets or

ugs had struck the buggy itself, one having smashed one of the buggy lamps, d several others having gone through the leather apron.

I drove the doctor part of the way, until, meeting Mr Watkin, I went ith him to his house.

ritish Consulate, Tonga, January 15, 1887. (Signed) SHIRLEY W. BAKER.
(Signed) Wm. E. GILES, British Pro-Consul, Tonga. January 15, 1887.

[174]

STATEMENTS BY TWO NEW ZEALANDERS

[Appendix. Report of Sir C. Mitchell etc, etc. London 1887.
p.55.]

73. Charles Allen Edenborough, sworn:-

Trader. Live at Auckland, New Zealand. In January last I was here, and called at Mr Moulton's. I had a conversation with him. This was on either the 11th or 12th January. Mr Moulton said, "You (Mr Baker) were liable to be assassinated at any moment." He said reflection would be cast upon him if it took place.

I think that some prisoners had escaped at the time, and that Mr Moulton appeared to think that they might make an attack upon Mr Baker.

Cross-examined by Mr Moulton:-

You told me that the thing you dreaded of all others was that an attack might be made against Mr Baker, and that if it was made there was no knowing how far the people would go.

You said it was not the Wesleyans alone, but the whole country that was smarting under Mr Baker's tyranny.

74. Robert G. Hatten, master mariner, resident at Auckland, New Zealand sworn:-

I remember calling at Mr Moulton's on the Monday night before the attack on Mr Baker.

I do not remember Mr Moulton saying anything about prisoners. Mr Edenborough was present. Nothing was said about an attack upon you. Mr Moulton said that it was common talk that the people might rise at any moment. Mr Moulton said that he would always counsel the people to obey the law, and that he always had done so.

Some one said that if the natives were Englishmen they would rebel. Mr Moulton asked us not to speak in that way, as if natives rebelled there was no telling where they would stop.

[175]

THE NATURE OF THE CONSPIRACY : SIR CHARLES QUESTIONS BAKER

[Appendix. Report of Sir C. Mitchell. etc, etc, London 1887. p.75]

153. Mr Baker, questioned by High Commissioner:-

Q. Do you charge that the conspiracy against you extended to people outside those actually caught? - A. Yes.

Q. Do you charge the Wesleyan body with it? - A. I do not.

Q. Do you charge any particular denomination or body of men as being, as a body, concerned in the conspiracy? - A. I do not; there were more Wesleyans in it than any other.

Q. You do not charge it as a Wesleyan conspiracy, or as a Tubou College conspiracy, or a Roman Catholic conspiracy. Is that clear? - A. Yes, Sir, but there were others that joined in it.

[176]

BAKER'S PRECAUTIONS

[Appendix. Report by Sir C. Mitchell, etc, etc. London 1887. p.78]

162. Mr Baker (recalled). By High Commissioner:-

Between the attempted assassination and the arrival of the Haapai and Vavau men there was no disturbance in Nukualofa. I advised the King to send for them, because attempts had been made previously to catch the outlaws, and they had always failed. The police reported that the Mua people were in league with the outlaws, and they were consequently always being put upon the wrong scent. We had reason to believe that treasonable conspiracies were being carried on in the same district.

If I had the thing to consider over again I would not ask the King to send for the Haapai men. Subsequent events have, I think, shown me that it would have been wiser to have used the force available in Togatabu.

The outlaws had been in the bush about five months.

I think that some of the conspirators were hostile to the King. The majority of them were hostile to me personally.

The outlaws were, I believe, the tools of others. I think that some Wesleyans were influenced against me, and made use of the conspiracy to serve their purpose.

I believe that Mr Moulton knew that my life was in danger. I think he had deep convictions that the outlaws would shoot me.

When the Haapai people came I anticipated difficulty. I tried to get them sent back; I also tried to get them to take off their war paint. When I found that the Tongan men were also painted I found it was no use.

I prevented a review of the Haapai men; they were annoyed, and said I was making fools of them. After about ten days or a fortnight my suggestion was adopted that 100 men from each place should remain as a guard and the rest go. The attack upon the gaol was made with the object of killing the prisoners. After this I had no control over the Haapai and Vavau men. From the report the Haapai men were more violent than the Vavau men.

I sent a message in writing on the Friday morning. I stated that my life had been attempted, and my son and daughter shot, and that if the people had love for the Government, they should come down. I don't think there was any intimation that the people should come armed. The King sent messages also; I do not know the purport of them.

Before the reports of the war came I advised the King to recall the summons to the Haapai and Vavau men. I think I asked both the King and the Chiefs that the Haapai and Vavau men should be confined within Nukualofa. The Haapai Chiefs were Kilolohea, Tuita, Tuifua, Taufatofua, Afiafi, Timoti, Foliaki, Paula Maafu. I know of no punishment having been inflicted on the Haapai and Vavau men or their Chiefs. ~~I think that in many instances the men had broken away from the control of~~ their Chiefs. I went to the King a great many times about the conduct of the warriors. He seemed to agree with me that their conduct was very bad. The men were sulky at going away. I do not think that they took any property away. There was not room for much in the boats they went away in.

Before I received Mr Leefe's letter I had told the King that I would resign if things went on as they were. The King sent out the messages on the occasion of my telling him so. I do not think there is any general resentment against me on the part of the natives on account of the laws I have proposed. I think there is a general feeling of resentment against me on the part of the Europeans on account of some of the laws. The customs laws were started chiefly on account of the difficulty I experienced in getting statistics. The Pound Law has caused very considerable annoyance. The old law was that the man who put a horse in the pound should be rewarded. This has been altered. With regard to the complaints about stealing ropes, I advised that native should not be allowed to use European ropes at all, but I could not carry my point.

[177]

LOYALTY AND CONSPIRACY : SIR CHARLES MITCHELLS OPINION

[Report of Sir C. Mitchell etc, etc. London 1887. Paragraphs 65 and 68.]

65. On one point, I think, there can be no difference of opinion, and that is on the absolute loyalty of all the people, without distinction of rank or creed to King George Tubou. The very people who disobeyed him in the matter of the Free Church would, I believe, die for him if he were in danger. If a conspiracy existed in the end of 1886, and I am inclined to believe that one did exist, it was directed against Mr Baker and his Government, and not against the King.

. . . . . .

68. The conclusion to which I have arrived is not favourable to Mr Baker; although great allowances must be made for the difficulties of his position in the earlier, and for the peturbation of mind (caused by the attempt to assassinate him) during the later period. I should, undoubtedly, have exercised the power vested in me, under the Western Pacific Order in Council, of prohibiting Mr Baker from remaining in Tonga for a period, had it not been that I felt that his presence with the King would, after the warning which my visit to Tonga had given, be the best means of preserving peace.

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[178]

TONGAN REACTION TO BAKER'S EVENTUAL REMOVAL

[The Spectator, Melbourne. August 29th 1890. Contributed by Dr Fison, in An Autobiography, by George Brown. pp.452-454.]

On July 17 thousands of people, men, women, and children - in fact, the whole population of Tongatabu - turned out to fete His Excellency, by offerings of food, and fruit, and flowers, after the fashion of the olden times. Everybody gave something - a yam, kava, a comb, an egg, etc., those who had nothing else laying down a rose or two. The great multitude passed before Sir John in single file, each depositing his offering as he passed, and then taking his place among the crowd of spectators. We have already told our readers how King George thanked Sir John personally, 'as he had never thanked man before,' with the significant gesture of his hand placed on the back of his bowed head; and now, when all the thousands of natives had passed, and had taken their seats on the grass, the King's spokesman arose, and, standing before Sir John, thanked him again in the presence of all the people for 'freeing Tonga,' as he said, 'from tyranny and the devil;

so that Tonga - oh, happy day! - is again a free land, and breathes and lives.' Thus the whole people individually, and the King's spokesman (Motuabuaka), on behalf of the King and people, expressed their thankfulness. But the two incidents which, next to that remarkable gesture of the King, are the most interesting and significant of all, remain to be told. We may add here that the King's gesture was accompanied by the word 'faimalie' - untranslatable, but expressing an acknowledgment of the deepest obligation and devoted thankfulness for a supreme benefit received.

The first presentation made to Sir John was the grandson of Tungi, the Head of one of the Royal clans akin to that of King George. The child was borne in a man's arms, carrying in his little hand a model of a Tongan war club, which he gave to the High Commissioner. His Excellency said, as he received it, that it would be placed with King Thakombau's battle-axe, and other highly prized memorials of his life in the Pacific. We are almost afraid to say what the meaning of this act is. Our readers will note that the child was presented as well as the club, and the presentation of the grandchild is of special significance.

The second and even more remarkable incident is as follows: The Tui Tonga fefine, at the head of forty-eight ladies - who advanced in close order, three deep, sixteen in each line - came forward, and placed round the High Commissioner's neck a garland of a certain special kind, which in the old days could be worn by none other than the Tui Tonga himself, and not even by him excepting on certain specially sacred occasions. It is not too much to say that, according to the old notion, this was actually paying Divine honours to the High Commissioner, This is by far the most astonishing of all the remarkable actions that were performed. Power, as represented by the club and the King's gesture, might be conferred upon an alien, but the gift of the garland was an acknowledgment of inherent hereditary sanctity. It was a distinct act of adoption and investiture. We congratulate His Excellency on his acquisition of the mana.

The significance of these three things, from the native point of view - the King's gesture, the war-club, and the sacred garland - is something astounding. Our acquaintance with native custom hardly permitted us to believe the evidence of our own eyes as we read the letter of our correspondent, a gentleman of long experience in the South Seas, who was an eye-witness of the whole affair; but even those who have no such special knowledge cannot fail to perceive in these incidents the profound sense of national obligation from which they sprang.

F. THE SECOND BRITISH INTERVENTION : THE FALL OF MR BAKER

[179]

CONTINUING TROUBLES 1887 - 1890

[H.B.M. Vice-Consul Leefe to Moulton. Letters. Archives of the Free Wesleyan Church of Tonga, Nuku'alofa.]

(Note: The Free Wesleyan Church Archives contains dozens of letters from H.B.M. Vice-Consul to Mr Moulton covering the period following Sir Charles Mitchell's visit (March 1887) up to the visit of Sir John Thurston (June 1890). The following four extracts are typical examples.)

(i) FINES

British Consulate, Tonga.
May 23rd, 1887.

Sir,

I have the honour to inform you with reference to your letter of the 13th inst. complaining of one of your servants being fined for being partially unclothed inside your fence that the Honourable the Premier has promised to remit the same and the man shall be released today.

I have the honour etc.

(Signed) R. Beckwith Leefe.

(ii) LAW OF SIX, EXILES

Deputy Commissioners Office,
Tonga. June 30th, 1887.

Sir,

With reference to the letter you sent through me to His Excellency the High Commissioner on the 31st ultimo I am directed to inform you that His Excellency understood that the Law of the "Six" should be held to mean residents who have been one year in any town but that he sees by the new ordinances - a copy of which I forwarded - that a fresh restriction is imposed, as the expression "any public service" appears to have been substituted for "preaching" and that the residence in the town is not to apply unless the resident has attended "fonos".

With reference to the ordinance forbidding persons to go from one town to another to swell a congregation His Excellency, considering late events and that the said Law is limited to one year, is not disposed to question the wisdom of its general principle but that he considers it would be but reasonable that where a town contains a sufficient number of persons of a denomination

entitling it legally to hold a service and at the same time a neighbouring town has not such number of residents, that those belonging to the latter not exceeding five (for if they exceeded that number they could hold a service of their own) should be at liberty to attend the service to be held at the former.

And I am directed by His Excellency to commend this view to the favourable consideration of His Majesty which I shall do as soon as time permits, and also to bring to his notice the subject matter of the first paragraph of this despatch.

I am also instructed to inform you that His Excellency is sorry to observe a tendency on your part to depart from the careful and circumspect course which you had promised to pursue and I have most strongly to impress on you the necessity for sometime to come and until the natural soreness created by recent events has to a great extent disappeared, not to press disputes and difficulties of a mission nature or to give ear to rumours conveyed to you by Europeans and others.

With reference to Josuia Lolohea His Excellency regards the sending of this man to Fiji as a precautionary measure for his own safety and as such was consented to, and with regard to the request, contained in the last paragraph of your letter in which you urge His Excellency to use his good offices with the Tongan Government with a view of a speedy return to Tonga of the Wesleyans recently "deported to Fiji", I am further instructed to inform you most clearly that His Excellency would regard as most unfortunate the return at this juncture to Tonga of the Wesleyan Ministers, local preachers and others who by their own free will and on a proposal arrived at between you and myself and acquiesed in by the Tongan Government went to Fiji to avoid persecution, and therefore declines to comply with your request, and further that if applied to for advice by these people His Excellency will unhesitatingly recommend them not to return until sufficient time has elapsed for political and religious excitement to subside which I need hardly remind you is as yet by no means the case.

I am also desired to express His Excellency's regret at the allusion (with reference to Josiua Lolohea) to the possible interference of the New South Wales conference as he had hoped that you would have learned from the recent disclosures that any such interference by that body would be the surest means of rekindling the fires of religious animosity.

And I am further directed to request you in future to be good enough

to address your communications to the Tongan Government through me.

I have the honour etc.

(Signed) R. Beckwith Leefe.

(iii) REFERENCE TO SIR C. MITCHELLS TERMS

British Consulate, Tonga,
September 26th, 1887.

Sir,

I have the honour to acknowledge the receipt of your letter of even date re the further doings of the Chiefs Nuku which I shall immediately address the Tongan Government upon.

I should be much obliged if you will send me a copy of the publication of the King's letter to Sir Charles Mitchell and also Sir Charles Mitchell's letter stating the terms on which Mr Baker was allowed to remain as I have seen neither of them.

I have the honour etc.

(Signed) R. Beckwith Leefe.

(iv) THRASHING OF CHILDREN

British Consulate, Tonga.
September 27th, 1887.

Sir,

With reference to your letter of the 12 inst. re the thrashing of Wesleyan School children for non-attendance at the school master's house to recite the Free Church Catechism.

I have the honour to inform you that I have received a letter from the Tongan Government telling that "the Government have informed the school master that his duties as a Government School Master do not extend to the Sabbath".

So that it may be expected that further annoyance from this source will be absent.

I have the honour etc.

(Signed) R. Beckwith Leefe.

(v) TAKING AWAY OF LANDS

British Consulate, Tonga.
March 20th, 1888.

Sir,

I have the honour to acknowledge the receipt of your letter of even date and immediately upon its receipt I took steps to direct the Interpreter of the High Commission Court to attend at the Tongan Police Court and report the result of the trials you inform me are pending to the nine especially as to the defence set up by the accused as I have been informed by the Premier on Jan. 30 Feb. 3 and again on Feb 10th that these abis are only technically taken away and that for all practical purposes they still have the full use of them, drinking the nuts, using the ground for plantation and deriving every advantage from them. And on being pressed by me to state, the above being the case, what disabilities the Wesleyans laboured under from having their abis "technically" taken away, was informed that the only disability was "that they would not ultimately posses them" and on a further presumption on my part that continued good behaviour on their part would prevent their dispossession at all, I was told "the Government has nothing at all to do with it - the Law and Constitution enables the Chief to please himself in such matters"

This was the state of the case upon the receipt of your letter of today's date which it is unnecessary to say caused me some surprise, and as you will perceive a good deal depends as to the reason set up in defence for non-payment of taxes, and as unfortunately the Interpreter is out of town and therefore could not attend, I shall be glad if you will furnish me with the men's account of why they have not paid, I mean that which they stated in Court, and request that you will caution them not to say anything in the slightest degree exaggerated.

It is my intention to apply for a copy of the court proceedings so far as these men are concerned and as I wish for their statement to you as a check on the former you will see the necessity of great accuracy.

. . . . . .

(Signed) R. Bechwith Leefe.

[180]

THE CONSUL CHARGED WITH GROSS FALSEHOODS 1888

[Baker to H.B.M. Vice-Consul Leefe. January 30th 1888. MSS copy. Archives of the Western Pacific High Commissioner, Suva, Fiji.]

King's Palace,

Nukualofa, Tonga. January 30th, 1888.

Sir,

I have the honour to acknowledge the receipt of your letter 88.5 and note you express your pleasure at Nuku being able to positively deny the truth of the statement contained in your letter. I note the name of your informant is that of the Rev. J.E. Moulton. I must again request that the name of the proper informant be given and must request the name of the native who informed Mr Moulton for it is simply rideculous that the Tonga Government and the Tongan Chiefs should be put to such annoyance and expense as they have been and are in consequence of the gross falsehoods which are constantly being made the subject of consular correspondence without being able to punish the guilty parties for their misdeeds. I have in addition to say that the Government do not intend to take any further action on any such complaint, unless when the complaint is made the name of the proper informant be also given - that is the person who informs Mr Moulton and any other person as the case may be.

In reference to the much vexed question of the abis taken away by Nuku. You seem to overlook the fact saving in the case of Heluhelu that all the other parties although technically their abis have been taken away yet they still have the use of the same drinking the nuts, using the ground for plantation and deriving every advantage from them. With reference to Heluhelu His Majesty considers Nuku is perfectly justified according to Tongan Law in taking away his abi and also that of his son who was one of the assassins and condemned and sentenced to death.

I have the honour to be,

Sir,

Your obedient Servant,

Shirley W. Baker,

Premier.

[181]

SERIOUS ACCUSATIONS AGAINST OFFICERS OF HER MAJESTY'S GOVERNMENT.

[Typescript document signed by Wilfred Collet, Secretary to H.B.M.'s High Commissioner for the Western Pacific. Suva, Fiji, 15th March 1890. Archives of the Western Pacific High Commission, Suva, Fiji. The document is not addressed, but it is signed by Wilfred Collet, and dated.]

Concerning libels which have been published by Mr. Baker on Officers of the Government of Her Majesty the Queen of Great Britain and Ireland.

In the year 1888, when the General Wesleyan Conference of Australia was sitting in Melbourne, Mr. Baker, the Premier of Tonga, forwarded to several of its members copies of a book called the "Tonga Government Blue Book", which purported to contain a Report of Tuuhetoka, the late Minister of Police in Tonga, respecting the attempted assassination of Mr. Baker in 1887.

And in this report were said many things about Mr. Symonds, the late British Vice-Consul at Tonga, about the Court of Her Britanic Majesty's High Commissioner for the Western Pacific, and about officials of the British Government.

Now the things that were said, and the charges that were made were very serious, and they were untrue.

And these were some of the things that were said.

" It was also stated by the bushrangers on oath that the night they escaped
" from the prison and stole four of the Government rifles that one of their
" number went to the British Consul and he supplied them with powder shot and
" caps. Since the attempted assassination one of the rifles that belonged to
" the escaped bushrangers was found at the British Consulate with the name of
" the bushranger cut upon it."

And the Report says, with respect to the trial of the Englishman named Hanslip, who was accused of encouraging the 'outlaws' to kill Mr. Baker that "Civilized Courts and the great nations had a different and queer way of doing things".

Now Mr. Baker did not send a copy of this Report to Her Britanic Majesty's High Commissioner for the Western Pacific, as he ought to have done; and His Excellency only heard of it afterwards. And when the High Commissioner read a copy of this Report he asked Mr. Leefe, the British Vice-Consul

what was the truth about the gun which was said to have been found at the British Consulate. And Mr. Leefe replied that there had been a gun lying for some years at the Consulate, and that it was very old, and it had no lock, and it was useless and could not be fired. And when the Tongan Arms Ordinance of 1887 came into force Mr. Leefe said to Mr. Baker "I have an old gun here, and in order to set a good example to British subjects, so that the new Arms Ordinance may be cheerfully obeyed, I will give it up to the Tongan Government if you will send for it". And Mr. Baker sent Tuuhetoka for the gun, and Tuuhetoka received it. But Tuuhetoka did not find that gun: it was given to him as arranged by the Consul with Mr. Baker. And on this gun were two names cut. One was "Ra Turaga", and the other was "Ratu Tui Vuna". Now the Tongan Chiefs know very well who "Ra Turaga" was. For he was the great Chief of Cakaudrove in Fiji. And his fathers before him were called "Ra Turaga", and his son after him is called "Ra Turaga": because the High Chief of Cakaudrove has always been called "Ra Turaga". And Ratu Tui Vuna is the name of the Chief of Vuna on the Island of Taviuni, and he is a chief who is fakaongo to Ra Turaga. And the gun was taken to the Consulate in Tonga in the year 1879 when some material was taken from Fiji to Nuku'alofa to thatch the Consuls house.

But it was told to the King of Tonga that the name Latu was written on the gun. And this was not so. But Tuuhetoka could not have made a mistake because he spoke Fijian well, and knew many of the Fijian Chiefs. And although many Tongan cannot pronounce the letter R, and pronounce it like L, yet Tuuhetoka could pronounce the letter R; and when he saw the words "ra" and "Ratu" he must have known it was R and not L and that the name"Latu" was not cut on the gun. Neither would he have cut off the two syllables "raga" for the purpose of making the remaining part of the word "Ra Ruraga" sound like the name of the man Latu who was executed at Malinoa.

And about the trial of Hanslip, and the statements made on oath by prisoners concerning the late Mr. Symonds. Many prisoners had been sentenced to death, and they were told that if they gave their evidence against certain persons their lives would be spared. And they spoke to save their lives. And who will believe such men? And when Hanslip was tried one of these men said "what I said in the preliminary investigation was all lies, and I said it because I was under sentence of death."

And this matter of the Report of the Minister of Police, and the statements about the gun were brought before the notice of the King of Tonga by Mr. Leefe. And the King of Tonga said " If we have made a mistake pray pardon us, and I will cause a little book to be printed to explain the mistake".

And before the little book was printed the High Commissioner was shewn a letter which Mr. Baker had written to Mr. Brown, head of the Wesleyan Church in Tonga which is connected with the Conference of New South Wales and Queensland. And Mr. Baker said that Mr. Brown had caused the death of innocent women and children in New Ireland, and that an aggrement had been come to between the officials of the British Government and Messrs Chapman and Hunt of the New South Wales and Queensland Conference, that if Mr. Baker was removed from Tonga Mr. Brown would not be punished, but that if Mr. Baker was not recalled Mr. Brown should not escape. And this statement which was made by Mr. Baker was utterly untrue.

And when the High Commissioner saw this he caused a letter to be written to Mr. Baker, to tell him that if he did not at once completely retract and fully apologise for having written such a libel about Officers of the British Government he, Mr. Baker, should be prosecuted in the Courts so that he might be punished. And Mr. Baker wrote a letter to say he fully apologised for and completely retracted the statement made in his letter to Mr. Brown. And translations of the letter to Mr. Baker and of his reply are annexed.

And the High Commissioner caused a letter to be written to Mr. Baker saying that he must withdraw all charges against the late Mr. Symonds, either of complicity in the attempted murder, or of supplying the "outlaws" or other Tongans with firearms; and also every insinuation that an impartial trial was not accorded by the Chief Judicial Commissioner in the case of Hanslip.

And in the month of January 1890, the High Commissioner received a printed paper which was called " Appendix to the Tonga Government Blue Book " which said that " it was not correct that one of the rifles belonging to the escaped bushrangers was found in the British Consulate with the name of the bushranger cut upon it". But this paper did not state all the facts with regard to the gun which was said to have been found. Nor was the matter referred to made right in an open frank way.

And the High Commissioner caused Mr. Baker to be informed that this Appendix to the Blue Book was not sufficient, and that the untrue charges

must be withdrawn. And Mr. Baker wrote a letter to the High Commissioner in which he said "that notwithstanding what may have been the individual " views of the late Minister of Police that it was a grievous error and mistake to print and publish such Report, or such portions of the said " report which cast such grave reflections on the officials of another Government": And Mr. Baker asked " permission to unreservedly withdraw all " charges against the late Mr. Symonds, either of complicity in the attempted murder or of supplying the outlaws or other Tongans with firearms; and "also all insinuations that an impartial trial was not accorded by the Chief Judicial Commissioner in the trial of Mr. Hanslip, and to offer a full and " free apology for having printed and published such charges in the Australian Colonies".

And attached to this book are translations of the letters written to Mr. Baker on the subject, and of Mr. Bakers replies admitting that all that had been said was false.

And the High Commissioner had copies of all these letters printed , and sent them to the Government of the Queen and to the Admiral, and to the members of the General Conference of the Wesleyan Church in Australasia; so they might know that the statements in the Report sent them by Mr. Baker were untrue and that Mr. Baker withdrew these statements. And the High Commissioner has also ordered that this correspondance shall be translated into the Tongan language, so that the people of Tonga may know that the charges that have been made against Officers of Her Britanic Majesty's Government, and circulated by Mr. Baker, are not true and that they are now withdrawn.

It has caused the High Commissioner much pain that Mr. Baker should, as Premier of the Tongan Government, have said things calculated to make the King and Chiefs of Tonga think that the Government of the Queen of England, and its representative Officers were unfriendly to Tonga, or that they desired anything but its welfare and advancement. From the beginning the Government of England has befriended Tonga and will continue to do so.

AN APOLOGY REQUESTED BY THE HIGH COMMISSIONER.

[Secretary to the High Commissioner to Shirley W . Baker. Cyclopaedia of Samoa,Tonga,Tahiti,and the Cook Islands. Sydney. 1907. p 37.]

High Commissioners Office,
Western Pacific
Suva, Fiji. 9th Sept. 1889.

The Honourable S. W. Baker,
Premier of Tonga.
Sir

The High Commissioner is informed that in letters addressed severally to Rev. Geo. Brown, of Tonga, and the Rev. J. C. Symons, President of the Wesleyan General Conference, you have affirmed in respect of certain proceedings before H. M. High Commissioner for the Western Pacific, and before the Court of such Commissioner, in or about the month of November, 1879, wherin the Rev. George Brown was the defendant, that there was collusion between the officers of such Commission and Messrs Chapman and Hunt; at that time it is believed office holders under the New South Wales and Queensland Board of Wesleyan Missions in consequence of which collusion or conspiracy the ends of justice were defeated.

2. It is only but recently a similar case of slander against the lately deceased representative in Tonga of Her Majesty's Government, Mr. Henry Symonds, of which as well as the gross perversion of words and misrepresentations of circumstances on which the slander is founded you are, in His Excellency's belief, the prime author and sole publisher has come to his Excellency's knowledge.

3. You are aware that the subject has been brought to the notice of the King of Tonga, who his excellency is convinced , has no knowledge of the nature of the proceedings which, under the title of Premier of His Majesty's Government, you have officially taken to defame the English name and character and to impugn the honour of Her Majesty's Government, in the conduct of its officers, and the administration of justice through its duly constituted courts of law.

4. I am to inform you that unless within the course of six weeks from the date of the arrival of this despatch in Tonga the High Commissioner shall have received a full apology for, and complete refutation of, the libel against the court of the High Commissioner and "the officers of the British Government" contained in the letter to the Reverend George Brown and the Rev. J. C. Symons dated on or about the 11th of May last, and of which an extract is enclosed, legal proceedings will be instituted.

I have the honour etc.

(Signed) Wilfred Collet, Secretary.

[183]

BAKER ATTEMPTS TO AVOID A FULL APOLOGY.

[Baker to Collet. October 8th, 1889. Cyclopaedia of Tonga, Samoa, Tahiti, and the Cook Islands. Sydney. 1907. p. 37.]

I have the honour to acknowledge the receipt of your despatch dated Suva September 9th, 1889, and in reply to ask you to respectfully inform His Excellency the High Commissioner that the letter sent to the Rev. George Brown was marked " Private " and the copy sent to the Reverend J. C. Symons was not sent to him as President of the Wesleyan General Conference , but as a private gentleman, and was marked " Private and Confidential ".

2. In reference to your remarks relative to the deceased Mr. Symonds, and of the gross perversion of words and misrepresentation of circumstances in connection with the same, will you please inform His Excellency that when Tuuhetoka came and informed me that one of the guns of the outlaws had been found at the Consulate, and that the name of the outlaw was cut upon it, I told him to take it to His Majesty , and I never looked at it or inspected it, and therefore never knew what were the words carved on the gun, nor did I enquire into any of the circumstances in connection with its being found , or anything about it, and it was not until my return to Tonga a few months ago that ever I handled the gun or saw the words carved on it, and I informed His Majesty that I considered he had been mistaken in the matter and that he ought to order the mistake to be rectified. You will, therefore, please inform His Excellency that it is incorrect to say that I perverted the words, for I never knew what were the words to pervert, or that I misrepresented the circumstances of the case, for I knew nothing about the circumstances; and not only so, but it would have been absurd for anyone to suppose that Mr. Symonds had anything to do with the gun, for Mr. Symonds was not in Tonga at the time of the attempted assassination , for the Consulate was then vacant, and for some considerable time afterwards.

3. With regard to the statement that His Majesty has no knowledge of the nature of the proceedings which, under the title of Premier, I have performed I would ask you to inform His Excellency that I have never done anything affecting His Majesty or in His Majesty's name without His Majesty's knowledge of the same or without the expresssed command of His Majesty. Will you please inform His Excellency That before I received your letter I had already apologized to the Reverend G. Brown and withdrawn the letter, and now, as desired

by His Excellency, I would fully apologize for, and completely retract the statement made in my letter to the Reverend George Brown, a copy of which was forwarded to the Reverend J. C. Symons , and of which an extract was enclosed in your despatch to me of the 9th September instant.

I have the Honour to be etc.

(Signed) Shirley W. Baker.

[184]

THE OFFENDING LETTER 1889

[Baker to Brown, 11th May 1889. Cyclopaedia of Samoa, To Tonga, Tahiti, and the Cook Islands, Sydney 1907]

[EXTRACT]

I should certainly have thought you, who escaped a felon's cell at Suva because I was made your scapegoat - for it is well known the understanding between the officials of the British Government and Messers Chapman and Hunt, that if I were not sacrificed and recalled you would not escape, but if I were recalled, you would be let go free on the charge of having murdered the innocent women and children of New Ireland in your murderous raid upon them - would have acted more honourably to an absent friend.

[185]

THE HIGH COMMISSIONER DEMANDS AN APOLOGY 1889

[Collet to Baker. 13th November 1889. MSS copy. Archives of the Western Pacific High Commission, Suva, Fiji.]

(Note: Many of the words in this copy of the document are in abbreviated form.)

Sir,

I have the honour to acknowledge the receipt of your letter of the 8th October which I have laid before the High Commissioner.

2. As regards the libel contained in your letter to the Reverend Mr Brown as you have made a firm apology and retraction the High Commissioner will institute no prosecution in respect of it. Of course it is out of His Excellency's power to debar the Reverend Mr Brown from pursuing his civil remedy if he still wishes to do so. Should that gentleman see fit to take his action the High Commissioner does not doubt that the Court would made ? its sense of a very gross slander circulated under the cloak of Private and confidential communications.

3. With regard to the papers circulated by you under the title of "Tongan blue Book" and containing serious charges against the late Mr Vice-Consul at Tonga the High Commissioner has deferred taking action in the hope that the small book which the King of Tonga has expressed his intention of having printed will repudiate the accusation made.

4. But I may point out to you that the statement regarding the gun found at the Consulate is not the most libelous one contained in the Blue Book. It is merely one in a connected series of libels and slanders circulated, under the same cloak as referred to above, for the purpose of serving your private ends and among other things as His Excellency believes, to gratify your personal animus in Tonga against everything that is British. It must therefore be made perfectly clear that you unreservedly withdraw all charges against the late Mr Symonds either of complicity in the attempted murder or of supplying the 'outlaws' or other Tongans with firearms as well as every insinuation that an impartial trial was not accorded by the Chief Judicial Commissioner in the trial of Hanslip.

Wilfred Collet,
Secretary,
High Commissioner.
17 November 1889.

[186]

"SERIOUS QUESTIONS" RAISED BY THE HIGH COMMISSIONER 1890

[Sir J.B. Thurston to King George Tupou I. July 1890. MSS copy. Archives of the Western Pacific High Commission, Suva, Fiji.]

Sir, my Friend,

In accordance with your Majesty's intimation that I might have the honour of an interview with your Majesty during this week, I now ask that your Majesty will be so good as to appoint a day upon which your Majesty will receive me.

2. The subjects which I desire to submit for your Majesty's consideration are:-

(1) That certain people who were sent to Tofua - as regards some of them, because they were adherents of the Wesleyan Church of Australasia and as regards others because they attended family worship at the residence of a British Missionary - are yet suffering Banishment from their proper homes, although they have never been convicted by any Court or accused of any crime known to the law.

(2) That it has been represented to Her Majesty's Government that, notwithstanding what it understood by your Majesty's promise relating to the freedom of divine worship, it is a fact that - owing to certain arbitary laws and their still more arbitary administration - British subjects, as such, are seriously injured and interfered with in the exercise of the right of preaching the Church's faith as in aforetime accustomed; while such right is still fully exercised by Christian Ministers of other Nationalities. It results from the administration of these laws, and this differential treatment, that certain of Her Majesty's subjects resident in Tonga are placed in an unfavourable position as regards those rights and that freedom which are guaranteed by Treaty between the Government of Tonga and that of Great Britain, and also as regards the subjects of other Friendly Powers resident in Tonga, who as Christian Ministers are not subjected to the partial and unfair treatment complained of.

3. These are serious questions and I trust that Your Majesty will give them early consideration and grant that relief to which they are not only entitled upon the merits of the case, but by reason of that friendship which has so long existed between Tonga and Great Britain

With every assuarance of love and friendship

I have the honour to be

Your Majesty's obedient servant.

J.B. Thurston.

[187]

THOMSON'S ACCOUNT OF SIR JOHN'S VISIT 1890

[Diversions of a Prime Minister. Basil Thomson. Edinburgh 1874. p.10ff. Reprinted by Dawsons of Pall Mall. London. 1968. p.10ff.]

p.10. H.M.S. Rapid anchored at Nukualofa on the 25th June 1890, and on the 27th Sir John and his suite paid an official visit to King George at his house, the greater part of which was occupied by Mr Baker and his family. He found the king supported on the one side by his Prime Minister, and on the other by Mr Watkin, the missionary who had deserted his employers to become the head of the Free Church of Tonga. After the usual interchange of courtesies the High Commissioner asked the king to appoint some of his chiefs to represent him in a Conference on matters of State, and especially on the subject of the promises made to his predecessor two years before. After a long and painful hesitation, King George said that he would like the proposal to be put in writing, and that he would see him again in a few days. In taking his leave Sir John desired Mr Baker to visit him on board the Rapid that afternoon. This interview must have been a painful one for Mr Baker, whose system of diplomacy, being founded upon habitual concealment of the truth, was quite unsuited for an encounter with one who knew as much about the secret history of Tonga as he did himself. To the question whether he intended to support Sir John's proposal for the appointment of a council of native chiefs, he would at first give no definite reply, hinting that if he were a party to the return of the exiles from Fiji he would be himself giving an opportunity for another attempt upon his life; but when further pressed, he affected to pity the High Commissioner's ignorance of native matters in thinking that he could go to the King and virtually tell him that he was thought too old or too foolish to manage his own affairs. He at any rate would refuse to attend any such meeting. Sir John assured him that he was free to attend or not as he pleased, but that as it was clear that he meant to prevent any Conference taking place, he would not be accepted as an intermediary between the High Commissioner and the King or any of the native chiefs. Then Mr Baker tried to retrieve his lost ground, and asked what he had done to forfeit the confidence of the High Commissioner, receiving his answer in the form of catalogue of his more notorious breaches of faith.

. . . . . .

p.13. The High Commissioner had now to consider whether, in view of the continual acts of oppression committed with Mr Baker's sanction and authority, and the dangerous irritation of the natives against him, his presence in Tonga

would not almost certainly lead to the murder of himself and others after the ship of war had left the group. His life had already once been attempted before the higher chiefs had declared their hostility towards him. He decided - and after-events have proved the wisdom of his decision - that the case demanded the exercise of his authority under the Western Pacific Order in Council in prohibiting Mr Baker from remaining in Tonga after the 17th of the month, when the mail-steamer would leave for New Zealand.

On the following morning Mr Collet, the Secretary to the High Commissioner and Mr Leefe, the Vice-Consul, called on Mr Baker at Mr Watkin's house, and handed to him the written intimation. He was doubtless congratulating himself at the moment on the success of his diplomacy, feeling secure that if Sir Charles Mitchell could not deport him in 1887 for fear of anarchy, none of his successors in office would dare to take such a step in the present embarrassed and disturbed state of the country. The letter came upon him like a thunder-clap: he turned very red, and asked if a reply was expected. "None," was the answer, "but we are to say that the High Commissioner will be glad to afford you protection from personal violence on board H.M.S. Rapid."

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p.14. During the evening a message was delivered from the chiefs that they wished Mr Baker to leave the king's house, as they feared he would do him some mischief. The High Commissioner tried to reassure them, but, two hours later, they returned with a sworn statement that they feared he would do the king some serious harm. It is probable that their real fear was that he would use the night to regain some of his lost influence, and that the progress of events would be arrested by some unforeseen action on the part of the king; but, as it was quite possible that, in the present temper of the people, Mr Baker might be roughly handled, the captain of the Rapid was asked to land a few marines and station them for the night at the palace already vacated by Mr Baker. Accordingly seven marines were landed unarmed under the command of a lieutenant. The verandah was occupied by a number of chiefs, and the night passed quietly.

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p.16. The vacancies thus created were rather numerous, for Mr Baker was Premier, Minister of Foreign Affairs, President of the Court of Appeal, Auditor-General, Minister of Lands, Judge of the Land Court, Minister of Education, Agent-General, and Medical Attendant to the king.

. . . . . .

p.19. A day or two later the king visited the Rapid in his State barge, and the High Commissioner paid an informal visit to him the same afternoon. He found him attended by thirty or forty chiefs in the ordinary native dress, a sure sign that they felt at ease. After a warm greeting the conversation turned upon Tongan affairs. Sir John expressed a hope that all petty oppression and persecution would now cease, and that the people would be allowed to return to their normal state of quietude. The king replied that he felt sure that a time of peace had arrived. The opportunity for testing the sincerity of his promises had come, and the High Commissioner decided to ask him to do that which Mr Baker had persisted in declaring he would never do - namely, to allow those exiled to Fiji for their religious views to return. He referred to the chiefs present who had relations among them - to Fatafehi, Governor of Haapai, whose mother, Charlotte, the King's daughter, was among the exiles, though past sixty years of age. The king was visibly affected, and said, "I never sent them away: I did not want them to go. Let them come back. They were driven away. Bring them back to their friends." After a short silence the High Commissioner said, "Will you also release the people at Tofua and other places who have been deprived of their liberty for years past, in some cases for no other reason than that they attended prayers at the house of a Wesleyan missionary; others who have been unjustly convicted by illegal sentences being passed upon them; and others who are in confinement upon the personal order of Mr Baker, after being duly discharged by a judge of the Tongan Supreme Court?" The king answered, "Why go on? This is a day of joy. I do not want them to be imprisoned. Let us rejoice at what has happened, and let all prisoners be set free." The High Commissioner explained that he had not asked for the release of prisoners properly convicted of offences against the law, and that the wholesale liberation of such people might be inconvenient; but, nevertheless, every convict who had more than twelve months of his sentence to serve was turned loose upon society.

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p.21. The mail-steamer Wainui anchored on July 17, and Mr Baker embarked before any one in Nukualofa was stirring. At ten o'clock the order of prohibition was served on him, and at half-past two he left the islands for New Zealand. At ten o'clock the High Commissioner and his staff landed at the king's invitation to receive the thanks of the people for his exertions on their behalf. They were conducted to seats on the lawn that separates the public offices from the sea.

[188]

NOTIFICATION OF INTENTION TO DEPORT.

[Secretary to the High Commissioner to Baker. 5th July, 1890. Encylopaedia of Samoa, Tonga, Tahiti, and the Cook Islands, Sydney. 1907. p. 35.]

H.M.S. Rapid. Nuku'alofa.
5th July, 1890.

Sir

I am directed by the High Commissioner to inform you that, after a careful consideration of the existing state of affairs in Tonga, and of the disorders that His Excellency is satisfied are to be apprehended in the immediate future from your continued residence here, he has decided to prohibit your remaining in the Tongan Islands.

2. As being a person dangerous to the peace and good order of the Western Pacific, the High Commissioner will prohibit your remaining here after Thursday, the 17th inst, subsequently to which date you will in the event of your disobeying the order, render yourself liable to imprisonment of a term not exceeding two years, and also to arrest and removal.

3. His excellency deems it his duty to inform you that, according to the sworn evidence in his possession, given by persons who know the feelings of their fellow countrymen, your life appears to be endangered. There are natives, so His Excellency is informed, who would shoot you without hesitation did they not fear the consequences to Tonga from the fact of your being a British subject, but who, so exasperated are they, will kill you in any case, together with some of the Chiefs who have carried out your behests if you remain in the country.

4. The High Commissioner is aware from personal observation that you are attended by night by an armed guard, even while moving about the precincts of the King's house (the partial possession of which to the indignation of the Tongan Chiefs, you have recently taken) and His Excellency is also aware from trustworthy sources of information, that for a long time past you are never at night without such guard.

5. I am, therefore, to acquaint you that in giving you the present information His Excellency is also prepared, should you request it, to ask the Commanding officer of H.M.S. Rapid to afford you protection on board his ship at any time between this date and that of the order of prohibition as heretofore indicated.

I have the honour to be etc. (signed) Wilfred Collet.(Secretary)

[189]

FEARS FOR THE KING'S SAFETY 1890

[MSS copies of Memorandum and Affidavit. Archives of the Western Pacific High Commission, Suva, Fiji.]

Memorandum,

The High Commissioner forwards herewith to Captain Castle of H.M.S. "Rapid" a copy of a sworn information by George Fatafehi and William Tugi, Tongan chiefs of the highest rank, to the effect that they are apprehensive that Mr Baker the lately deposed Premier of Tonga may do some injury to the King. In consequence of this information the High Commissioner requested Captain Castle to place a guard of marines round the King's Palace on the night of Saturday the 5th July 1890. This guard was withdrawn before noon the following day, the Chiefs having arranged a Tongan Guard.

(Signed) John B. Thurston.
10.7.90.

Copy Translation,

Nukualofa, 5th July 1890.

We William Tugi and George Fatafehi declare an oath that Mr Baker should not enter again the Palace of the King, as we are apprehensive that he will do something bad to the King. We have deposed him from his position he held in Tonga.

(Signed) Jiaogi Fatafehi.
(Signed) William Tugi.

Witness

(Signed) Wilfred Collett,
Secretary to H.B.M.'s High Commissioner for the Western Pacific.

Sworn before me at Nukualofa, Tonga, this 5th day of July 1890.
(Signed) R. Beckwith Leefe [Deputy Commissioner]
(Signed) P.G. Bloomfield [Interpreter]

[190]

THE DEPORTATION ORDER 1890

[MSS copy. of Proclamation. Archives of the Western Pacific High Commission, Suva, Fiji.]

HER BRITANNIC MAJESTY'S HIGH COMMISSION WESTERN PACIFIC

ORDER OF PROHIBITION BY THE HIGH COMMISSIONER

Whereas it has been shown by evidence on oath to my satisfaction that Shirley Waldemar Baker of Nukualofa Tonga, a British subject, is dangerous to the peace and good order of the Western Pacific. Now therefore, I do hereby prohibit the said Shirley Waldemar Baker from being in the Western Pacific Islands within the following limits, that is to say, the islands comprised within the one hundred and seventy third and one hundred and seventy seventh degrees of West Longitude and the fifteenth and twenty third degrees of South Latitudes, and the waters within three miles of the said islands, during two years from the seventeenth day of July one thousand eight hundred and ninety.

Given at Nukualofa, Tonga, under my hand and official seal, this 17th day of July 1890.

(Signed) John B. Thurston.

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[191]

RESTORATION OF THE FREEDOMS

[MSS copy of Proclamations and Notice issued by the Premier Tukuaho, 11th July, 1890. Archives of the Western Pacific High Commission, Suva, Fiji.]

PROCLAMATION

His Majesty the King has been pleased to declare and order that all persons who are now suffering under restraint of their personal liberty as secured by the Constitution, or who are now imprisoned without the authority, or by the exercise of an undue authority, of any Court of Law; together with all persons now in exile in Fiji, or elsewhere, by reason of their religious opinions, are fully and completely pardoned for any offences actual or supposititious with which they have been accused.

All such persons are hereby declared to be restored to full liberty of conscience and person and are free to return to their homes at their pleasure.

And it is the King's command that George Tukuaho the Premier shall give effect to this Order in respect of all such persons as are now residing within the Kingdom: And as regards all such who are beyond the limits of the Kingdom, it is His Majesty's desire and request that His Excellency Sir John B. Thurston Her Britannic Majesty's High Commissioner will make arrangements for returning them to their houses as early as may be found possible.

By His Majesty's Command,

J.U. Tukuaho.
Premier of Tonga

Premier's Office Tonga.
11th July, 1890.

NOTICE

It having come to the knowledge of the King that under the administration of the late Premier, Mr Baker, certain women have been flogged by gaolers and other persons in authority it is hereby notified that the flogging of women is unlawful and strictly forbidden.

Let all men take notice of this and act accordingly.

By His Majesty's Command.

J.U. Tukuaho.
Premier.

Premier's Office Nukualofa.
11th July, 1890.

A PROCLAMATION

The King has been pleased to Order it to be made known for general information that all persons are free to perform divine worship according to the dictates of their conscience.

Any person who fails to respect this Order will incur the King's displeasure and render himself liable to punishment.

By His Majesty's Command.

J.U. Tukuaho.
Premier.

Premier's Office, Nukualofa.
11th July, 1890.

G. MR BAKER AS LAWGIVER

[192]

A SELECTION OF ACTS OF PARLIAMENT.

(i) THE COALING STATION ACT.

[Tonga Government Gazette. Vol. 2. No. 6. November 10th, 1880.]

Section 2. That, in order to increase the friendly feeling existing between the Government of Tonga and other nations, authority is hereby given to the Premier to erect buildings suitable for a Coaling Station in Nuku'alofa, Tonga, and to furnish the same with coals, for the purpose of supplying coals to vessels of war of all nations which may happen to be in Tonga in want of coals.
Section 3. Such coals to be charged at their actual cost and expenses.
Section 4. It is hereby also determined that on no condition shall any one vessel of war be allowed to purchse from such coaling station more than one hundred tons of coal on any one voyage.

(ii) AN ACT RELATIVE TO ROADS MALAES AND PREMISES.

[Tonga Government Gazette. Vol. 2. No. 62. November 23rd, 1887.]

Section 2. Seeing the time has not yet arrived for the people of this Kingdom to pay road taxes it is hereby regulated that everyone shall keep in repair the road frontage to his premises both in town and country and also the portion of the town Malae divided out to him according to law.
Section 3. The width of Government roads is hereby regulated to be eight fathoms. This regulation shall not be enforced at once, and it shall be with the Premier and the Police Inspectors to command any road to be widened. But this regulation has been made lest leases of land may be made after which difficulties may arise regarding their enlargement.

THE REPAIR AND CLEANING OF ROADS

Section 4. This Act shall refer to all Government roads and all roads to landing places all roads from one town to another town, and all roads from the inland to the beach.
Section 5. The Police shall inspect the roads of this Kingdom on the last Monday of the month of January, March, May, July, September and November.
Section 6. The following are the penalties for not cleaning the roads:-

(1) Not exceeding ten (10) fathoms one shilling (1s) for every such ten (10) fathoms one shilling (1s).
(2) For every large hole from one shilling (1s) to one dollar ($1) according to the size of the hole.
(3) Should a pig make a hole on the frontage of another the owner of such frontage shall be held liable but he may prosecute the owner of such pig in the Police Court.
(4) Should the Police command that a drain should be filled up or a bog or swamp or pool of water in any road, and the same be not done, the penalty shall be one shilling (1s) for each fathom, but this regulation does not refer to the water courses of the highlands in Vava'u, and it shall be with the Mayors of each town to regulate the repairing of the roads.....

(iii) AN ACT RELATIVE TO BLASPHEMY
[Tonga Government Gazette. Vol.2. No.38. March 10th 1886]

Section 2. Whoever shall blaspheme the name of God, by cursing or contumeliously reproaching His Government or final Judgement; or by cursing or contumeliously reproaching Jesus Christ, or the Holy Ghost, or curse or riducle the Holy Word of God, shall, on conviction be imprisoned for one (1) year to five (5) years as may be decided by the Court.

(iv) AN ACT RELATIVE TO MURDER
[Government Gazette. Vol.2. No.29. November 22nd 1884.]

Section 2. Anyone committing murder shall be hanged.
Section 3. Murder is hereby defined as the act of killing a person with malice afore thought before the crime was committed.
Section 4. Should anyone be committed for murder it shall be with the accused if not pleading guilty to bring proof or witnesses that the same was not a malice aforethought.
Section 5. If anyone should kill another by accident and not of malice aforethought, or a prearranged act, it shall be considered manslaughter.
Section 6. Manslaughter is hereby divided into three degrees and should it appear to the jury that the act is not murder it is lawful for them to specify to which degree of manslaughter the deed committed belongs.
Section 7. The first degree of manslaughter is the mortally wounding of any man by accident, result of a disturbance, or a fight, or by anything that may arise on the spur of the moment and over which one has no control, and anyone guilty of any of these shall, on conviction, be imprisoned for twenty one (21) years or for lifetime as may be decided by the Court.
Section 8. The second degree of manslaughter is the wounding of a person by another with a knife or another sharp instrument in a fight without death ensuing. Anyone guilty of any of these shall, on conviction, be imprisoned for ten (10) years.
Section 9. The Third degree of manslaughter is an attempt by anyone to kill another without malice aforethought and the same to be only slightly wounded without any great injury; Anyone guilty of the same shall, on conviction, be imprisoned for five (5) years.
Section 10. No one shall be charged with murder or manslaughter of the first degree if the person injured does not die before one year and one day from the time the act of murder or manslaughter was committed.
Section 11. Should anyone poison any water or evil intent to cause the death of another or others, and should the same die, it shall be considered murder; but should the same be known before the death of anyone, it shall be considered manslaughter of the first degree.
Section 12. Should anyone set fire to a house with the intent to cause the death of another, and any person or persons should die, the same shall be considered murder; but should such person or persons escape, such one, shall on conviction of having set fire to the house, be considered guilty of manslaughter of the first degree, and be imprisoned accordingly.

(v) AN ACT RELATIVE TO GROSS CHEATS
[Government Gazette. Vol.2. No.80. February 22nd, 1888]

Section 2. Should anyone go to a trader or any other person and receive goods

from the same by deception or under false pretences, whether such trader be the owner of such goods or such goods belong to another, the same shall, on conviction, pay compensation to the owner of such goods, with interest as may be decided by the court, and imprisoned for two (2) years to seven (7) years as may be decided by the Court.

Section 3. Should anyone adulterate any oil with water or anything else or endeavour to cheat by concealing any stone or anything of the like nature in any copra or any cotton or any coffee or any produce which may be taken for sale and receive payment for the same, the same shall, on conviction, be imprisoned for one (1) to three (3) years as may be determined by the Court.

Section 4. Should anyone use any illegal or false measure in selling or buying, whether the same shall be any weight or measure, or any weight measure or any length measure or any liquid measure, the same shall, on conviction, be imprisoned from one (1) to three (3) years, as may be decided by the court.

[193]

A SELECTION OF MUNICIPAL REGULATIONS

[Tonga Government Gazette. Vol.2. No.7. November 24th 1880.
Note: Topic Headings have been supplied by the editor.]

(i) DAMAGE BY ANIMALS

Section 1. That if any cattle, horses, sheep, oxen, goats, pigs, or other animals trespass upon any cultivated land, whether the same be fenced or not, the owner or owners of the same shall be liable for all damage, and shall, on conviction, pay for all damages done and costs.

(ii) COMPULSORY PLANTING OF COTTON AND COFFEE

Section 2. That in order to prevent difficulties in the land in consequence of poverty, arising from laziness, hurricanes, and other causes, it is hereby enacted:-.

(1) That every male of 16 years of age shall plant on his own land within 6 months of this act becoming law, 100 coffee plants, and 200 cotton plants, at a distance of not less than one fathom and a half from each other; but in places where coffee does not grow well, it shall be lawful for the Premier to permit the whole to be planted in cotton.

(2) Every mayor shall be required to see that this law is carried on in his town, and to report defaulters to the assistant inspector of police.

(3) It is also hereby required that these plants shall be regularly cultivated and inspected.

nn (4) Any person failing to plant as required by this act shall, on conviction, be fined in the sum of twenty five dollars ($25) and costs.

Section 3. . . . . .

Section 4. Every person who shall, within this Kingdom, commit any of the offences hereinafter specified shall, on conviction, be fined in the sum of ten dollars and costs.

(iii) BULLS AND STALLIONS

(1) Every person who shall own, or have charge of, any stallion or bull, and shall permit the same to cover any place in any town or village.

(iv) PROFANE SWEARING

(2) Every person who shall profanely swear or use obscene language in any public place or thoroughfare.

(v) OBSTRUCTION OF ROADS

(3) Every person who shall wilfully obstruct any public road by leaving or placing logs wood or other articles in the same, so as to endanger travellers.

(vi) INDECENT EXPOSURE

(4) Every person who shall indecently expose his person.

(vii) CRUELTY TO ANIMALS

(5) Every person who shall wantenly and cruelly beat, abuse, or torture, any horse, cattle, dog, or other domestic animal.

(viii) WELLS AND PITS

(6) Every person who shall neglect to keep all wells, pits, in open or enclosed places, belonging to his house or lands, securely covered.

(ix) DEAD ANIMALS

(7) Every person who shall leave unburied, any dead horse, sheep, dog, pig, or other animal, of which he is the owner, either on his own premises or those of another.

(x) FILTH AND OFFENSIVE MATTER

(8) Every person who shall allow to accumulate, in any town or village, any filth or offensive matter detrimental to public health.

(xi) SLEEPING IN THE HOUSE OF AN UNMARRIED MAN

(9) Every Tongan woman who shall sleep of a night in the house of an unmarried man.

(xii) FENCING

Section 5. That it be enacted that, within 12 months of the passing of this act, every person having premises in either of the towns of Nuku'alofa in Tongatapu, Pangai, in Hihifo in Lifuka, Neiafu in Vava'u shall be required to fence the same and to keep the same in repair; Such fence to be either wooden fences, or sometning of the same nature, or of reeds or of native woods, or live fences of lemon or orange, at the option of the owner of the premises, and, in case of a dividing fence, each person to fence half. And every person not complying with this enactment shall, on conviction, be fined in the sum of ten dollars and costs.

[Tonga Government Gazette, Vol.11. No.83. Nuku'alofa, Tonga. March 7, 1888.]

Every person who shall within this Kingdom commit any of the offences next hereinafter specified shall on conviction be fined a sum not exceeding ten dollars ($10).

. . . . . .

(xiii) WRESTLING

(10) Every person who shall hold a wrestling match during day or night.

(xiv) KAVA MAKING

(11) Any person who shall chew Kava for others to drink instead of pounding with stones or grating the same.

. . . . .

(14) Any spinster who shall join with the men in the custom of Kava drinking after sunset.

[Tohi Fanogonogo Faka-Buleaga. Ofisi o e Balemia, Nuku'alofa. Novema 14. 1882. English Translation by Viela Kimahoi.]

(xv) NOISES AT NIGHT

In order to prevent unnecessary noises at night, it is decided that

after 10 o'clock in the evening it will be prohibited to make any noise that will disturb the villages rest, such as choir practices, ceremonies and meetings or any noisy work. After 10 o'clock in the evening, lafo, cards, draughts and other such games are prohibited.

Whoever violates any of these laws will be fined a sum of $5.

(xvi) TAPA CLOTH REGULATIONS

Everyone is free to wear tapa clothing anywhere except at the King's palace where no one is permitted to wear tapa.

Beating tapa (pounding the mulberry bark) is permitted in all villages except Nuku'alofa in which case it should be carried on beyond the town.

Beating tapa is permitted from sunrise to sunset except in the case of a funeral when it is prohibited.

Beating tapa is permitted on Saturdays.

Everyone should wear some kind of clothing. It is prohibited to go in a public place or in a town or in the streets without a covering over the upper part of the body or to go indecently dressed. Any person violating this law shall, on conviction, pay the sum of $2.

(xvii) CRICKET REGULATIONS

Cricket is not allowed on any other day except Tuesday, that is the Second Tuesday of each month, and on Government Holidays.

Players should abide by the directions of the town officer if given a place on the field.

No game is allowed anywhere except on the village green.

It is not permitted to make feasts and have celebrations at cricket matches, but it is permitted to invite spectators.

Making bets and offering prizes is forbidden.

Beating drums (European type) or lali (Tongan drum) during the match is prohibited. It is also forbidden to allow a band to play, to fire guns, and wave flags. It is permitted only to blow the conch shell (Tongan trumpet) during the association meeting.

Anyone who violates any of these regulations will be fined five dollars ($5).

[194]

A SELECTION OF TAX LAWS

[Tonga Government Gazette. Vol.2. No.24. January 23rd, 1884]

(i) POLL TAX

Section 2. Every male in this Kingdom who shall have attained the age of sixteen (16) years shall pay taxes according to the twenty seventh (27th) section of the Constitution of Tonga, excepting the guards as stated in the Constitution of Tonga. And the following shall be the amount of Poll Tax until repealed by the King and Legislative Assembly in Tonga, in the Legislature of the Kingdom assembled: for each year the sum of eight dollars ($8), being two dollars for each quarter ending 31st March, 30th June, 30th September, 31st December in every year.

Section 3. All foreigners shall be exempt from this tax until they have been resident six months in the Kingdom.

Section 4. Should any person, liable to pay his tax, fail to do so when due, the sum of one shilling shall be added to the amount of each quarter unpaid.

(ii) SCHOOL TAX

Section 5. On account of it being unjust that persons with a family should be heavier taxed, so as to take care of the schools, than those who are married and have no family or those who are unmarried it is hereby determined that all Tongan Tax payers of the Kingdom shall yearly pay the sum of one dollar ($1) as an educational tax, and the revenue clerk shall receive the same as well as the Poll Tax.

(iii) BACHELORS TAX

Section 6. Every Tongan male paying taxes who shall have attained the age of twenty one (21) years, and be unmarried, shall yearly pay the additional tax of one dollar ($1) until arriving at the age of fifty (50) years, excepting those who have been married and their wives deceased.

(iv) THE HORSE TAX ACT.

[Tonga Government Gazette, Vol. 2. No. 4, October 13th, 1880.]

Section 2. That the owners of all stallions, geldings , and mares (which are two years old and upwards) shall be required to pay a tax for the same.

Section 3. That the tax for each stallion, for the term of one year, shall be five ($5) dollars, and for every gelding or mare, for the term of one year, shall be one dollar ($1)

Section 4. That it shall not be lawful to use any stallion, gelding, or mare, either for saddle or draught, under two years of age.

Section 7. Anyone violating the provisions of this Act shall, on conviction, be fined in the sum of ($5) five dollars for each offence.

LAWS RELATING TO LAND

[Tonga Government Gazette. Vol.2. No.7. November 24th 1880]

(i) THE LEASING OF LAND TO FOREIGNERS ACT - 1880

Section 2. It shall not be lawful for any Tongan to lease any premises or land to any foreigner, on any condition whatever, without first obtaining from His Majesty's Cabinet, permission so to do. Any Tongan leasing any premises or land to any foreigner without such permission, shall, on conviction, be fined in the sum of five hundred dollars. ($100).

Section 3. Every such permission shall be in writing, and signed by the minister of lands, and the seal of his office shall be attached thereto.

Section 4. No lease will be considered valid, or protected by the courts of this Kingdom, unless made in accordance with the revised Constitution Act of 1880, and duly registered in the office of the Minister of Lands.

Section 5. All application for permission to lease any premises or land to foreigners shall be made to the Minister of Lands, in writing.

Section 6. All leases of land which have been made by the Tongan Government to foreigners previous to the passing of the revised Constitution Act of Tonga of 1880 but which are now included in the hereditary land granted by His Majesty King George to the Chiefs shall now revert to the said Chiefs, who shall be entitled to receive all rents for the same.

Section 7. Should any lease of land be made by any Tongan to any foreigner, the Tongan Government shall receive one tenth of the annual rent of such lease as royalty for the same.

Section 8. It shall be with the Minister of Lands to determine what shall be the amount of Registration and other fees in connection with the leases of land.

(ii) ACT AMENDING THE LEASING OF LAND TO FOREIGNERS ACT

[Tonga Government Gazette. Vol. No.

Sections 1 - 8. (As in Leasing of land to Foreigners Act.)

Section 9. That any foreigner residing on any land, the same being unleased, or any land in any town of any chief possessing an inheritance, or any land in any town of the Government shall pay a yearly rent of five dollars ($5) for residing on the said land, on the distinct understanding that the residence on such land is residence only from year to year. For should any Chief to whom the same belong or the Government, wish to have the said land, it shall be lawful for them to possess the same, and to command the foreigner residing thereon to remove from the said land his house, and effects. But should the Chief of any inheritance or the Government wish to possess such land, due notice must be given three months before the end of the year, and the end of the year to be considered the 31st day of December in each year.

Section 10. It shall not be lawful for any hereditary Chief or the Government to lease any premises to any foreigner in the islands of Haapai, saving only in Lifuka.

Section 11. The Government will receive all rents and leases of land granted by the Government to foreigners, and also those leased by hereditory chiefs, after the passing of this law, and any lease that shall belong to the inheritance of any hereditary Chief will be repaid by the Government to the Hereditary Chief.

(iii) AN ACT TO REGULATE HEREDITARY LANDS GRANTED TO CHIEFS
[Tonga Government Gazette. Vol.2. No.14. November 22nd, 1882.]

Section 2. To the King belongs all the land, soil, inheritances, and premises. And as His Majesty has been pleased to grant to the Nobles and other Chiefs hereditary lands, this Act has been passed by the Legislative Assembly to regulate the inheritances which His Majesty has promised to grant to the Nobles and other Chiefs of the King to become their hereditary lands (ka e tuku 'a e ngaahi momo), it being with His Majesty that hereditary lands should be granted to the Chiefs.

Section 3. That in each inheritance there shall be lands set apart for the Hereditary name, and it shall not be lawful to lease the same to anyone, or for anyone to possess or use the same, but tapu for the Hereditary name forever.

Section 4. Where there are matapules of an hereditary Chief, there shall be hereditary lands set apart for them, because of their title, but it shall be with the hereditary Chiefs to choose their own matapules.

Section 5. It is hereby enacted that the size of the tax land of the people in Hihifo in Tonga and Haapai, shall be fifty (50) fathoms by fifty (50), but in the rest of Tonga and in Vavau the size of the tax lands shall be one hundred (100) fathoms by one hundred (100).

Section 6. All such tax lands shall be hereditary, and on the death of a man, his widow shall possess such tax lands while she lives and does not marry again, but should she marry again or commit adultery, such tax lands shall be forfeited, and shall become the property of the next heir.

Section 7. Anyone who shall possess a tax land shall pay the sum of two (2) shillings per annum as rent to their hereditary chief, or to His Majesty, for such land.

Section 8. It shall not be lawful for anyone to possess two (2) or three (3) tax lands, and on the death of a person holding such tax lands, it shall be with his heir to choose which tax land he wishes to possess, whether his own or that to which he is heir. Shall he be not willing to accept such tax land it shall go to the next heir; but should he also be not willing to possess it, it shall go to the next heir and so on; and should there be no heirs it shall revert to the hereditary chief or to the King, as the case may be.

Section 9. Should any tax land have been already apportioned to any person and still in his possession, and the same not being larger than is hereby enacted, he shall continue to possess the same as his hereditary tax land.

Section 10. Anyone possessing two (2) or three (3) or more tax lands shall choose which tax land he wishes to possess, and the same shall become his hereditary land too.

Section 11. All tax payers shall have town allotments together with their inland tax lands and both will be protected by the Government.

Section 12. All lands (now included in hereditary lands) which may have been leased by the Government to foreigners shall revert to the hereditary Chiefs, and also all plantations which may have been in the possession of the government for its officials or school masters, and all premises which are still within the possession of the two religious denominations, for the use of the Native Ministers and Head Teachers, but it shall be lawful for the government

to lease from hereditary chiefs, plantations for the use of the Native Ministers, in the places where they are now resident, and also for the officials of the Government, and the same amount being paid for such as for the payment of leases.

Section 13. The Government shall have the right to lease in all Hereditary lands plantations for the use of School Teachers, paying for the same as tax lands.

Section 14. It shall be lawful for the Government, when youths . shall leave the schools and commence to pay taxes, to request the hereditary chief of that part where they reside to apportion tax land to the same out of the remaining portion of the said Chiefs lands.

Section 15. Should there be a larger portion of land remaining to any chief, after the tax lands of his people have been apportioned, it shall be law to the said Chief to lease the same, if he be willing so to do, to any Tongan man or foreigner, but in accordance with the law.

Section 16. There shall be a town square in all the inheritances of the hereditary Chiefs.

Section 17. The tax lands inland and the premises in town shall both be hereditary but it shall be lawful for the Government to make roads and appoint the sites of the houses, but although such lands and premises are hereditary, yet it shall not be lawful for any Tonga man to lease any such premises or plantation to a foreigner, such privelege belonging only to the hereditary Chiefs and His Majesty, and such leases be made in accordance with the law, after having first obtained a permit from the government.

A SELECTION OF LICENCE ACTS.

(i) THE BILLIARD TABLE LICENCES ACT.

[Tonga Government Gazette. Vol,2. No. 2. September 15th, 1880.]

Section 2. No person shall keep a Billiard Table without first taking out a licence for permission so to do.
Section 3. It shall not be lawful for the keeper of any Billiard table to suffer the same to be used on a Sunday, or to allow gambling on, or in connection with, such table, or to permit the same to be used after 10. p.m. on week days.
Section 4. The Licence money for a Billiard table for the term of one year, shall be ($30) thirty dollars.
Section 5. It shall be with His Majesty's Cabinet to determine how many such licences shall be given in each particular group viz: Tongatapu,Haapai, and Vavau, and no Billiard table licence shall be issued in any other group
Section 6. Any person applying for a billiard table licence, should he be a foreigner, shall be required to state to what nationality he belongs.
....
Section 12. Any person violating any of the provisions of this Act shall, on conviction, be fined in the sum of ($100) one hundred dollars for each offence.

(ii) THE RESTARAUNT LICENCES ACT.

[Tonga Government Gazette. Vol. 2. No. 3. September 29th, 1880.]

Section 2. That seeing it is expedient for the convenience of the European and other white residents travelling in this Kingdom, and visiting its various ports that restaraunts supplying necessary refreshments should be established, Authority is hereby given to His Majesty's Cabinet to give permission to grant such licences as they may see fit, for the selling of wines and malt liquors by retail to be drunk on the premises, and any person selling the same without a licence on conviction will be fined in accordance with the provisions of this Act.
Section 3. That before any licence in accordance with this Act be granted, such person shall give a bond in the penal sum of ($500) five hundred dollars for himself, for the full observation of the conditions hereunder specified and further find a bondsman (to be approved by the Minister of Police) who shall give a bond in the penal sum of ($500) five hundred dollars for the full observation of the said conditions, viz:-
I. That such persons will , within one month from the reception of such licence, provide accomodation for travellers, viz, one sitting room and four bed rooms, duly furnished, together with out houses and necessary conveniences.
II. That such persons will not sell or supply, or permit to be sold or supplied, any spiritous liquor.
III. That he will not keep a disorderly house
IV. That he will not countenance , or suffer prostitutes to assemble at his house, or any building connected therewith for any purpose whatever.
V. That he will not harbour or conceal deserting sailors.
VI. That he will not keep his house open after 10 O'clock at night.
VII. That he will not allow dancing parties in his house.

VIII. That he will not sell or give, or permit to be sold or given, any wines or malt liquors to, or for the use of, any Tongan native, or any native of the South Sea Islands whatever.

IX. That he will allow free access at all times to any police officer or other officer appointed by the Tongan Government for inspection.

X. That he will not allow any gambling with dice, cards, or other instruments used in gambling.

XI. That he will not sell or supply any wine or malt liquor to be taken away from the premises.

XII. That he will not sell or supply any wine or malt liquor between the hours of 10 o'clock p.m. of each Saturday evening and the hour of 5 o'clock a.m. of the following Monday morning — saving to bona fide boarders and lodgers.

.....

Section 6. Any person holding a licence under this Act who shall break any of the conditions of his bond, or violate any of the provisions of this Act shall, on conviction, forfeit his licence, and be fined in the sum of ($250) two hundred and fifty dollars, beside incurring the penalties of his bond.

Section 7. Any person violating any of the provisions of this Act shall, on conviction, be fined in the sum of ($250) two hundred and fifty dollars.

Section 8. The licence money for a licence under this act shall be for the term of one year ($100) one hundred dollars.

Section 9. It shall be for His Majesty's Cabinet to determine how many licences shall be granted in the towns of Nuku'alofa, Bangai in Lifuka, and Neiafu, and it shall not be lawful for His Majesty's Cabinet to grant licences in any other town but these.

Section 10. Any person applying for a restaraunt licence, should he be a foreigner, shall be required to state to what nationality he belongs.

Section 11. No licence shall be renewed until the party holding such licence shall have paid all taxes which he owes.

....

[197]

MISCELLANEOUS ORDERS.

(i) COURT MARTIALS.

[Inclosure 14. Appendix to Report of Sir C. Mitchell etc, etc. Presented to Both Houses of Her Majesty's Parliament, London 1887.]

(Translation)

Nuku'alofa, Dedember 22, 1886.

Tukuaho,

The King commands you to issue a summons against those two men who would not take the oath. They are to be judged bt Court Martial. You are to preside at the trial. Do not pass sentence. Let that remain for His Majesty to finish.

(Signed) Mr. BAKER.

(ii) CENSUS ORDER.

[Circular letter (duplicated) marked 'Circular H' , Premiers Office, Nuku'alofa, Tonga, April 22nd 1885. Free Wesleyan Church Archives, Nuku'alofa.]

Sir

I have the honour to request, in order to complete the Census returns, that you will kindly forward a statement of the number and names of the persons who slept in your house on the night of the 22nd Inst; together with a statement of their ages, sex, whether married or single, and whether able to read or write, and of what religion. And also a statement of the number of houses on your premises, of what description, approximate value of same and also of property.

Shirley W. Baker, Premier.

(iii) GOVERNMENT NOTICE : THE END OF MARTIAL LAW, REPEAL OF LAWS.

[Appendix. Report of Sir C. Mitchell etc etc. London 1887. Inclosure 15, page 124.]

(Translation) The King's Palace, February 28, 1887.

To the Town Ruler .....

At the town of .....

This is to order you to hold a meeting on Monday, the 7th March, 1887, and give public notice as follows:-

1. That every one must take notice that the disorder is stopped, and the laws are again in force; therefore let no person shout or fire guns in town, or wear war ornaments, or paint, or do anything forbidden by the law,

2. Let each one earnestly attend to his garden and his crop and keep it in order, and to his temporal work for the sake of his family.

3. His Majesty has said that because some persons have done wrong about the clause in the Pound Laws awarding 1 dollar to the person impounding an animal,

this 1 Dollar will no longer be paid, because it causes ill feeling between people; but whenever damage is done to a garden, whatever damage is done is to be paid for according to the law.

4. His Majesty has also said that as the law imposing a tax on unmarried women (which was expected to cause a number of marriages) has been found impracticable, he has rescinded that law till the next Parliament; therefore the unmarried women will no longer pay tribute.

By His Majesty's orders,
(signed) Mr. BAKER, Premier.

(iv) An Ordinance amending the law of treason.
[Tonga Government Gazette. Vol.11. No.54. August 17, 1887.]

Be it enacted by the King with the advice and consent of the Privy Council of Tonga in the Council of the Kingdom assembled:-

. . . . . .

SECTION 2. The fourth section of the Law of Treason shall be and is hereby amended by the addition of the following:-

"Or to attempt to assassinate him or to assassinate him or the like; or an attempt to assassinate or to assassinate the heir to the Throne or an attempt to assassinate or to assassinate the Premier of the Kingdom"

The whole clause reading thus:-

Treason is hereby defined as an earnest endeavour or joining in an earnest endeavour to induce the people of this land to dethrone the King or to attempt to destroy him or to attempt to assassinate him or to assassinate him or the like; or an attempt to assassinate or to assassinate the heir to the Throne or an attempt to assassinate or to assassinate the Premier of the Kingdom"