

1. The officers commanding the vessels should be furnished with copies of "The Kidnapping Act, 1872."

2. Their attention should in the first place be directed to the 6th section, which empowers them to detain, seize, and bring in for adjudication before any Vice-Admiralty Court, British vessels carrying native labourers of these islands—

(1.) Without a license in the form given in Schedule B; or

(2.) In contravention of the terms of license; and to the 17th section, which empowers them to assist in the detention, &c., of such vessels for the above causes by any of the officers mentioned in the 16th section of the Act.

3. They should be furnished with copies of the Queensland Act, a copy of which is enclosed herewith, and instructed that British vessels complying with the provisions of that Act are exempted from seizure by the 8th section of the Imperial Act.

4. It might be stated for their information that up to the present time no Act of a like kind has been passed by any other of the Australasian Legislatures; and it should be pointed out that compliance with the Imperial or Local Act, in respect of obtaining a license, will in no way shield British subjects who commit offences under the 9th or 10th sections of the Imperial Act, or save their vessels from seizure for such offences.

5. In the second place, their attention should be drawn to the different offences enumerated in the 9th section, and to the provisions of the 16th section, by which they are empowered to detain, &c., British vessels which shall upon reasonable grounds be suspected—

(1.) Of being employed in the commission of any of the offences enumerated in the 9th section; or,

(2.) Of having been fitted out for such employment; or,

(3.) Of having during the voyage on which such vessel is met been employed in the commission of any such offence.

6. By the 17th section they are empowered to assist the officers mentioned in the 16th section in the detention, &c., of such vessels.

7. It is apprehended that Her Majesty's officers may further be instructed to arrest and carry to any one of the Australasian Colonies, for trial, persons committing upon the high seas, or within Admiralty jurisdiction, any of the offences mentioned in the 9th section, which it is to be observed are declared to be felonies, upon the common law doctrine as to arrest of felons and persons suspected of felony. But should their Lordships entertain any doubt upon this point, Lord Kimberley would suggest that they should take the opinion of the Law Officers upon the question.

8. Her Majesty's Officers should have their attention directed to the provisions of the 13th section of the Act, by which they are empowered, under the authority of the Governor of any one of the Australasian Colonies, acting by and with the advice of his Executive Council, to obtain the attendance of native witnesses, and to convey them either to the Colony where the offender is to be tried, or to the place where such witnesses are to be examined under a commission.

It will be seen that the Imperial Act is confined to British vessels and British subjects, and the question may arise as to the position of British subjects who may claim exemption for themselves or their vessels from the Act, on the ground that they have acquired a Fijian nationality, and that their vessels are entitled to sail under the Fijian flag. Upon this point, I am to suggest that their Lordships should communicate with the Foreign Office, as well as upon the general question of the manner of dealing with the authority claiming to be recognized as the Government of the Fiji Islands.

I have, &c.,

The Secretary of the Admiralty.

H. T. HOLLAND.

No. 74.

COPY of a DESPATCH from the Right Hon. the Earl of KIMBERLEY to Governor Sir G. F. BOWEN, G.C.M.G.

(Circular.)

SIR,—

Downing Street, 27th July, 1872.

With reference to my Circular Despatch of 1st instant, and to previous Circulars respecting the deportation of French Political Convicts, I transmit to you, for your information, a copy of Despatch received through the Foreign Office from Her Majesty's Consul at Brest, reporting that 680 Communist prisoners had been sent from that port to New Caledonia on board "La Guerrière," and that the transport "La Garonne" was about to proceed to the same destination with about 700 prisoners of a similar class.

I have, &c.,

The Officer Administering the Government
of New Zealand.

KIMBERLEY.

Enclosure in No. 74.

Mr. Consul RAINALS to Earl GRANVILLE.

MY LORD,—

British Consulate, Brest, 3rd July, 1872.

I have the honor to report to your Lordship that, on the 13th ultimo, the steam transport "La Guerrière" left here for New Caledonia, with 680 Communist prisoners on board; and the steam