

No. 11.

The AGENT-GENERAL to the Hon. the MINISTER for IMMIGRATION.

(No. 670.)

7, Westminster Chambers, Victoria Street, Westminster, S.W.,

SIR,—

1st September, 1876.

In continuation of my letter of the 24th ultimo, No. 635, I have the honor to forward, for the information of the Government, the further memorandum concerning Messrs. Sloman's claim, referred to therein.

The Hon. the Minister for Immigration,
Wellington.

I have, &c.,
W. TYRONE POWER,
Agent-General.

Enclosure in No. 11.

MEMORANDUM for the AGENT-GENERAL, respecting the Circumstances and Correspondence preceding the Commencement of Legal Proceedings by Messrs. R. Sloman and Co. against the Governor and Government of the Colony.

1. In paragraphs 6 and 7 of his despatch to the Hon. the Minister for Immigration, of the 17th May, No. 377, Dr. Featherston states the relation in which he stood to Messrs. Sloman at the end of the year 1875 in the following terms:—

"When Mr. Sloman made default in the Queensland contract, I gave him notice at the end of December that I could not extend the period of its completion—that it had, in fact, lapsed; and, therefore, that the other agreement contingent upon the completion of that contract had never come into force. Mr. Sloman's object was, if I had condoned the default, to plead that the Queensland contract having been completed, the proposed consequent arrangement with Mr. Kirchner should at once come into operation. There being absolutely no contract at the end of the year between the Government of New Zealand and Mr. Sloman, I could, after that date, only consent to charter vessels from him on special agreements quite outside of the Queensland contract. Mr. Kirchner had been previously instructed not to charter any vessels."

2. On the 25th January, the Agent-General received the Hon. Dr. Pollen's telegram containing the words "Stop foreign emigration;" and on the 7th February, he addressed to Messrs. Sloman the telegram appended to his despatch above cited.

The Agent-General to Mr. Sloman.

"'SHAKESPEARE' arrived. Free emigration stopped both from England and the Continent. Applicants already accepted by Kirchner will be sent, but all others must pay their own passages. The German Government, in consequence of inquiries it is making, will be advised of this change."

3. On receipt of this telegram, Mr. Sloman addressed the following letter to the Agent-General, which, although not marked "Private," is written in the tone of a confidential communication; and which, it may be observed, shows that previous to his receipt of Dr. Featherston's telegram he had been informed by Mr. Kirchner of the imminent stoppage of Continental emigration:—

Mr. Sloman to the Agent-General.

"MY DEAR SIR,—

"Hamburg, 11th February, 1876.

"Mr. Kirchner has communicated to my firm your telegram, in reply to his letter of 6th inst. As far as regards myself, the consequences would only be of a pecuniary nature, for which I should reserve my rights, but to him and his, the many agents who have worked under his instructions, it would be a serious matter, and you and your Government could not escape being involved in it as far as it concerned emigrants who were engaged before your instructions of 2nd February. You will please bear in mind that emigrants cannot make their arrangements to leave the country from one day to the other; but if in consequence of timely negotiations they have given up their situations, and have sold their little effects on the faith of finding the ships ready to convey them to their destination, they would be in the greatest distress if not forwarded; and however great your desire may be to have your orders adhered to, still, where the agents of Mr. Kirchner acted *bonâ fide*, and have made engagements with parties in full confidence and in good faith (if I am not misinformed, a party of about 115 adults were engaged as early as 28th December, subject to Mr. Kirchner's approval), neither such agents nor much less should the poor emigrants suffer. Mr. Kirchner had engaged of my firm, on the strength of your contract, two ships, one for the 10th and a second for the 25th April. This transaction we considered not revoked by your telegram of 8th February, as at foot, being aware that emigrants were engaged at the time to fill them completely, or at least nearly so. Your valued letter of 26th February (*sic* in orig.), in which you say free passages can only be granted to those already engaged, confirmed this as well. Now, under these circumstances, you will excuse my addressing you privately, appealing at the same time to your kind feeling of justice and consideration. Let those emigrants be forwarded who were engaged *bonâ fide* before the 10th February in one or in two ships, and if you will trust to me I will gladly assist in investigating every case to prevent others being shipped. I consider this a fair proposal, based on your own admission, and if adopted it will prevent consequences of a most serious nature. Your telegram to the above will greatly oblige me, as the time is drawing near, and something must be done in the matter. Waiting your reply,

"The Hon. I. E. Featherston, Esq."

"I have, &c.,

"R. M. SLOMAN.

(A copy of the Agent-General's telegram of 7th February is appended to this letter.)

4. Three days later, on the 14th of February, Messrs Sloman addressed the following more formal acknowledgement of the receipt of his telegram of the 7th to the Agent-General:—