

foundation of their claim to be indemnified for the injuries which they have suffered by reason of the action of the naval forces of His Imperial Majesty.

7. Your petitioners are aware that there are numerous difficulties in the way of ascertaining the amount of compensation to which they are entitled, by reason of the fact that the matter is not one which could be tried in your Majesty's Courts of justice; but they are desirous that their claim should be examined and tested with all necessary care and precision, and that they should not be awarded more than the sum to which they can prove they are justly and rightly entitled.

8. Your petitioners therefore most humbly pray to be permitted to suggest that the matter of their claim should be referred to arbitration, to be holden at Auckland, and that two arbitrators should be appointed, one by your Majesty's Governor for the Colony of New Zealand, and the other by His Imperial Majesty the Emperor of Germany or by his Consul-General at Sydney, and that such two arbitrators should choose an umpire before proceeding with the reference. And your petitioners humbly pray that your Majesty will be pleased to direct that this proposal on their part should be submitted to His Imperial Majesty for his consideration, your petitioners undertaking to accept and be bound by any award and decision of such arbitrators, and to execute any instrument which His Imperial Majesty may require for the purpose of evidencing their entire assent to accept the determination of such arbitrators.

9. This petition will be transmitted to your Majesty's Secretary of State through your Majesty's Governor for the Colony of New Zealand. And your petitioners pray that your Majesty will be pleased to give directions that the prayer of this petition should be communicated to His Imperial Majesty the Emperor of Germany without undue delay.

And your petitioners, as in humble duty bound, will ever pray, &c.

Auckland, New Zealand, 20th June, 1889.

A. B. DONALD,

For himself, the said Alexander Bell Donald,
as senior partner in the firm of Donald
and Edenborough, and for and on behalf
and by and with the authority of his co-
partners, Charles Allan Edenborough,
Richard Exham, and Thomas Bennett
Howarth.

Witness—Wm. Coleman, Notary Public, Auckland, New Zealand.

Enclosure 2.

PROTEST.—In the matter of the British ship "Richmond," owned by Messrs. Donald and Edenborough, of Auckland, in New Zealand, British subjects, and of the action in relation thereto of the German Consular and Naval Authorities at Apia, Samoa, in the month of January, 1889.

By this public instrument of protest and complaints be it known and made manifest that, on this 21st day of February, 1889, before me, William Coleman, notary public, duly authorised, admitted, and sworn, and residing and practising in the City of Auckland, in the Provincial District of Auckland, in the Colony of New Zealand, personally came and appeared Charles Allan Edenborough, of the City of Auckland aforesaid, a member of the trading firm of Messrs. Donald and Edenborough, owners of the steamer "Richmond;" Robert Guthrie Hutton, of the City of Auckland aforesaid, certificated master mariner, being the master of the said steamer; and William Paton, also of the City of Auckland aforesaid, certificated master mariner, being the chief mate of the said steamer, who, in pursuance and extension of a protest duly noted with and entered by me the said notary, William Coleman, on the 14th day of February, 1889, did severally duly and solemnly testify, declare, and say as follows:—

And, first, the said Charles Allan Edenborough did duly and solemnly testify, declare, and say thus:—

"My name is Charles Allan Edenborough. I am a natural-born British subject. I was born in New South Wales, in her Britannic Majesty's dominions. I have never taken the oath of allegiance to any foreign State. I am a member of the firm of Messrs. Donald and Edenborough, of Auckland and the South Seas. The members of the said firm are Alexander Bell Donald, myself Charles Allan Edenborough, Richard Exham, and Thomas Bennett Howarth. We are all natural-born British subjects. We are merchants and South Sea Island traders. We trade together in co-partnership under the style or firm of Donald and Edenborough. Our headquarters are at Auckland, in New Zealand. Our said firm are the owners of the steamer 'Richmond.' The 'Richmond' is a British ship. She is duly registered as such in the Port of Sydney, in the Colony of New South Wales. She is of 700 tons register. She trades for us, the owners, between Auckland and the Islands of the Eastern Pacific. She is under contract by our firm with the New Zealand Government to carry Her Britannic Majesty's mails. On the 9th of January, 1889, the said steamer 'Richmond,' having me, the said Charles Allan Edenborough, on board, with the said Robert Guthrie Hutton as master, and the said William Paton as chief mate, and the rest of her crew and a number of passengers, steamed away out of the Port of Auckland bound on a voyage from thence to Tonga, Samoa, Tahiti, and Rarotonga, carrying Her Britannic Majesty's mails, and laden with a cargo of general merchandise and live-stock. The cargo chiefly consisted of provisions. The 'Richmond's' manifest truly represented the nature of her cargo. Nearly the whole of the cargo belonged to our firm of Donald and Edenborough. That portion shipped for Samoa and belonging to us was intended to be taken to Samoa in fulfilment of orders given to us by the Samoan local traders. It is customary for me to go with the 'Richmond' in charge of the cargo, in pursuance of certain business arrangements of my firm. To the best of my knowledge and belief there were no arms or munitions of war or other contraband of war whatever on board, with the trifling