

complaint against the action of the Imperial German Government and of the Consular and naval authorities at Apia, Samoa, in relation to our said steamer 'Richmond,' and our cargo, our captain, crew, and passengers; against all and singular the aforesaid illegal, oppressive acts and things done and committed by the said Imperial German authorities at Apia, with the strong hand, unwarranted by law; and against all and singular the grievous trespasses, wrongs, and injuries, losses, damages, and expenses that I, the said Charles Allan Edenborough, and my said partners, Alexander Bell Donald, Richard Exham, and Thomas Bennett Howarth, trading under the firm of Donald and Edenborough, have suffered and sustained at the hands of the German Consular and naval authorities at Apia aforesaid.—C. ALLAN EDENBOROUGH."

And, next, the said Robert Guthrie Hutton did duly and solemnly testify, declare, and say thus:—

"My name is Robert Guthrie Hutton. I am a natural-born British subject. I was born at Paisley, in Scotland. I have never taken the oath of allegiance to any foreign Power. I am a certificated master mariner, and am master of the steamer 'Richmond,' belonging to the firm of Donald and Edenborough, trading between New Zealand and the South Sea Islands. On the 9th of January, 1889, I left the Port of Auckland with the 'Richmond,' bound for Tonga, Samoa, Tahiti, and Rarotonga. We reached Tonga on the morning of Tuesday, the 15th of January, and arrived at Apia, Samoa, on Friday, the 18th of January, at 7.30 p.m. I was the bearer of despatches from Admiral Fairfax to be personally delivered to Colonel Coëtlogan, the British Consul at Samoa, and immediately the ship was moored I went ashore and delivered them. I returned to the 'Richmond' about 9.30 p.m. At 1.30 a.m. the next morning—Saturday, the 19th of January—I was aroused by the watchman, who told me a German officer wished to see me. I went on deck and saw a German officer with an armed boat's crew alongside the 'Richmond.' He produced a written statement and read it to me by the light of the lamp, and then left it in my possession, telling me it was a copy of a statement that had been sent to the British Consul. The following is the statement referred to:—

"Apia, 19th January, 1889.

"With reference to my letter of to-day's date concerning the proclamation of the state of war for Samoa, I most respectfully request you to order the captain of the s.s. "Richmond" to land all goods destined to this port at the German wharf, in order to be examined whether there are any contraband of war, especially any ammunition, among them. Everything will be done to avoid unnecessary trouble.

"I have, &c.,

"To Colonel Coëtlogan, H.B.M. Consul, Matautu.

Dr. KNAPPE, Imperial German Consul.

"The German officer also said he would hold me responsible if I should land any cargo except at the German wharf. I told him that we were accustomed to land goods only in the lighters which came alongside the 'Richmond,' and that, therefore, I would not be held bound to land goods only at the German wharf. He insisted, however, that the German authorities would hold me responsible, so I said that I would see the British Consul in the morning. He then went back to his boat, and took up a position with her about twenty yards off for the remainder of the night. At 5.30 a.m. the lighters began to come alongside for cargo, and the first of them, having been loaded with live-stock, proceeded towards the shore, but was stopped by the German guard-boat until the owner had procured a permit from the German man-of-war 'Adler' authorising him to land. After this Moors's two lighters were loaded—one with live-stock and the other with general merchandise. As they proceeded to the shore they were also intercepted by the German guard-boat, and a German sailor having been put on board the lighter with the live-stock it was taken on to the 'Adler,' where a permit to land was obtained, whereupon the live-stock were taken on to the shore. The lighter with the general merchandise, however, was detained by the Germans alongside the guard-boat, and was not allowed to proceed further. Moors accordingly brought her back to the 'Richmond,' and declined to accept delivery of the goods with which she had been loaded. Meanwhile the other traders and consignees had arrived, but when they saw Moors's lighters stopped they refused to take any goods. I then went ashore to the British Consulate, the time being 10 o'clock. While I was there Mr. Charles Allan Edenborough came in and asked me to go back on board the 'Richmond' and take the manifest and other ship's papers down to the German Consul, in order to see if an arrangement could not be made to allow a search of the goods to be made in the lighters instead of on the German wharf. I returned to the 'Richmond' in company with Mr. Edenborough, and on our arrival there the first mate of the 'Richmond' (Mr. William Paton) informed me that a German boat had been alongside with an order for me to move the 'Richmond' to the German harbour. I told the mate I was going ashore again to the German Consulate, and, if the Germans came back in my absence, to inform them I declined to shift, and that they would themselves have to tow the 'Richmond' down if they wanted her moved. I then proceeded with Mr. Edenborough to the German Consulate, where we had a discussion with the German Consul, with the object of inducing him to allow of goods being searched in the lighters instead of having them sent on to the German wharf for that purpose. Mr. Edenborough also offered to give a bond for \$10,000 as a guarantee that we had no contraband of war on board the 'Richmond.' The German Consul refused our request, saying that he was prepared to accept any responsibility for damage or delay, and advising us to send in to the German Government any claim we might have. Mr. Edenborough and I then left, and, having arranged to signal for him in case he were wanted, I returned alone on board the 'Richmond.' I reached the 'Richmond' about 3 o'clock p.m., and found an armed German boat alongside. On my arrival the mate, Mr. Paton, informed me that there was a German officer and several armed sailors in the hold overhauling the cargo. I went to the hold, saw the officer, and asked him by what authority he was searching the cargo. He said that he had authority from his captain, whom I understood to be Captain Fritze, of the German warship 'Adler.' I protested against the search, and the officer replied that he had strict orders to search everything. The German officer and his men then proceeded with their search of the cargo, in the course of which they broke it open and examined it. Then Captain Fritze, of the 'Adler,' arrived on board, asked where his officer was, and spoke down the hatchway to him in