

instant. Being a subsidised mail-steamer and timed to certain dates of arrival and departure at my various ports, I hereby claim damages for loss and detention, but the amount of which I cannot state until my arrival back here next voyage.

“(L.S.) ROBERT G. HUTTON, Master. “H. DE COËTLOGAN, H.B.M. Consul.”  
“(L.S.) WM. PATON, Mate.

“At 7 o'clock on the morning of the 22nd of January we left for Tahiti, and arrived back at Auckland on the morning of the 14th of February, 1889.—ROBT. G. HUTTON.”

And, lastly, the said William Paton did duly and solemnly testify, declare, and say thus:—

“My name is William Paton. I am a natural-born British subject. I was born at Perth, in Scotland. I have never taken the oath of allegiance to any foreign State. I am a certificated master mariner, and hold the position of first mate on the steamer ‘Richmond,’ trading between Auckland and the South Sea Islands, and of which Captain Robert Guthrie Hutton is master. I sailed from Auckland in the ‘Richmond’ on the 9th of January, 1889, on her last voyage, bound for Samoa and other South Sea Islands. We reached Samoa on the evening of the 18th of January, 1889. Mr. Edenborough, of the firm of Messrs. Donald and Edenborough (owners of the vessel), was a passenger on board. At 6 a.m. on the 19th of January I knocked the hands out to turn to and discharge cargo, according to our usual custom, and, seeing a German man-of-war boat lying at anchor under our stern with a number of armed men on board, I asked Captain Hutton what she was doing there? Captain Hutton told me a German officer had been on board during the night, and had informed him that they were going to put a guard over the ‘Richmond’ to see that there was nothing landed from her except on the German wharf. Captain Hutton then instructed me to go on discharging just as usual, which I did. The first lighter loaded was Reid’s, with sheep, and while she was proceeding to the shore the German guard-boat stopped her and told Reid he would have to land up at the German firm’s wharf. Reid then went on board the German man-of-war ‘Adler’ to get a permit from her captain to land his sheep, and, having obtained the permit, he then landed his stock on the German wharf. The next lighters were Moors’s. One of them was loaded with live-stock and the other with general cargo. Moors proceeded with his two lighters in the direction of his own wharf, when the German guard-boat intercepted them. The Germans placed a man in the lighter containing the live-stock and sent it on to the ‘Adler,’ but the lighter containing the general cargo they kept alongside their guard-boat. Moors afterwards came back to the ‘Richmond,’ and told us that the guard-boat would not allow him to land at his own wharf—that they said he must go to the German wharf, and that he objected to do so. Moors therefore made his lighter with the general cargo fast to the stern of the ‘Richmond,’ while, having obtained a permit for the other lighter, he proceeded with it to his own wharf and landed his live-stock there. By this time the other traders and consignees had become apprised of the intentions of the Germans, and refused to take delivery of goods. There was accordingly no more work done that day until 4 o’clock in the afternoon. About 9.30 o’clock of the morning of this day, the 19th of January, Mr. Edenborough had gone ashore, and had been followed at about 10 o’clock by Captain Hutton, who thus left me in charge of the ‘Richmond.’ About 10.30 a.m. a German man-of-war boat, with an armed crew in charge of an officer, came to the ‘Richmond,’ and the officer, coming on board, asked for the captain. I told him the captain was ashore, and he then said he had orders for the ‘Richmond’ to move into the German harbour, and asked me if I could let the captain know of this? I said that I could not until he came on board, as I did not know where he was. The German officer then went away. Captain Hutton came on board about 12 o’clock noon, and I informed him that the German boat had been to the ‘Richmond’ in his absence, and I acquainted him with the German officer’s message. Captain Hutton returned to the shore five minutes afterwards with the ship’s papers, saying that he was going to the German Consulate, and leaving instructions with me to tell the Germans, if they came back, that if they wanted the ‘Richmond’ moved from her anchorage they would themselves have to tow the vessel out, as he was not going to move. About 1 o’clock p.m. of this same day—the 19th of January—another armed German boat, in charge of an officer, came to the ‘Richmond.’ The officer came on board and asked for the captain. I told him he was ashore, and that I was mate of the vessel. The German officer then said he had orders to search the goods that we had brought down for Moors. The officer and his boat’s crew of armed men then proceeded down the hold. As I had not the power to resist, I had to submit to their proceeding with this search. The officer asked to be shown the goods that were intended for Moors, and also asked for implements with which to open the packages. These implements were handed to him, and his men proceeded to break open certain packages. During this search I protested against their proceeding with it until the captain came on board, but the German officer declined to stop. While he was still prosecuting the search Captain Hutton came on board, and I informed him that the German officer and several of his men were in the hold overhauling the cargo. Captain Hutton at once proceeded to the hold and interviewed the officer. In the ordinary course of affairs, without any interference from the Germans, all the cargo would have been out by Saturday night, the 19th of January, and we should have been ready to leave Samoa on Sunday morning, the 20th of January; but, in consequence of the action of the Germans, we were detained until the morning of Tuesday, the 22nd of January, 1889.—WILLIAM PATON.”

Wherefore the aforesaid appearer, Charles Allan Edenborough, on behalf of himself and of his said partners, Alexander Bell Donald, Richard Exham, and Thomas Bennett Howarth, trading under the style or firm of Donald and Edenborough, hereby protests and complains, and the said other appearers, Robert Guthrie Hutton and William Paton, and I, the said Notary, William Coleman, at their request, do also hereby protest and complain against the action of the Imperial German Government, and of their Consular and naval authorities at Apia, Samoa, in relation to the said steamer “Richmond,” her owners, captain, crew, passengers, and cargo; and against all and singular the aforesaid acts, deeds, matters, and things done and committed by the said Imperial German authorities at Apia; and against all and singular the grievous trespasses, wrongs, and injuries, losses, damages, and expenses that the said Charles Allan Edenborough and his said