

1890.
NEW ZEALAND.

DESPATCHES

FROM THE GOVERNOR OF NEW ZEALAND TO THE SECRETARY OF STATE.

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

(No. 21.)

MY LORD,—

Government House, Wellington, 16th May, 1889.

I have the honour to report that on the 17th April last I left Sydney by the mail steamer, and arrived at Auckland on the 21st April. I left Auckland on the 25th April, and travelled overland to Wellington, which I reached on the afternoon of the 2nd instant. I was duly sworn in here the same day as Administrator of the Government of this colony.

The public reception which I met with both at Auckland and Wellington was of a most cordial and gratifying character, and was taken part in by all classes alike. A full account is given in the *Auckland Weekly Herald*, of the 27th April, and the *New Zealand Times*, of the 3rd instant, which are amongst the newspapers forwarded by this mail.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 2.

(No. 22.)

MY LORD,—

Government House, Wellington, 16th May, 1889.

With reference to your Lordship's despatch of the 13th November, A.-2, 1890, No. 1. 1888, respecting 54 Geo. III., cap. 15, sections 15 and 17 of 5 and 6 Will. IV., cap. 62, and 22 and 23 Vict., cap. 12, I have the honour to enclose the opinion of Mr. W. S. Reid, Solicitor-General, which has been forwarded to me by the Premier.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

Enclosure.

ALTHOUGH the Legislature in New Zealand has not availed itself of the power to repeal, alter, or amend the provisions of 54 Geo. III., cap. 15, or of sections 15 and 17 of 5 and 6 Will. IV., cap. 62, I am not aware of any objection to their repeal, nor to the repeal of 22 and 23 Vict., cap. 12. The principal enactment is practically inoperative, and is not taken advantage of by litigant parties.

I may observe that by inadvertence Lord Knutsford's circular refers to 54 Geo. III., cap. 62, but cap. 15 is evidently meant. This is evident not alone from the subject-matter of the statute, but also from Mr. Gray's letter to the Colonial Office, a copy of which is with these papers.

3rd May, 1889.

W. S. REID.

No. 3.

(No. 23.)

MY LORD,—

Government House, Wellington, 17th May, 1889.

With reference to your Lordship's despatch, No. 4, of the 15th March A.-2, 1890, No. 6. last, respecting the appointment of Mr. J. Darcey Connolly as Consul for the

1—A. 1.

United States at Auckland, I have the honour to report that I am not aware of any objection to this appointment, and that I have accordingly recognised Mr. Connolly provisionally in that capacity pending the arrival of the Exequator.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 4.

(No. 24.)

MY LORD,—

Government House, Wellington, 18th May, 1889.

A.—2, 1890, No. 2.

With reference to your Lordship's despatch of the 21st January, 1889, respecting the repeal of certain enactments relative to the constitution of the Australasian Colonies, I have the honour, at the request of the Premier, to transmit herewith the remarks of Mr. W. S. Reid, Solicitor-General, and his notes upon the Schedule which accompanied your Lordship's despatch, together with two copies of a compilation of Acts relating to the Constitution of New Zealand.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

Enclosure.

I HAVE perused the Schedule accompanying Mr. Gray's memorandum of December, 1888, attached to these papers, so far as the same relates to New Zealand. The principal repeals occur in 15 and 16 Vict., cap. 72, and upon a copy of the Schedule herewith I have noted certain additions and made some notes, to which I beg to direct attention. Imperial statutes are referred to by the regnal year and chapter, statutes of New Zealand by the year and number. With respect to the statutes mentioned in the Schedule which it is proposed wholly to repeal, I see no objection to such repeal subject to the usual savings being enacted.

As I observe Mr. Gray only has access to a limited source of information regarding the statute law of New Zealand, I would suggest that one or two copies of the printed compilation of statutes affecting the constitution of the colony be sent Home for the assistance of those concerned in the revision of these statutes. Although prefaced in 1882, this compilation has not been much affected by subsequent legislation.

W. S. REID.

6th May, 1889.

Sub-Enclosure.

PROPOSED REPEALS OF ENACTMENTS RELATING TO THE CONSTITUTIONS OF THE AUSTRALASIAN COLONIES.

[Additions, &c., of Solicitor-General shown in italics.]

Session and Chapter.	Colonies affected.	Extent of Repeal.				Remarks.
*	*	*	*	*	*	*
3 and 4 Vict., c. 62	N.Z.	The whole Act	...	...	...	See terms of partial repeal in 9 and 10 Vict., c. 103, s. 1, and 15 and 16 Vict., c. 72, s. 1. It is suggested that the Act may now be wholly repealed, subject to the savings in the Bill.
*	*	*	*	*	*	*
9 and 10 Vict., c. 103	N.Z.	The whole Act	...	...	...	See terms of partial repeal 15 and 16 Vict., c. 72, s. 1. Suggested that whole Act may now be repealed, subject to savings in Bill.
11 and 12 Vict., c. 65	N.Z.	The whole Act	...	...	...	See note to 9 and 10 Vict., c. 103.
*	*	*	*	*	*	*

PROPOSED REPEALS OF ENACTMENTS—*continued.*

Session and Chapter.	Colonies affected.	Extent of Repeal.	Remarks.
15 and 16 Vict., c. 72	N.Z.	Preamble to "Council thereof: And" ...	Part of preamble will fall with repeal of recited Acts.
		Section 1	S. 1 spent.
		Sections 2 to 31	Ss. 2-31 virt. rep. 39 Vict., No. 21, under powers of 31 and 32 Vict., c. 92.
		Section 33	S. 33 superseded 31 and 32 Vict., c. 57.
		Section 39 to "powers; and"	Part of s. 39, in col. 3, rep. 29 Vict., No. 20, s. 2.
		Section 40, from "within" to "thereafter," and from "such House" to end of section. (See 1879, No. 42, sec. 2)	Part of s. 40 partly spent, and partly virt. rep. 26 Vict., No. 11; 29 Vict., No. 70, s. 2.
		Section 41	S. 41 superseded by "The Electoral Districts Act, 1858," &c.
		Section 42 repealed by 1879, No. 42	
		Section 43	S. 43 spent and superseded. (See 24 Vict., No. 12, s. 9.)
		Section 45	S. 45 superseded 21 and 22 Vict., No. 58.
		Sections 49, 50 repealed by 1881, No. 12	
		Sections 51, 52	S. 51 rep. 33 and 34 Vict., No. 18, s. 3. S. 52 rep. 29 Vict., No. 83, s. 3.
		Section 53, from "and the laws" to the end of the section. <i>It is questionable whether the proposed repeal should be made. For the future the part proposed to be repealed is inoperative; but, as many Provincial Ordinances are still in force, sec. 53 may yet be necessary in questions affecting the construction and operation of such ordinances.</i>	Part of s. 53, in col. 3, falls with repeal of ss. 2-31.
		Section 60 repealed by 1878, No. 14, sec. 13	
		Section 62 repealed by 1858, No. 33, sec. 2	
		Section 62 repealed by 1858, No. 75, sec. 9	
		Section 62 repealed by 20 and 21 Vict., c. 53, sec. 1	
		Section 63	S. 63 obsolete. (See now 21 and 22 Vict., No. 31, &c.)
		Section 64 might be repealed from "and to be issued" to the end of section; and see further note as to Schedule	
		Section 65, from "and until" to "said Schedule," and from "Provided always" to the end of the section	S. 65, as to part in col. 3, spent.
		Section 66: Repeal from "and from the disposal" to "herein contained," and from "and the surplus" to end of the section. (See 1858, No. 66, sec. 1; 1858, No. 67, sec. 7; 1876, No. 48)	
		Section 70	S. 70 obsolete.
		Section 72, from "Provided always" to the end of the section	S. 72, as to part in col. 3, spent. (See 21 and 22, c. 75.)
		Sections 73-79	S. 73 virt. rep. by Native Lands Acts, under powers of 25 and 26 Vict., c. 28; qu., if expressly repealed?
		Sections 67-69 and 74 are repealed by 20 and 21 Vict., c. 53, sec. 1	Ss. 75-80; qu., spent: references?

PROPOSED REPEALS OF ENACTMENTS—continued.

Session and Chapter.	Colonies affected.	Extent of Repeal.	Remarks.
15 and 16 Vict., c. 72— <i>contd.</i>	N.Z.	<i>Section 80, from “and for the purposes” to end of the section repealed by 26 and 27 Vict., c. 23</i> Sections 81, 82 <i>Schedule.—1862, No. 26, substituted an entirely new Schedule, and such Schedule has been also altered by Acts passed in the colony. (See the Civil List Ac.s of 1858–1873 (Nos. 77 and 80), and by 1887, No. 45</i>	Ss. 79, 81, and 82 spent.
* * *	* * *	* * *	* * *
20 and 21 Vict., c. 52	N.Z.	“The New Zealand Company’s Claims Act, 1857”	Spent.
20 and 21 Vict., c. 53	N.Z.	Preamble, from “repealing” to “made, and” Section 2, from “so much” to “Council,” from “three,” to “twenty-nine,” the word “seventy-three,” and from “But no” to the end of the section <i>Section 3 is spent</i>	Part of preamble, in col. 3, falls with repeal of part of s. 1. Section 2, as to parts in col. 3, spent or falls with rep. of ss. 2–31 of 15 and 16 Vict., c. 72, and superseded by 25 and 26 Vict., c. 48, ss. 3, 5, and see 31 and 32 Vict., c. 92; as to s. 73 of last-mentioned Act, see 25 and 26 Vict., c. 48, s. 8.
25 and 26 Vict., c. 48	N.Z.	The whole Act	S. 2 spent, the New Provinces Act being repealed. S. 3–5 and 7 spent, or virt. rep. by 31 and 32 Vict., c. 92. S. 8 spent or falls with the repeal of 15 and 16 Vict., c. 72, s. 73.
31 and 32 Vict., c. 57	N.Z.	Sections 1 and 3	Ss. 1 and 3 spent. No objections.

No. 5.

(No. 25.)
MY LORD,—

Government House, Wellington, 21st May, 1889.

I have the honour to report to your Lordship the execution, on the 13th instant, at Napier, of a convict, Haira te Piri, an aboriginal native, for the murder of a man named Frank Pook, at Mataahu, near Akuaku, in the Province of Auckland, on the 5th December, 1888.

The Right Hon. Lord Knutsford, &c.

I have, &c.,

ONSLOW.

No. 6.

(No. 30.)
MY LORD,—

Government House, Wellington, 29th May, 1889.

At the request of the Premier, I have the honour respectfully to recommend to your Lordship that communications be made by Her Majesty’s Government to the Governments of France, Italy, Germany, and the United States of America, inviting them to send exhibits to the Education and Science Department of the New Zealand and South Seas Exhibition to be held in Dunedin in 1889–90.

I send herewith four copies of the general official programme and twenty-four copies of the official programme of the Education and Science Department of the Exhibition, which will open on the 26th of November in this year.

The Right Hon. Lord Knutsford, &c.

I have, &c.,

ONSLOW.

No. 7.

(No. 3†.)

MY LORD,—

Government House, Wellington, 29th May, 1889.

I have the honour to acknowledge the receipt of your Lordship's general despatch of the 10th of December, 1888, introducing Sir Somers Vine, in connection with the Imperial Institute, and to inform your Lordship that I have afforded Sir Somers Vine every facility for promoting the objects of his mission in this colony, in accordance with the request of His Royal Highness the Prince of Wales, referred to in your Lordship's despatch.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 8.

(No. 33.)

MY LORD,—

Government House, Wellington, 29th May, 1889.

With reference to your Lordship's circular despatch of the 24th of January, 1889, relating to two Bills which were discussed at the Colonial Conference, I have the honour to inform your Lordship that my Government have signified their approval of both the draft Bills referred to.

"Colonial Judgments."
"Bankruptcy and Winding-up."

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 9.

(No. 34.)

MY LORD,—

Government House, Wellington, 4th June, 1889.

1. With reference to your Lordship's circular despatch of the 28th February, 1889, respecting the suggestions of the Registrar-General for the taking of the colonial census, I have the honour to inform your Lordship that the heads of information required by the census schedule in use in New Zealand are far more numerous than those in the English census schedule, so that there will be no difficulty in compiling the results to meet the suggestions of the Registrar-General.

2. The information desired has hitherto been compiled, with the exception of stating the occupations, &c., at the groups of ages set forth in the Registrar-General's letter of the 31st January, 1889, but this omission will be supplied for the future.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 10.

(No. 35.)

MY LORD,—

Government House, Wellington, 5th June, 1889.

With reference to your Lordship's despatch, No. 3, of the 28th February, 1889, on the subject of the appointment of Mr. Alfred Cuff as Consular Agent for the United States of America at Christchurch, I have the honour to report that I am not aware of any objection to this appointment, and I have accordingly recognised Mr. Cuff in that capacity.

A.-2, 1890, No. 4.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 11.

(No. 36.)

MY LORD,—

Government House, Wellington, 25th June, 1889.

I have the honour to inform your Lordship that I opened the Third Session of the Tenth Parliament of New Zealand on Thursday last, the 20th June.

I enclose a copy of the Speech which I addressed to the two Houses. I also

enclose copies of the Addresses-in-Reply which have been presented to me by the Legislative Council and House of Representatives respectively.

- The Right Hon. Lord Knutsford, &c.

I have, &c.,
ONSLOW.

No. 12.

(No. 37.)

MY LORD,—

Government House, Wellington, 26th June, 1889.

I have the honour to enclose herewith two copies each of a protest and a petition to Her Majesty the Queen made by Messrs. Donald and Edenborough, of Auckland, in the matter of their steamer the "Richmond" and the recent action of the Imperial German authorities at Samoa in relation thereto.

The circumstances of the case are already familiar to your Lordship, and there appears to be but little doubt that it is the intention of the Imperial German Government to afford some compensation to Messrs. Donald and Edenborough. The only question likely to lead to difference of opinion is as to the amount of compensation. The petitioners have already formulated their claim to the Imperial German Government, and are now awaiting a reply.

Your Lordship will observe that in paragraph 8 of the petition the petitioners suggest that the matter of their claim should be referred to arbitration under the conditions usual in such cases, and they state that they are prepared to be bound by the award of the arbitrators. The circumstances of the case appear to me to justify the petitioners in making a claim on the Imperial German Government for compensation, and the proposals for arbitration tend to show that the petitioners do not put forward any extravagant claims for compensation beyond those to which they may fairly be entitled, and I therefore commend the petition to the favourable consideration of Her Majesty.

The Right Hon. Lord Knutsford, &c.

I have, &c.,
ONSLOW.

Enclosure 1.

To the Queen's Most Excellent Majesty.—The humble petition of your Majesty's subjects, ALEXANDER BELL DONALD, CHARLES ALLAN EDENBOROUGH, RICHARD EXHAM, and THOMAS BENNETT HOWARTH, of Auckland, in the Colony of New Zealand, Merchants, trading together in co-partnership under the style or firm of Donald and Edenborough, sheweth:—

1. THAT your petitioners are the owners of the steamship "Richmond," of 700 tons register, till lately duly registered as a British ship in the Port of Sydney, in the Colony of New South Wales, and now duly registered as a British ship in the Port of Auckland, in the Colony of New Zealand, and trading between Auckland, in your Majesty's said Colony of New Zealand, and the Islands of the Eastern Pacific. By contract between your petitioners and your Majesty's Government of the Colony of New Zealand the said steamship carries your Majesty's mails between the Colony of New Zealand and certain islands of the Eastern Pacific.

2. The steamship "Richmond," having your petitioner Charles Allan Edenborough on board, with Robert Guthrie Hutton as master, sailed on the 9th of January, 1889, from the Port of Auckland on a voyage from Auckland to the Islands of Tonga, Samoa, Tahiti, and Raratonga, carrying your Majesty's mails, and laden with a cargo of general merchandise and live-stock.

3. The steamship "Richmond" arrived at Apia, in Samoa, on the evening of Friday, the 18th of January, 1889. Whilst at Apia aforesaid, flying your Majesty's flag of the merchant shipping, and carrying your Majesty's mails, the said steamship was boarded by officers of the navy of His Imperial Majesty the Emperor of Germany, and was searched, her cargo interfered with, the master and ourselves prevented from landing her cargo and delivering the same to our customers at the Port of Apia, a passenger taken violently from the said steamship, and the said steamship delayed, and the cargo damaged in such a manner that our customers refused to take delivery thereof.

4. Your petitioners respectfully and humbly pray to be permitted to refer to their printed protest and complaint accompanying this petition for full and specific details of the injuries and wrongs which they received and suffered by reason of the action of the naval forces of His Imperial Majesty the Emperor of Germany.

5. Your petitioners are informed that the Ministers of His Imperial Majesty the Emperor of Germany have not recognised the declaration of war issued by the Consul of His Imperial Majesty at Samoa, which declaration constitutes, as your petitioners are advised, the sole justification for the acts and grievances of which they complain.

6. Whether such declaration of war was or was not valid, your petitioners rely upon the promise of the Imperial German Consul made to them, as stated on pages 12 and 13 of your petitioners' accompanying printed protest and complaint, and upon international law, as the

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

exception presently mentioned. That exception was a package of four rifles and 800 rounds of ammunition consigned by Messrs. McArthur and Co., of Auckland, to the servants of their house at Samoa, for the purpose of self-defence. This package was correctly described on the manifest. I believe the consignee had previously obtained permission from the British Consul at Samoa to import this small quantity of arms and ammunition, and had formally declared them to be entirely for self-defence, as above mentioned. Our steamer 'Richmond' was bound to a time-table in respect of each port, on account of our mail-contract. We reached Tonga on the morning of the 15th of January, 1889. Having finished our business there, we departed thence for Apia, Samoa, where we arrived on the evening of Friday, the 18th of January, 1889. We cast anchor in Apia upper harbour at the 'Richmond's' usual place of anchorage. I was the bearer of a cablegram from the Imperial German Government at Berlin to the German Consul at Samoa, and our steamer had been detained in Auckland at the request of the German authorities there in order to carry this cablegram to Samoa. Immediately, therefore, upon our arrival at Samoa I waited upon the German Consul (Dr. Knappe) with this cablegram, which I handed to him at 9.30 p.m. The German Consul perused the cablegram in my presence, but did not then acquaint me with its contents. At this time I of course did not know what the cablegram from Berlin contained, and supposed that affairs at Samoa were then in their normal state. As I walked back from the German Consul's residence towards the wharf I called upon various traders and consignees, and requested them to make arrangements to take delivery of the goods brought for them in the 'Richmond' the first thing the following morning, and for that purpose to have their boats alongside the 'Richmond' by daylight. They all agreed to do so. This arrangement was necessary in order that our steamer should not be delayed; otherwise we should not be able to discharge cargo in time to admit of our leaving Samoa early on Sunday morning, as in the proper course of things we should have done. Having interviewed the traders and consignees I returned on board the 'Richmond.' About 1.30 o'clock on the morning of the 19th of January, 1889, I was aroused from sleep by a German naval officer in uniform, armed, and in command of an armed boat. He desired to see the captain of the 'Richmond' instantly. Captain Hutton was accordingly awakened, and the German officer had some conversation with him in my presence. The German officer handed the captain a document, which he said was a copy of a letter that had already been forwarded to the British Consul at Samoa (Colonel Coëtlogan). I now produce the document received from the German officer as just mentioned. It is in the words and figures following:—

“ Apia, January 19th, 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.,

“ DR. KNAPPE,

“ Imperial German Consul.

“ To Colonel Coëtlogan, H.B.M. Consul, Matautu.”

“ The conversation between the German officer and Captain Hutton was carried on in English, and the purport of it was that Captain Hutton would not be allowed by the German authorities at Samoa to land any cargo or anything whatever from the 'Richmond' except at the German wharf, situated in the German harbour, as war had been declared by Germany against Samoa, and that the German Commander at Samoa would hold Captain Hutton responsible if anything left the 'Richmond' except at the German wharf. Captain Hutton protested against these orders; he also complained of the delay they would entail, and maintained that once the goods left the vessel's side we were free from responsibility. Captain Hutton also protested against being obliged to land cargo at the German wharf, for it has always been the custom for each trader or consignee to bring his own boat to the ship's side and take delivery there. To depart from this practice and land the cargo at the German wharf would involve great annoyance, trouble, and expense, and all this Captain Hutton pointed out to the German officer. There are two separate harbours at Apia—the one where we lay, and another commonly known as the German harbour, which latter is a mile distant from the 'Richmond's' usual anchorage, and therefore out of the way of the bulk of our usual customers and consignees. The German wharf referred to is situated in the German harbour, and is only useful to the Germans. In addition to these and other drawbacks and inconveniences, some of which are afterwards mentioned, the German wharf can only be utilised for the landing of goods at high-water and during one hour before or after high-water. Captain Hutton also explained to the German officer that our responsibility in connection with the cargo ended when it left our tackles, and that our agreement with the traders or consignees was, and always has been, that they should take delivery from the ship's side at her usual anchorage, each trader or consignee thereupon landing his goods at his own wharf or in front of his own premises. The German officer replied that his instructions were imperative—that we must land our cargo only at the German wharf, that those instructions had been given by Captain Fritze, Commandant of the German naval forces at Samoa, and that Captain Hutton would be held responsible in the event of any of our cargo being landed elsewhere than at the German wharf. At the close of his conversation with Captain Hutton the German officer returned to his boat, manned by an armed crew, which, together with another German boat, also manned by an armed crew, remained near to the 'Richmond' during the remainder of the night, keeping close and constant watch and guard over us. On the slightest movement on board the 'Richmond' one or other of these armed boats immediately closed in upon her. They did so, in fact, several times. On the morning of Saturday, the 19th January, in accordance with my arrangements of the previous night, the lighters of the traders and consignees came off to the 'Richmond' at daylight, and we began to discharge cargo over the ship's side into the lighters. Till the time they came off to us the traders and consignees, to the best of my belief, had no knowledge whatever that there was any impediment in the way of discharging or landing cargo. At 6 o'clock on this Saturday morning, the 19th January, I took a boat and went on shore for the purpose of seeing the British Consul, bringing with me a copy of the document which had been left

with Captain Hutton by the German naval officer as before mentioned. I saw the British Consul, Colonel Coëtlogan, and complained to him of the orders that the Germans had issued, and spoke to him under the impression that he had received the original of the document or letter, as the German officer had previously stated to Captain Hutton. The British Consul assured me, however, in effect, that he had never received such a letter—that he knew nothing of it, and that he had received no notice whatever of the German orders of which I complained. The British Consul also told me to take no notice of the document which had been handed to Captain Hutton by the German officer, but to go on doing my lawful business. The British Consul left the Consulate along with me, and on our way thence, to the best of my remembrance, or else very shortly afterwards, I noticed a native policeman, under German control, fastening some document to a cocoanut-tree in the main road. As I had been some time at the British Consulate, this must have been a little after 8 o'clock. I called the British Consul's attention to what the native policeman was doing, and, having glanced at the document on the tree, I said to the British Consul that it was a Proclamation declaring Samoa to be in a state of war. The Proclamation was in English, and, to the best of my recollection and belief, the following, taken from *The Samoa Times* newspaper, of the 19th January, 1889, published in Apia, is a true copy of that Proclamation :—

“ PROCLAMATION.

“ By order of the Imperial German Government, I herewith proclaim the state of war for the Samoan Islands. Any assistance to the rebels will be punished by martial law, irrespective of any nationality. The introduction of contraband of war is prohibited. All vessels and boats are liable to be searched by the German authorities.

“ The police of Apia henceforth will act under instructions from the Imperial German Government. The residents of Apia are requested to assist in keeping law and order.

“ Apia, 19th January, 1889.”

“ Dr. KNAPPE, Imperial German Consul.

“ The British Consul said that, as this document was in the nature of a public Proclamation, and as the Germans had therefore publicly proclaimed war, he would at once interview the German Consul, and that in the meanwhile we should have to respect the orders that had been issued. I then went off to the ‘Richmond,’ and when close alongside her I saw one of the armed German boats that had been on guard over her all night go up alongside a lighter, which was leaving the ‘Richmond’ with the first instalment of general cargo, and take possession of the lighter. I heard the man in charge of this lighter expostulating with the officer in charge of the armed German boat, and then I saw the latter tow the lighter away and, still maintaining possession of her, take up a position close astern of the ‘Richmond.’ After some time I saw the owner of the lighter (Mr. H. J. Moors, an American citizen, resident at Samoa) go on board the American man-of-war ‘Nipsic,’ and then come back with the flag of the United States of America, which he hoisted upon his lighter. When that was done the Germans brought the lighter alongside the ‘Richmond’ and made her fast to the ‘Richmond.’ Another attempt was then made by Moors’s man to take the lighter to the shore, but she was again forcibly brought back by the Germans and made fast to the ‘Richmond,’ the American flag still flying upon the lighter. Mr. Moors, the consignee of the cargo, then gave me notice that under the circumstances he refused to take over the cargo, as he objected to having his goods searched. All this time (that is to say, from 8 a.m.) the ‘Richmond’ had been flying the British ensign as well as our house flag. Some time after this we were told that, in consequence of the action of the captain of the American man-of-war ‘Nipsic,’ Mr. Moors would be allowed to land the goods with which his lighter was loaded at his own wharf, provided the lighter was first searched by the Germans, and that the goods need not go to the German wharf. The lighter, however, continued to lie astern of the ‘Richmond,’ under guard of an armed German boat, until between 4 and 5 o'clock in the afternoon. About this time the German officer in charge of the boat said to me, ‘My captain has given instructions that this lighter [indicating Mr. Moors’s lighter] may land goods at Moors’s wharf.’ The lighter was accordingly taken away by Mr. Moors’s people. Until this time the traders and consignees, except the German consignees, had declined to take delivery of any goods pending a settlement of the difficulty as to landing goods at their own wharves. The German authorities had previously given permission for the landing of the live-stock at the usual place, and this permission had accordingly been taken advantage of. This permission was strictly confined to live-stock. So far as the general cargo was concerned, the traders and consignees were intimidated by the German naval officers and crews of the guard-boats, and, having also witnessed the forcible detention of Mr. Moors’s lighter, most of them refused to take delivery of any goods. They objected, they said, to the goods being searched by, or on behalf, or in the interests of the German mercantile house of Deutsche Handels und Plantagen Gesellschaft der Sudsee Inseln zu Hamburg, who, they said, might use the information thus obtained for their own purposes, to the business detriment of the traders and consignees. They also objected to the consequent delay and expense. It was entirely from business considerations that they made these objections. I may explain that the German wharf at the German harbour, where the goods were ordered to be landed, forms part of the private business premises of the above-named German firm; and I also learned afterwards that arrangements had been made by the German authorities for this German firm’s warehouseman, in company with a German officer, to search the goods as they landed. About 9 o'clock on this same morning of Saturday, the 19th January, 1889, I went to the German Consulate at Apia and saw the German Consul, Dr. Knappe. I protested to him against the action of the German authorities in relation to the ‘Richmond’ and her cargo. I told him, in effect, that the ‘Richmond’ was a subsidised mail-steamer carrying Her Britannic Majesty’s mails, and that therefore we were bound to time in the matter of arriving at our various ports of call; that the delay we were being put to was throwing us out of our time; that it was entailing great expense on us; that the traders for whom we had brought goods and the consignees refused to take delivery of any goods because the German authorities insisted that the goods should first be landed at the German wharf and be subjected to search by the German authorities. Also I asked the German Consul for his reasons for subjecting our cargo to this search. The German

Consul answered that he believed that quantities of contraband of war were concealed on board the 'Richmond.' I asked him, 'What contraband of war?' He replied, 'Ammunition.' I inquired what reasons he had for his belief. He told me that the fact had been reported to him by the Premier of Samoa—that is to say, by Mr. Brandeis, a German, who acts as Premier for the Samoese, one of the two rival kings of Samoa. The German Consul also told me it was stated that on the previous voyage of the 'Richmond' there had been landed from her 27,000 rounds of ammunition, in twenty-seven kegs purporting to contain beef; that these cartridges were concealed in tin cylinders containing a thousand cartridges each; and that he had seen some of these cylinders, and had had them in his possession. I asked him how he could connect these cylinders with the 'Richmond's' cargo. He answered that it was simply general report, and that it was known all along the beach that the cylinders had come from the 'Richmond;' but, at the same time, he expressed his belief that they had been brought entirely without any knowledge or sanction on the part of us the owners of the vessel; that he believed the ammunition had been transhipped to us as freight from Australia without our knowing it really was ammunition; but, nevertheless, he was convinced that the thing had been done. I then asked the German Consul to try and arrange matters so that we might have our cargo discharged, and get away; and, to facilitate matters and to enable us to take our departure, I consented to land all our goods we had brought on freight at the German wharf at our own expense, intending that the traders should then come and take delivery of them. As already stated, very little of the cargo belonged to consignees; on the contrary, nearly the whole of it had been shipped by ourselves, and belonged to our own firm of Donald and Edenborough, and was taken down by us to Samoa to fulfil orders given us by the local traders. It was part of our engagement with the traders to deliver the goods over to them in perfect order and condition, the packages sound and unbroken, and free of expense, at the ship's tackle. The goods, therefore, belong to us until we deliver them to the traders over the ship's side. I told the German Consul that, as to the consigned goods not belonging to our firm, which I could not guarantee did not contain contraband of war, I would undertake to land them at my own expense at the German wharf, leaving the consignees to take delivery there. So far as our own goods were concerned, I offered to give a guaranteed bond that they concealed nothing contraband of war. The German Consul seemed inclined to entertain this proposal, and asked if I would give a large bond. I answered that I would give whatever was required in reason. The German Consul told me to go and bring the ship's manifest to him, and that he would then go through it with the captain. He also said that he did not suspect our own goods to conceal or contain contraband of war, but that he was in doubt regarding the consigned goods. I then left the German Consul to go to the 'Richmond' for the manifest. On my way I was met by a German man-of-war boat, the officer of which said to me, 'It is the Commandant's orders to remove the "Richmond" to the small harbour [pointing to the German harbour] and anchor her there.' I inquired, 'What part of the harbour are we to go to?' The officer replied, 'It will be pointed out to you,' pointing, as he said so, to a place immediately astern of His Imperial German Majesty's warship 'Adler.' I then said to the officer, 'You will have to go to the captain; I have nothing to do with the shifting of the vessel.' He asked where the captain was. I replied that he was at the British Consulate. I then proceeded to the British Consulate, found Captain Hutton there, and returned with him to the 'Richmond,' where we procured the ship's papers, including the manifest, repaired with them to the German Consulate, and handed them over to the German Consul. It then transpired that the German Consul was now disinclined to accept my previous offer respecting the landing of goods, and he told me that the captain of the German man-of-war 'Adler' thought that the whole of the goods ought to be searched. I asked if, instead of having the goods brought to the German wharf in order to be searched, he would send an officer to the 'Richmond' to see the cargo, package by package, as it went over the ship's side, and I promised that every facility should be given for such an inspection. The Consul replied that he himself had also put such a suggestion before the captain of the 'Adler,' who, however, did not think it was a proper one, and that, therefore, the search of the goods would have to go on in the way that had been previously determined. I then warned the German Consul that we should have a claim against the German authorities for the detention of our vessel and for damage to the cargo. He told me, in reply, to send in a claim for any delay or damage to the cargo which we could prove. I asked to whom we should send such a claim, but at first he would not say. Finally, he said the German Government would pay all damages. I asked him to write me to that effect, but he neither assented nor refused. Then I offered to make the bond I had previously tendered up to a penalty of \$10,000, but he said that he was determined on his course and would take no bond: the cargo must be searched. He said that the power had gone out of his hands, and he led me to understand that it was the Commandant's decision. Captain Hutton and I then left the German Consulate. I proceeded to call upon the various traders and consignees, and I told them that I had failed in my endeavours to get the goods on shore. Just before 4 p.m. on this Saturday, the 19th of January, I returned to the 'Richmond,' in obedience to a signal from the captain. To my surprise I found the vessel in possession of an armed party of German men-of-war sailors, under the command of an officer from His Imperial Majesty's ship-of-war 'Adler.' This armed party had come on board the 'Richmond' without any notice, and entirely without any leave, license, or permission from Captain Hutton or any of his officers or myself. I went forward and down the fore-hatchway into the 'Richmond's' hold, and there I saw some German men-of-war sailors, fully armed, and engaged, under the direction of an armed officer, in searching the cargo and breaking open packages. I at once expostulated with the officer upon this conduct. He told me they would do as little damage as possible, and that we would be recompensed for any damage, but that his orders were to make a thorough search, and he insisted upon doing so. The officer asked for an auger in order to bore holes in some kegs of beef, &c., and an auger was accordingly brought and passed down to him. With this auger the German sailors bored, in

numerous places, many packages of the 'Richmond's' cargo, damaging and injuring many of the commodities and the packages which enclosed them. I stayed some time watching these operations, but was unable forcibly to resist them. All this time an armed German guard-boat also kept watch near the 'Richmond.' About 4.30 p.m., whilst the search was going on, the German Captain-Commandant Fritze came on board the 'Richmond' and gave some instructions to the German naval officer who was directing the search. The Germans continued their search on board the 'Richmond' until 5 p.m., when it was time for us to put on the hatches. They found nothing which they alleged to be contraband of war. All this time the 'Richmond' had the British flag flying. After this nothing else remarkable transpired until the following day, Sunday, the 20th of January, when, in accordance with our custom, we gave the firemen and crew of the 'Richmond' liberty to go on shore for the purpose of bathing and washing their clothes. They left in the ship's boat at 9.30 a.m., but were immediately intercepted by the German guard-boat on watch over the 'Richmond' and ordered to return to the 'Richmond.' I overheard the men expostulating with the German officer, and I also heard the officer tell them that if they wanted to land they would have to do so at the German wharf, pointing to it as he said so. They declined to do this, and accordingly returned to the 'Richmond,' and complained to Captain Hutton that they were not allowed to land. Thereupon Captain Hutton left the 'Richmond' with the intention of proceeding on board H.B.M.S. 'Royalist,' in order to protest to the captain of that vessel. The German guard-boat immediately got under way and gave chase. Captain Hutton, however, went alongside the American man-of-war 'Nipsic,' and the German guard-boat, having watched him for some time, returned to the usual station it had taken up near the 'Richmond.' Captain Hutton then proceeded to the 'Royalist' and, as I am informed and believe, had an interview with Captain Hand of that vessel. On the evening of the same day (Sunday) I went on shore to see the German Consul, and also the traders and consignees, and, having seen some of them, I succeeded in persuading many of them to submit to the goods being landed on the German wharf. In my interview with the German Consul I again complained of the delay he was causing us. He told me that Mr. Brandeis, who had reported that there was contraband of war on the 'Richmond,' was now in the Consulate and could be seen. I at once went in search of Mr. Brandeis, and, having found him, I asked him his reasons for making such a report. He replied that he knew for a fact that the 27,000 rounds of ammunition already referred to had been landed on our previous voyage; but he added that he did not for a moment believe that either the master or the owners of the 'Richmond' knew anything of the matter, nor did he believe that they were aware that there was contraband of war on board the vessel. He had, however, he said, learned of this, and had therefore called upon the German authorities to prevent by every means in their power the landing of contraband of war. I asked him how he knew there were such articles on board as he alleged to be there. He replied that it had been reported to him, and that he knew everything that went on. This terminated the conversation, and I left, the time being between ten and eleven o'clock p.m. On returning to the 'Richmond,' the German guard-boat on the watch over her came alongside, and the officer in charge asked if I was taking anything on board, and generally looked over my boat. About six o'clock on the morning of Monday, the 21st January, an armed German boat, with, I think, twelve men on board, came to the 'Richmond' and boarded her. The officer in charge asked me to bring the captain. I accordingly called Captain Hutton. The German officer then asked to see all our passengers. Captain Hutton inquired his reason for such a demand, or something to that effect, and the German officer answered that he had instructions from the Commandant to arrest one of our passengers. We allowed the officer to see the passengers, and asked him if he saw amongst them the man whom he wanted to arrest. He answered 'No,' and then told me he would search the vessel for him. I replied that I had no power to prevent him. About this time one of the German crew called out from their boat alongside, 'Here is the man?' and the German officer, perceiving that I understood what the sailor had called out, said to me, 'Will you ask that man, whoever he is, to come up?' The bath-room had been indicated as the place where the man had been seen, and I went there, and finding in it an Englishman named Mr. Gelling, one of our passengers from Auckland, I told him that a German officer wanted to see him. In the meantime the officer had handed to Captain Hutton a warrant of arrest. Captain Hutton passed it on to me, and I then saw it was a warrant signed by the German Commandant Fritze for the arrest of a passenger, name unknown, who could be identified by a witness as a man who had visited Mataafa's camp. Mr. Gelling came on deck, and the witness brought by the German party said, 'That is the man!' The officer then walked over to Mr. Gelling, put his hand on his shoulder, and told him that he arrested him for a breach of military law, and that he would be allowed a quarter of an hour to get dressed and his things together, when he and they would be taken off to the German warship 'Adler.' I protested against one of our passengers being forcibly removed from our vessel's deck. For answer, the German officer again exhibited his warrant, and said, 'I act by this authority. It is no use protesting or obstructing in any way; the man must go.' He then said to Mr. Gelling, 'Take all your clothes and other possessions with you, as you are not to return to the Richmond.' He added, 'I hope you will cause no trouble in this, because I have sufficient men to force you to go.' Mr. Gelling, being thus arrested on board our ship by the Germans, went into the German man-of-war boat, and was taken away. On this, as on other days, as already mentioned, the 'Richmond' was flying the British flag. This Mr. Gelling is a British subject, born in England. He is a quiet, inoffensive man. He is Town Clerk of the Borough of Hamilton, in Waikato, in the Provincial District of Auckland, in the Colony of New Zealand, where he resides. He had come with us on a holiday-trip, and had a return-ticket to Auckland. After our arrival at Samoa he had gone to see Mataafa's camp, merely, as I believe, out of curiosity. In fact, it had been arranged that on the following day quite a party of the 'Richmond's' passengers were to go out for the same purpose, under the guidance of the head bookkeeper of the German firm. After Mr. Gelling's arrest I at once went on board H.B.M.S. 'Royalist' and made a formal complaint to

Captain Hand. He told me I had better go to the British Consul and try and induce him to come on board the 'Royalist' so that they might discuss the affair, as he believed a serious outrage had been committed by the Germans. Seeing that the Germans were stopping all boats leaving the 'Richmond,' Captain Hand sent me on shore in one of the 'Royalist's' boats in charge of an officer, and he also despatched an officer and boat's crew to the 'Richmond' to prevent the Germans from again boarding her. I proceeded to the British Consul and returned with him to the 'Royalist,' when, along with Captain Hand, we discussed the matters in respect of which I had made formal complaint. The result was that Captain Hand told me he considered a most serious outrage had been committed by the Germans, and that he would demand the return of Mr. Gelling, and, if necessary, take steps to compel his return. From this interview I returned to the shore and went to the German Consulate, and requested the German Consulate to allow me to go on board the German man-of-war 'Adler' and see Mr. Gelling. I also told the German Consul the circumstances of the case, and showed that in visiting Mataafa's camp Mr. Gelling had had no intention of doing wrong. The German Consul said that he had got this man in his power and intended to make an example of him—that he intended to send him to Sydney to the German Consul there, and that possibly he would be forwarded thence to Germany. At any rate, he was fully determined, he said, to have him deported to Sydney, there to await further orders. I reminded the German Consul that he had this man, who was a British subject, taken from the deck of a British vessel, in defiance of the protest of the captain, and notwithstanding the fact that the Court of the British Consul was open at Samoa for the trial of any alleged offence. But the German Consul said, in effect, that he took the responsibility for everything, and that if the German Government had made a mistake in this case they could afford to pay for it. I also understood from the German Consul that Mr. Gelling had been tried by a German court-martial; that he had been convicted of an offence against military law in visiting Maatafa's camp and giving him moral assistance (in the shape of advice, as I understood); and that, as a consequence, he would be deported. The German Consul was writing out an order permitting me to visit Mr. Gelling, when the captain of the German warship 'Adler' arrived, and said, 'I have released the prisoner, and you need not go as far as my ship, Mr. Edenborough, to find him. You will find him on board the "Richmond."'" The Consul said, 'What do you mean?' Captain Fritze replied, 'In the exercise of my discretion I have released the prisoner.' I subsequently ascertained that Mr. Gelling was tried by court-martial on board H.I.G.M.S. 'Adler' at 10 o'clock, convicted of the offence imputed to him, and sentenced; but that afterwards—about noon—he was released upon the representations of the captain of the 'Royalist.' During my absence from the 'Richmond' part of the goods we had brought for Mr. Moors, and which had already been searched on board the 'Richmond,' had been put into his lighter and were being taken to shore, when they were seized again by the Germans. Mr. Moors thereupon wrote me a letter refusing to receive the goods on any terms, and throwing them back on the hands of our firm. I then went to the German Consulate, and the German Vice-Consul, in the absence of his chief, having consulted with the head of the German business house, told me to hand over the goods to the German firm, who would take delivery of them. I did so. During the whole of this day—Monday, the 21st of January—finding that, owing to the action of the German authorities no other course was open to us, we had been engaged in landing the 'Richmond's' cargo, under protest, at the German wharf. There they were searched by the German sailors and by the warehousemen of the German trading firm. I asked the searching officer if any contraband of war had been found, and he told me that absolutely nothing of the kind had been found. By the time the whole of the goods had been searched it was so late that the pilot refused to take the 'Richmond' out of port till the following morning. So that, through the action of the German authorities, we were prevented from leaving Samoa on Sunday, the 20th of January, at 11 a.m., which was our advertised time of departure, and were thereby delayed until Tuesday, the 22nd of January. Moreover, from 1.30 a.m. on the 19th of January until we were clear of our moorings on Tuesday, the 22nd of January, we were, as already indicated, constantly under the close surveillance of the German guard-boats. During that time they were never absent from the neighbourhood of the "Richmond" for a moment. Before leaving Samoa I wrote to the German Consul a letter, of which the following is a true copy:—

"SIR,—
 "British Steamer "Richmond," Apia, Samoa, 21st January, 1889.
 "We beg most respectfully to bring to your notice that, owing to the action considered necessary to be taken by the Imperial German authorities in respect to our steamer "Richmond" on her arrival at this port, we have been subjected to much delay in carrying out our lawful business, causing us very considerable inconvenience and loss. It is impossible for us at the present moment to come to an estimate of the amount of damage caused us by the search to which our cargo has been subjected at the hands of the German naval authorities, as many of the consignees have declined to pay us until, upon further examination, they find whether their goods have been damaged or not.
 "These particulars we hope to be able to lay before you upon the next arrival of the "Richmond" at this port. In the meantime we would most respectfully intimate that we consider we have claims upon you under the following heads: (1.) All detention of our steamer after 11 a.m., Sunday, 20th January. (2.) Any damage caused by searching and opening goods, &c. (3.) Loss on goods thrown back upon our hands by our clients refusing to take them over after having been opened and searched. (4.) All loss of whatsoever kind caused by our non-arrival at our destination or other ports of call at our due date, &c.
 "A note of protest embodying these claims has been lodged by the master of "Richmond" in the usual manner in the hands of the British Consul at this port.
 "Trusting that you will consider our claim as just and reasonable, especially as we have not heard of any contraband of war being found among our cargo, or any just cause for suspecting that any such was concealed on board our vessel,
 "We beg to remain, &c.,
 "DONALD AND EDENBOROUGH,
 "Owners s.s. "Richmond."

"Dr. Knappe, Imperial German Consul, Apia, Samoa."

"Having completed our voyage by calling at Tahiti, Rarotonga, and Tonga, we returned in the said steamer 'Richmond' to Auckland early on the morning of Thursday, the 14th of February, 1889. The same day, in company with the said Alexander Bell Donald, one of my said partners in the firm of Donald and Edenborough, I appeared and attended before the said William Coleman, Notary Public, and, on behalf of myself and my said firm and the members thereof, noted this protest and

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

German. I then spoke to Captain Fritze about the order to shift the 'Richmond' to the German harbour. He asked me when we thought of getting away. I replied that it depended upon him, as he had, so far, delayed our operations. I also said that we had intended getting away on Sunday, the 20th, but that I did not know now when we would get away, as the traders and consignees had refused to take goods if they were to be searched. He said, 'Oh, very well; never mind the shifting of the vessel,' adding that he would keep an armed guard over us all the time we remained in port. The navigating lieutenant of the American man-of-war 'Nipsic' pulled alongside at this time, and told me that Moors could now take the lighter that was fastened astern of the 'Richmond' and land the goods contained in it at his own wharf, as they had arranged with the German authorities for him to do so. Shortly afterwards Moors came and took his lighter away. It is our usual custom, if we have a Sunday at Samoa, to allow the firemen and crew to go ashore to bathe and wash their clothes, as it is the only place where they can get fresh water. Accordingly, on Sunday morning, the 20th January, the men asked leave to take a boat for this purpose. Leave having been given, they set out from the 'Richmond,' but were intercepted by the German guard-boat. They came back to the 'Richmond,' and reported that the officer in charge of the guard-boat had refused to allow them to land anywhere except at the German wharf, which was three miles from the bathing-place, thus necessitating their proceeding through the town barefooted as they were. They therefore asked me to take measures to obtain the permission that they desired. I then dressed and proceeded to H.M.S. 'Royalist,' taking with me a saloon passenger (Mr. Darcy), who wished to go on board the 'Nipsic,' where I accordingly left him. The German guard-boat gave chase to us right up to the 'Nipsic's' quarter; then she returned, and I went on to the 'Royalist.' I interviewed the captain of the 'Royalist' and laid before him the complaint of my crew. He informed me that it was a matter for the British Consul, and that therefore I would have to apply to the Consul before he could take any action. I returned to the 'Richmond,' and after lunch I went ashore and saw the British Consul. The Consul, having heard my complaint, asked me to put it in writing, which I did later in the afternoon, and forwarded it to him on the following day (Monday). At 6 a.m. on Monday, the 21st January, a German officer, fully armed, arrived with an armed boat's crew, and told me he had orders from his captain to arrest one of our passengers. I asked him if he had a verbal or a written order. He produced a warrant, drawn up in German and in English, which he handed to me. On reading it I saw that it was signed by the captain of the 'Adler,' but that the name of the passenger to be arrested had not been filled in. I called the officer's attention to this omission, and he said that he had a man with him who could identify the passenger who was to be arrested. Mr. Darcy was in the saloon, and I asked if he were the passenger that was wanted. The officer looked at him and said, 'No, it is not.' I remarked that Mr. Darcy was the only passenger whom I knew to be on board at that time. The officer then said that I would have to produce all the passengers whose names appeared on the passenger-list. I told him I had no authority over the passengers while in port, and that if he wanted any of them he would have to search for them. This he then proceeded to do. One of the German crew, looking through a port-hole, saw Mr. Gelling (another of our passengers) in the bath-room, and called out to the officer that he was there. Mr. Edenborough then went down to Mr. Gelling, and told him the Germans required his presence on deck. I immediately wrote a note to the captain of the 'Royalist,' and also one to the British Consul, stating what the Germans were doing, and asking for assistance. Mr. Edenborough took away the letter addressed to the captain of the 'Royalist,' and the third mate (Mr. Bayliss) took the letter addressed to the British Consul, whom he chanced to meet on his way to the 'Royalist.' In the meantime the Germans had arrested and taken Mr. Gelling away, but not before I had protested against their removing a British subject from a British vessel without any instructions from the British Consul. In answer to this protest the German officer merely said that he was obeying orders. In answer to my letter the captain of the 'Royalist' sent one of his lieutenants on board the 'Richmond,' with orders to prevent the Germans from interfering further, and, if they did so, to signal for a boat's crew to come from the 'Royalist.' Mr. Gelling wrote me a letter from the 'Adler,' requesting me to send all his luggage on board that vessel, and I did so. Mr. Gelling had been taken away from the 'Richmond' about 6.15 a.m., and at about 12 noon he returned in a German boat from the 'Adler,' saying that he had been tried by court-martial and found guilty of a breach of military law, and that the German Consul had told him he had fully intended sending him to Sydney. About 3 o'clock p.m. the captain of the 'Royalist' came on board the 'Richmond' and asked if Mr. Gelling had been returned, and I told him he had. Captain Hand (the captain of the 'Royalist') told me that he had informed the captain of the 'Adler' that he regarded the arrest of this passenger as an act of hostility, and tantamount to a declaration of war against Great Britain; also that he had seen the German Consul, and had shown him that the German authorities, in their action, were entirely in the wrong, and that eventually he had obtained a promise that no further outrage should be committed. The captain of the 'Royalist' then left, taking his lieutenant away with him. During this day our cargo was being landed at the German wharf, and being searched there, and stored in the German warehouse. Up till the time we left Samoa on the following day—Tuesday, the 22nd January—very few of the traders or consignees had got any of the goods. On Monday, the 21st January, I noted a protest against the action of the German authorities, and lodged it with the British Consul. The following is a copy of it:—

"NOTE OF PROTEST AGAINST THE GERMAN CONSUL AND AUTHORITIES IN APIA, SAMOA.

"P.m., 21st January, 1889, Apia, Samoa.

"I hereby notify that, while in this port, the German Consul issued a Proclamation, on the 19th January, stating Samoa was in a state for war, and claiming the right to search my vessel and cargo for munitions of war. That I received the notice at 1.30 a.m. of the 19th January, ordering me not to land any goods unless at the German wharf. That several of the consignees of the cargo refused to have it landed there, and, on the German armed boat insisting on doing so, absolutely refused to accept delivery and threw the cargo back on my hands, refusing to pay for it. I have now been detained since my notified time of departure, 11 a.m. of the 20th instant, until 6 p.m. of the 21st

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.
“(L.S.) WM. PATON, Mate.

“H. DE COËTLOGAN, H.B.M. Consul.”

“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

partners and firm have suffered and sustained at the hands of the German Consular and naval authorities at Apia as aforesaid.

We, the abovenamed appearers and declarants, Charles Allan Edenborough, Robert Guthrie Hutton, and William Paton, do severally, solemnly, and sincerely declare as follows:—

I, the said Charles Allan Edenborough, for myself, declare that my foregoing statement is correct, and contains a true account of the facts and circumstances that I narrate.

And I, the said Robert Guthrie Hutton, for myself, declare that my foregoing statement is correct, and contains a true account of the facts and circumstances that I narrate.

And I, the said William Paton, for myself, declare that my foregoing statement is correct, and contains a true account of the facts and circumstances that I narrate.

And we, severally, make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Imperial Parliament now known by the Short Title of "The Statutory Declarations Act, 1835," and also of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1882."

Thus declared and protested in due form of law at my } C. ALLAN EDENBOROUGH.
 offices, 95, Queen Street, in the City of Auckland, } ROBT. G. HUTTON.
 and Colony of New Zealand, this 21st day of February, } WILLIAM PATON.
 one thousand eight hundred and eighty-nine.
 (L.S.) Before me, William Coleman, Notary Public.

Mr. W. COLEMAN, Solicitor and Notary Public, to Dr. KNAPPE, Imperial German Consul,
 Apia, Samoa.

SIR,— 95, Queen Street, Auckland, New Zealand, 21st February, 1889.

I have the honour, as solicitor and notary for my clients, Messrs. Donald and Edenborough, British merchants of this city, and by their instructions, to send you this communication concerning the conduct of the German Consular and naval authorities at Apia, Samoa, in relation to Messrs. Donald and Edenborough's British steamer "Richmond" and her cargo whilst lying at Apia in the month of January, 1889.

Messrs. Donald and Edenborough protest most strongly against the action of the aforesaid German authorities, and have many grievous complaints to make against them. Some of the grounds of these complaints I beg leave most respectfully to mention here, although, as I am instructed, you are doubtless already fully aware of them. For instance, Messrs. Donald and Edenborough complain: (1.) That the German Consular and naval authorities at Apia, Samoa, alleged and persisted in asserting that they had a right to search my clients' steamer "Richmond" and her cargo. (2.) That, further, the said German Consular and naval authorities did actually enforce, and persisted in enforcing, their alleged right of search in respect of the said steamer and her cargo by the strong hand with armed men. (3.) That they were not content with an examination of the ship's papers and the statements of Mr. Edenborough and her captain, but opened the cargo and damaged and injured it; and forcibly, with armed men, restrained, prevented, hindered, and delayed its discharge, and eventually only suffered it to be discharged at one particular spot, at a most inconvenient place, dictated by themselves, viz., in the German harbour, at the German wharf, on the private premises of the German mercantile house or firm of Deutsche Handels und Plantagen Gesellschaft der Sudsee Inseln zu Hamburg. (4.) That the said German authorities, by their action, hindered, detained, and delayed the steamer "Richmond," which is under contract with the New Zealand Government to carry Her Britannic Majesty's mails. (5.) That the said German authorities kept constant armed watch and guard and arrest over the steamer, her passengers, and cargo. (6.) That the said German authorities without notice, leave, or license, boarded the said steamer with armed men, and trespassed and remained upon her with force and arms. (7.) That the said German Consular and naval authorities, with an armed force, seized and arrested an inoffensive English passenger upon the "Richmond's" decks, and took him away prisoner from under the British flag, for no offence known to British law, and tried and convicted him by German court-martial on board a German ship-of-war at Apia, whilst the British Consular Court at Apia was open. (8.) That the said German Consular and naval authorities invaded and violated the rights and liberties as a British subject of the person of Mr. Charles Allan Edenborough, a member of the said firm of Messrs. Donald and Edenborough; and also the rights and liberties as British subjects of the persons of their captain and crew. (9.) That the said German Consular and naval authorities invaded and violated the rights of property of the said firm; and did and committed, with the strong hand, unwarranted by law, divers other illegal oppressive deeds and things. (10.) That the acts and things complained of were done without any sufficient or lawful excuse; and the alleged suspicions of the German authorities that articles contraband of war might be concealed on board the "Richmond" were entirely without any just or reasonable cause or excuse, and proved to be entirely without foundation.

These, then, are some of the grievances, trespasses, and wrongs of which my clients so strongly and so justly complain, and for which they seek redress. As my clients are advised, the matters and things complained of are altogether improper, wrongful, and illegal. They do not appear to have any excuse, warrant, or justification, by the law of nations or otherwise. Indeed, they may perhaps be found, according to the law of nations, to amount to hostile acts on the part of the Germans tantamount to a declaration or act of war against a friendly Power—I mean against the country of which my clients are the peaceful and natural-born subjects, viz., Great Britain and her dependencies.

Messrs. Donald and Edenborough have already, as I understand, notified you, in effect, that they seek redress from the Imperial German Government. They have also mentioned to me that you have asked to be informed of the exact amount of their claim for compensation. In regard to

this, they are advised to reply for the present that their claim is now being considered by their lawyers, learned in these matters, with the object of determining what redress they should seek and what the amount of their claim should be to compensate them sufficiently for the trespasses, wrongs, and injuries, losses, damages, and expenses they have suffered and sustained at the hands of the German authorities. It is also being considered how my clients' claim should best be made. Whether, for instance, it should be preferred directly to or through you as Imperial German Consul, or directly to the Imperial German Government at Berlin, or through the Government of Her Britannic Majesty, or otherwise. Therefore, until the opinions of their lawyers shall have been obtained, my clients, Messrs. Donald and Edenborough, will not be in a proper position to state exactly what redress they ought to seek or what compensation they intend to claim from the Imperial German Government. When this preliminary shall have been settled, my clients will then doubtless instruct me to acquaint and notify you. Meanwhile, Messrs. Donald and Edenborough have caused their formal and public protest and complaint against the German Consular and naval authorities at Samoa, on account of the grievous, heavy trespasses and wrongs aforesaid, to be made and declared before me as a Public Notary, in due form of law; and it is intended forthwith to send a copy of such public protest and complaint to His Excellency the Governor of this Colony of New Zealand.

I have, &c.,

WILLIAM COLEMAN,
Solicitor and Notary for Messrs. Donald and Edenborough,
owners of the British steamer "Richmond."

No. 13.

(No. 38.)

MY LORD,—

Government House, Wellington, 27th June, 1889.

I have the honour to inform your Lordship that on Tuesday, the 26th, Mr. W. P. Reeves, representing St. Albans, inquired in the House of Representatives whether my Government would co-operate with the other Australian Colonies in approaching Her Majesty's Government with a view of getting an Act passed by the Imperial Parliament to oblige all vendors of frozen imported meat in the United Kingdom to mark and sell such meat as frozen imported meat: to which inquiry the Premier replied that he was quite prepared to do so, that the matter was an important one, and that he was aware that a considerable section of people at Home were interested in the matter.

As the question has been referred to upon more than one occasion in the Imperial Parliament, I think it desirable that your Lordship should be in possession of the views of my Ministers, representing as they do the colony which is most interested in the supply of frozen meat to the English market.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 14.

(No. 39.)

MY LORD,—

Government House, Wellington, 8th July, 1889.

I have the honour to inform your Lordship that a Bill has been introduced by one of my Ministers, on behalf of the Government, into the Legislative Council of New Zealand with the view of assimilating the law of the colony in respect to patents, &c., to that of the United Kingdom, and that the Merchandise Marks Act has been grafted on to the Bill.

I have the honour to enclose a copy of the Bill referred to, and, in the event of its passing both Houses substantially in the shape in which it has been introduced, I shall inform your Lordship of the fact by cable.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 15.

(No. 42.)

MY LORD,—

Government House, Wellington, 22nd August, 1889.

I have the honour to report that on the 16th July sentence of death was passed upon one Louis Chemis, convicted of the murder of one Thomas Hawkings on the 31st May.

The evidence against the prisoner was of a purely circumstantial character, and, though very strong, did not seem to me to be sufficiently complete to exclude all doubt as to his guilt.

-After going fully into the case, I have, with the full concurrence of my Executive Council, decided to commute the sentence to one of penal servitude for life.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 16.

TELEGRAM to the SECRETARY of STATE.—Wellington, 22nd August, 1889.

(No. 43.)

No. 9.

REFERRING to my Despatch No. 39, 8th July—Bill passed General Assembly.

GOVERNOR OF NEW ZEALAND.

No. 17.

TELEGRAM to the SECRETARY of STATE.—Wellington, 27th August, 1889.

(No. 45.)

Much disappointment in the colony abandonment Edwards' visit New Zealand. Inform general officer commanding whether I may announce that visit will be deferred till no later than in the early part of next year.

No. 18.

(No. 47.)

MY LORD,—

Government House, Wellington, 31st August, 1889.

A.-2, 1890, No.
10.

With reference to your Lordship's circular despatch of the 30th April, respecting the passing of an Act of Parliament to govern the treatment of vessels breaking revenue laws, I have the honour to inform you that my Government are not aware of any objection to such an Act being passed, and, further, that their legal advisers do not see how there could be any objection to the principle of the proposed measure.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 19.

(No. 49.)

MY LORD,—

Government House, Wellington, 17th September, 1889.

I have the honour to inform you that in consequence of a correspondence between himself and a Judge, which was adversely commented on by Committees of both Houses of the General Assembly, Mr. Hislop, the Colonial Secretary, thought it proper, on the 9th instant, to resign his office as an Executive Councillor and also his appointment as Colonial Secretary. This resignation I, with the advice of the Premier, accepted.

I may add that, since that, Mr. Hislop has resigned his seat as a member of the House of Representatives, and is now seeking re-election at the hands of the same constituency.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 20.

TELEGRAM to the SECRETARY of STATE.—Wellington, 24th September, 1889.

(No. 51.)

A.-2, 1890, No.
24.

REFERRING to your telegram of 24th August, Government of New Zealand cannot undertake to pay Consul unless they nominate to the appointment.

No. 21.

(No. 52.)

MY LORD,—

Government House, Wellington, 30th September, 1889.

I have the honour to report to your Lordship the execution, on the 28th instant, at Napier, of a convict, Makoare Wata, an aboriginal native, for the murder of a man named Robert Gollan, at Mahia, in the Province of Auckland, on the 18th April.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 22.

(No. 53.)

MY LORD,—

Government House, Wellington, 1st October, 1889.

I have the honour to enclose to your Lordship two copies of a letter, with Sub-Enclosures, addressed to your Lordship by Mr. George Fisher, a member of the House of Representatives of this colony, and lately Minister of Education.

On the 27th April the Premier, Sir H. Atkinson, addressed to me a memorandum, of which I enclose a copy, requesting me to communicate the facts respecting the publication of the correspondence in question to your Lordship, for the information of the French Government; but, as I considered that the matter was one concerning the colony only, I, with the approval of the Premier, communicated the substance of the memorandum to your Lordship, without requesting that it should be forwarded to the French Government; and, instead, made a communication in substantially identical terms to M. de Lostalot de Bachoué, the French Vice-Consul here.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

Enclosure 1.

MEMORANDUM for HIS EXCELLENCY.

Premier's Office, Wellington, 27th April, 1889.

ON the 16th October last the Premier had the honour to submit to His Excellency a printed memorandum from the Minister of Education relative to his action in connection with the extradition of the convicts Cury and Gasparini.

The Premier has just ascertained that two days later—the 18th October—Mr. George Fisher, who was then Minister of Education, without consulting his colleagues, had two hundred copies of the whole correspondence relating to the subject printed for his private use, and the Premier has reason to believe that Mr. Fisher has extensively circulated them. The Premier's attention has been particularly drawn to a leading article in the *Dunedin Evening Herald* of the 20th instant, referring to a printed paper before it, and then commenting on the dispute between the French Vice-Consul and Mr. Fisher as to the latter's conduct.

It unfortunately happens that on the eve of his departure from New Zealand the French Vice-Consul requested, as the wish of his Government, that the correspondence might not be published pending its consideration of the question, and this request, as His Excellency will now see, has been frustrated by the unjustifiable act of Mr. Fisher. The Premier has therefore respectfully to request His Excellency to be good enough to convey to the Right Honourable the Secretary of State for the Colonies, for communication to the French Government, the expression of the regret of this Government that, for the reason above stated, it has been unable to give effect to its wishes.

T. FERGUS,

For the Premier.

Enclosure 2.

G. FISHER, Esq., M.H.R., to His Excellency Lord ONSLOW.

YOUR EXCELLENCY,—

30th September, 1889.

I have the honour to request that you will, in due course, forward to Lord Knutsford, Secretary of State for the Colonies, the accompanying letter. (Letter in triplicate, and unsealed, in accordance with Colonial Office Regulations.)

I have, &c.,

His Excellency the Governor, Lord ONSLOW.

GEO. FISHER.

Sub-Enclosures.

G. FISHER, Esq., M.H.R., to the SECRETARY of STATE for the COLONIES.

MY LORD,—

Wellington, New Zealand, 30th September, 1889.

I venture to invite your Lordship's attention to certain correspondence relating to the convict Gasparini, transmitted by His Excellency the Governor, Lord ONSLOW, to the House of

Representatives in return to an address from that House, inasmuch as the correspondence contains reflections upon me which, I am anxious to make clear to your Lordship, are unwarranted by the facts, and have, moreover, been made under circumstances unfair to me.

The address asked for the production of "all correspondence between His Excellency the Governor (Sir William Jervois), the late Vice-Consul for France (Count Jouffroy d'Abbans), and the late Minister of Education (Mr. Fisher)," and I would especially invite your Lordship's attention to the addition, to the correspondence asked for by the House, of a letter dated 4th July, 1889, written by His Excellency the present Governor (Lord Onslow) to the Vice-Consul for France (M. de Lostalot) subsequent to the adoption of the address; for your Lordship will observe not only that this letter is in excess of the correspondence asked for by the House, but that it casts upon me many serious and, as I claim, wholly undeserved reflections; and I feel especially impelled to address your Lordship in consequence of His Excellency's statement, in his letter to the French Vice-Consul (M. de Lostalot) of the 4th July, 1889, that "I have already communicated the facts, and similar expressions of regret, to the Secretary of State."

Putting aside for a moment the merits of the case, I would respectfully submit that His Excellency should not have written such a letter to the Vice-Consul for France (if, indeed, it comported with His Excellency's position and dignity to correspond at all with the Vice-Consul) or have made such a statement to your Lordship, involving my character and good fame, without first according to me the opportunity of defending myself. The voice only has been heard of persons bitterly hostile to me, and interested in and bent on doing me an injury, but who happen at the moment to be in political power here, and therefore happen also to have the ear of His Excellency.

Apart from the fact that I am a member of the House of Representatives, and Consular Agent for Italy in this city, I would respectfully submit that it should be a matter of course that the meanest of Her Majesty's subjects should not be condemned unheard by Her Majesty's representative. But such inconsiderate treatment is indeed hard to bear when the facts, as here, warrant no such reflections. I therefore complain to your Lordship, not only of being unfairly treated, but of being unjustly condemned.

I now respectfully invite attention to the facts of the case:—

Your Lordship will observe that His Excellency's communication of the 4th July, 1889, to the Vice-Consul for France is based upon the request contained in the letter of the late Vice-Consul for France (Count Jouffroy d'Abbans) dated 7th March, 1889—the request, namely, that the correspondence relating to the escape of Gasparini should not be published "pending the consideration of the question by the metropolitan competent authorities."

Upon this request, and without sufficient information, His Excellency, in his letter dated 4th July, 1889, to the French Vice-Consul, makes this comment: "It appears, however, that the papers in question have been printed without the knowledge or sanction of the Officer Administering the Government, and apparently on the authority only of Mr. Fisher, at that time Minister of Education, without consulting his colleagues. Some two hundred copies of the print referred to have been already struck off, and are no longer to be found in the possession of the Government. I have to express my deep regret, and that of my Ministers, that the fulfilment of M. Jouffroy d'Abbans's wish should thus have been frustrated by the unjustifiable act of Mr. Fisher."

This comment contains, your Lordship will observe, two direct reflections upon me—(1) "That the papers in question have been printed apparently on the authority only of Mr. Fisher, without consulting his colleagues;" and (2) "That the fulfilment of M. Jouffroy d'Abbans's wish [that the correspondence should not at present be published] should thus have been frustrated by the unjustifiable act of Mr. Fisher." I answer—(1) That the correspondence was put into print with the concurrence and by the express direction of the Premier, Sir Harry Atkinson, the correspondence being so printed for the convenience of His Excellency the then Governor (Sir Wm. Jervois); and (2) That the correspondence was not, and has not since been, printed or published by me, and that, therefore, the fulfilment of M. Jouffroy d'Abbans's wish has not been frustrated by any act of mine.

In explanation of these answers, I have to say that, prior to the printing now complained of, I read to the Premier, at his Ministerial residence, the draft of my memorandum of the 29th September, 1888, which is the answer to the French Vice-Consul's letter to His Excellency the Governor dated 11th September, 1888, and asked him—the memorandum and its enclosures being voluminous—whether it would not be better, for His Excellency's convenience, to put the whole correspondence into print. The Premier answered, "Yes, certainly." I therefore and thereupon sent the whole correspondence, so far as it was completed at that date, to the Government Printer; and, in addition to sending the correspondence, in print, to His Excellency the Governor, printed copies of the correspondence completed to that date were posted to the Premier, who in the interim had gone to New Plymouth, a town 250 miles distant from the seat of Government.

In the House of Representatives, during the discussion on the subject, on 12th July, your Lordship, on reference, will observe that the very question at issue was brought prominently forward, thus: "Mr. Fisher (addressing the Premier): Did you receive at New Plymouth a copy of the printed papers?—Sir H. A. Atkinson: No. I received a copy of your memorandum; but that is not printing 'the papers' at all. Mr. Fisher: I am so staggered I cannot believe my ears. With your permission, Sir, I will put that question to the honourable gentleman again. Is it true, or is it not true, that the honourable gentleman, at New Plymouth, received from me the correspondence, complete, in print?—Sir H. A. Atkinson: Absolutely untrue."

But, my Lord, after prolonged search, I have, notwithstanding the "Absolutely untrue" denial of Sir Harry Atkinson, succeeded in discovering "the correspondence, complete, in print," as it was forwarded by me to Sir Harry Atkinson at New Plymouth, and as it was returned to me by him, with his suggested alterations, in his own handwriting, both on the margin of the printed

matter and on separate slips marked "Slip A.," "Slip B.," "Slip C.," which were to be inserted in the indicated passages of the printed correspondence. This fact I announced to the House of Representatives on the 18th July, when I produced, and submitted for the inspection of the House, the correspondence in its complete form, with the suggested alterations as made in the handwriting of Sir Harry Atkinson, and including, as a matter of course, the printed copy of the French Vice-Consul's letter of the 11th September, 1888, which forms the basis of the correspondence. It is scarcely necessary for me to add, for your Lordship's information, that the Premier has not had the hardihood since to reiterate his denial, or the manliness to apologize for his untrue statement.

Further, I would add that, after the correspondence in question was put into print for the convenience of His Excellency the then Governor (Sir William Jervois), and after my memorandum of the 29th September, 1888, was corrected to His Excellency's satisfaction—for Sir William Jervois, at a later stage, asked me to alter one phrase in the memorandum, a request to which I readily and willingly acceded—ten complete copies of the correspondence were printed for His Excellency, at His Excellency's request, to be forwarded, as I understood, to the Imperial authorities. The correspondence being in print, and these ten copies being printed, I asked the Government Printer to print off 200 copies, as I fully expected the correspondence would be asked for in Parliament when it met, inasmuch as the French Vice-Consul (Count Jouffroy d'Abbans) had already forwarded copies of his letter of the 11th September, 1888—the letter to His Excellency the Governor (Sir William Jervois) containing the charge against me—to the French Consul-General in Sydney, to the Minister of Marine at Paris, and to the Minister of Foreign Affairs at Paris, and inasmuch as at that date there had been "publication," although not by me. For instance, the contents of the letter sent by the French Vice-Consul at Wellington to the French Consul-General at Sydney were at once made public throughout the Colony of New Zealand by means of a telegram forwarded from Sydney to New Zealand on the 21st September, 1888. The following is a copy of the telegram: "Sydney, 21st September, 1888.—The French Consul-General here has expressed indignation at the action of a Minister of the Crown in New Zealand, who, it is stated, prominently concerned himself in Gasparini's behalf in reference to raising subscriptions to defray the cost of applying for a writ of *habeas corpus* for the release of the prisoner in Sydney. An official communication has been received by the Consul-General stating that the Minister referred to conversed with Gasparini on the Wellington wharf just prior to the departure of the steamer 'Wakatipu,' and that he also gave messages to the detective who was in charge of the prisoner."

This telegram, which contains the whole burden of the French Vice-Consul's letter to His Excellency Sir William Jervois of the 11th September, 1888, and which publicly and seriously reflected upon me as a Minister of the Crown, was published in the newspapers throughout New Zealand on the 22nd September, before my memorandum of the 29th September had reached His Excellency, and, your Lordship will notice, was referred to in the discussions upon the subject which have since taken place in Parliament. Mr. Seddon, member for Kumara, in his place in Parliament, announced it to have been his intention to impeach the Government in consequence of the statements contained in that telegram. It is therefore manifest that the French Vice-Consul's request to the Premier that the correspondence should not be "published" could only be construed as meaning that my answer, my vindication, to his published charge should not be made public; for, of course, the publication just referred to by me could only have taken place at the instance, or at least with the knowledge, of the French authorities.

As a matter of course, as Consular Agent for Italy, I sent four copies of the correspondence to the Italian Consul-General, at Melbourne, to be forwarded to the Italian authorities at Rome; and perhaps I may be pardoned, in passing, for inviting your Lordship's attention to the fact that I have since received from Signor Crispi, the Italian Premier, an intimation of his approval of my action in all proceedings connected with the Gasparini case. I also sent two copies of the correspondence to two gentlemen in this colony who had kindly assisted me in conducting the delicate negotiations with His Excellency the Governor (Sir William Jervois) and the French Vice-Consul (Count d'Abbans). These two copies were marked "Confidential and secret." The remainder of the 200 copies have not at any time been out of my custody, and are at this moment in my possession; and I ask your Lordship to observe that it was not until after the correspondence sent by the French Vice-Consul to Sydney had been made public by the telegram above referred to that I sent the four copies to the Italian Consul-General at Melbourne, which, in any event, I was in duty bound to do. A comparison of dates will show that the French Vice-Consul's letter to His Excellency the Governor (Sir William Jervois), making against me the grave charge which I have since so abundantly refuted, was dated the 11th September, 1888, the telegram from Sydney is dated the 21st September, 1888, and now (September, 1889), twelve months after the date of the original charge, I, by resolution of Parliament, get my refutation fully and fairly before the world, only to have attached to it the wounding stigma contained in the letter of His Excellency Lord Onslow of the 4th July last.

As to the second 200 copies of the correspondence referred to by Sir Harry Atkinson in his speech of the 12th July, they never reached me. They were, as Sir Harry Atkinson explained, sent back to the Printing Office by my Private Secretary to be destroyed as waste-paper, in consequence of some mistake in the printing.

Thus, my Lord, I have not "published" or circulated the correspondence, and there is therefore no justification whatever for the statement contained in His Excellency's letter of the 4th July, 1889, that "the fulfilment of M. Jouffroy d'Abbans's wish" has been "frustrated by the unjustifiable act of Mr. Fisher."

In regard to the trivial circumstance of the attachment to the 200 copies of the Government Printer's imprint, which contains the stereotyped words "By authority"—the trifling occurrence so painfully laboured by Sir Harry Atkinson in his speech of the 12th July—it is perhaps advisable to

explain that I have since written to the Government Printer asking whether I, or any person acting on my behalf, gave instructions to print upon the paper the words "By authority," and have received from the Government Printer this written answer: "I received no direction to attach the words 'By authority.' They were put there by the printer as a merely mechanical act."

I need scarcely assure your Lordship that I should have been most willing to have placed these simple facts at the disposal of His Excellency the Governor had I been requested to do so, or had I been asked for any explanation; and I cannot refrain from respectfully submitting to your Lordship that His Excellency, by accepting and adopting the *ex parte* statements of persons publicly well known to be bitterly hostile to me, and not affording me any opportunity of commenting upon or explaining those statements, has inflicted upon me a cruel wrong and grievous injury. It is with deep regret, my Lord, that I so write; but I feel that I have no alternative, in view of the statement in His Excellency's letter of the 4th July, that he had "already communicated the facts, and similar expressions of regret, to the Secretary of State," and in view of the further fact that this letter, which does me so much injustice, will be bound up amongst the permanent public records of this colony.

In order that your Lordship may be in possession of all the facts bearing upon this subject—which have been very fully debated in Parliament—I forward for your Lordship's information the official documents detailed at foot hereof.

I have, &c.,

GEORGE FISHER.

The Right Hon. Lord Knutsford, Secretary of State for the Colonies.

LIST OF OFFICIAL AND OTHER DOCUMENTS FORWARDED WITH THE FOREGOING LETTER.

- (1.) PARLIAMENTARY Paper H.—19, 1889.—Correspondence relating to the convict Gasparini. (2.) *Hansard*, No. 1, p. 40.—Motion for Address to His Excellency the Governor for production of correspondence. (3.) *Hansard*, No. 4, p. 187.—Discussion in reference to my retirement from the Ministry, showing the feeling existing between Sir Harry Atkinson and myself at the time His Excellency's letter was written. (4.) *Hansard*, No. 6, p. 309.—Mr. Fisher announced to the House that the correspondence was printed for the convenience of His Excellency Sir Wm. Jervois. (5.) Letter to *Evening Post* (attached) of 11th July, to show that from the beginning the Premier was aware that the correspondence was in print. (6.) *Hansard*, No. 7, p. 395.—Statement to House by Premier as a reply to foregoing letter in *Evening Post*. Mr. Fisher's rejoinder. (7.) *Hansard*, No. 8, p. 484.—Sir George Grey calls attention in Parliament to His Excellency's letter of 4th July. (8.) *Hansard*, No. 8, p. 521.—Mr. Fisher announced to Parliament that he had discovered the printed papers sent to the Premier at New Plymouth, the existence of which the Premier in Parliament emphatically denied. (9.) Letter to *Evening Post* of 20th July, 1889—Referring to same subject. (10.) Article from *Evening Post* of 9th August, 1889, commenting on this matter. (11.) *Hansard*, No. 10, p. 615.—Discussion initiated by Sir George Grey on the subject of His Excellency's letter of 4th July, 1889, to the French Vice-Consul. (12.) Comment of *Catholic Times* on the Gasparini correspondence. (13.) Comment of *Rangitikei Advocate* on the Gasparini correspondence.

No. 5.

[Extract from the *Evening Post*, Thursday, 11th July, 1889.]

THE GASPARINI CORRESPONDENCE.

SIR,—

10th July, 1889.

Many statements connected with the printing of this correspondence greatly surprised me. In the first place, I now learn that on the 7th March the Premier received a letter from the French Vice-Consul asking that the correspondence should not be published, "pending the consideration of the question by the metropolitan competent authorities." A little strange, is it not, that I was never made aware of the existence of such a letter, for I was a Minister of the Crown for a month after the date of that letter? Secondly, I regard it as a rather cool proposition that the French Vice-Consul, who made a serious charge which I had scattered to the four winds of heaven, should, on the eve of departing from the colony, leave behind him a last request that my vindication should never see the light of day! These, however, are points of secondary importance. The point of first importance is this: In the letter of His Excellency the Governor (Lord Onslow), which is now attached to the correspondence, is contained this statement: "It appears that the papers in question have been printed without the knowledge or sanction of the Officer Administering the Government, and apparently on the authority only of Mr. Fisher, at that time Minister of Education, without consulting his colleagues." Of course, it is an anachronism to speak of the Officer Administering the Government in connection with the matter, for the correspondence was conducted wholly through the medium of Sir Wm. Jervois, and not during his absence. But upon whose authority were the papers printed? Upon the authority of the Premier? For it was he who suggested that the correspondence should be sent to the Governor in print. And when it was sent to His Excellency in print, he asked (after necessary corrections and emendations) for ten complete copies of the correspondence, in print, to be forwarded to the Home Government. Now, sir, I ask, quite courteously, does it not appear that His Excellency has been misled into making the statement that "the papers in question have been printed by Mr. Fisher, without consulting his colleagues?" As a proof that the Premier has all along been cognisant of the fact that the correspondence was in print, I take from my letter-book this copy of a letter, which, as it relates wholly to the Gasparini correspondence, I make no apology for publishing. It was addressed to the Premier, who was at the time on a short visit to New Plymouth. "27th September, 1888.—My Dear Major,—I send you printed copies of the memorandum. When I read the draft to you on Sunday evening you generally approved of it. The two portions which you disapproved I expunged. . . . In the beginning I am called on to make an explanation in the

confident belief that no explanation is possible; but, having given an explanation which it is not possible to get over, I am asked to throw in a spray of apologies—a *la* Galileo. The prisoner [that is me] is put upon his trial. He is honourably acquitted by a chorus of witnesses. The prisoner will now please kindly apologize to the prosecutor. Through all the business this is the most comic stroke of all. The apologies and regrets may come from some one else. If at the beginning I had been asked simply to say that as a Minister I regretted having had anything to do with the case, and the request or communication to me had not gone beyond that, there would have been no difficulty. Then there was involved no point of dishonour. That was a matter that might have been discussed fairly between gentlemen—between man and man. Instead, suddenly, and without warning from any one, I am brought face to face with the criminal charge that I lent my aid and co-operation to secure the escape of convicts. A question of propriety is comparatively an unimportant question: a question of dishonour is a fight for life. So Bryce thought. Has any one outside of myself realised the seriousness of the charge? And does any one recognise that I have a character to maintain? The time, you should know, has been a painfully anxious one to me, for I have been acutely grieved. However, I have vindicated my honour, and that is sufficient for me.—GEO. FISHER."

That letter expressed the feelings which I did then and still entertain. The correspondence being in print, I obtained a number of copies for my own use, all of which, except six, have since remained under lock and key in my own house. Parliament, however, has now ordered the circulation of the papers, and, that having been done, I have, in this matter at all events, obtained all the justice I desire.

I am, &c.,

The Editor.

GEO. FISHER.

No. 9.

[Extract from the *Evening Post*, Saturday, 20th July, 1889.]

THE GASPARINI CORRESPONDENCE.

SIR,—

20th July, 1889.

During the discussion in the House upon this correspondence these words (quoted from *Hansard*) were used: "Mr. Fisher.—Did you receive at New Plymouth a copy of the printed papers? Sir H. A. Atkinson.—No. I received a copy of your memorandum; but that is not printing 'the papers' at all. Mr. Fisher.—I am so staggered I cannot believe my ears. With your permission, Sir, I will put that question to the honourable gentleman again. Is it true, or is it not true, that the honourable gentleman at New Plymouth received from me the correspondence complete in print? Sir H. A. Atkinson.—Absolutely untrue." After diligent search I have discovered the papers, complete, in print, as they were sent to New Plymouth. They are corrected, in the handwriting of Sir Harry Atkinson, as they were returned to me. This fact I announced to the House on Thursday; and now, as I also then stated to the House, I desire to make no further reference to the matter.

I have, &c.,

The Editor.

GEO. FISHER.

No. 10.

[Extract from the *Evening Post*, Friday, 9th August, 1889.]

MINISTERIAL VERACITY.

THE Premier is extremely unfortunate in his contradictions. He either suffers from a terribly bad memory, or he is utterly reckless as to whether his contradictions are true or false so long as they serve a temporary purpose. The terrible exposure of the incorrectness of his statements and denials in regard to the printing of the Gasparini correspondence is still fresh in the public mind and in the recollection of the House. It has been dealt with very tenderly, and, although it must have shaken confidence in the accuracy of his memory if not in his veracity, it might have been allowed to be forgotten were it not that, unfortunately, it does not stand alone. Last night another instance occurred. Mr. Hutchison, referring to the Chemis case, said he understood that Mr. Jellicoe was refused permission to see the prisoner alone until he applied to the Governor. The Premier gave this assertion a direct denial as being "absolutely inaccurate." Those who knew the facts listened in astonishment, for they knew Mr. Hutchison's statement to be absolutely accurate. Whatever inaccuracy there may be is entirely on the Premier's side. We have seen the correspondence in which Mr. Jellicoe made his complaint to the Governor, the latter's reply, and several subsequent communications which passed between Mr. Jellicoe, the Governor, and the Ministry before the privilege of seeing Chemis alone was conceded to Mr. Jellicoe. We trust some member will obtain this correspondence and have it placed on record in *Hansard*. It will form an interesting addition to the facts already on record in the Gasparini case as to the value of Ministerial denials or assertions.

No. 12.

[Extract from the *Catholic Times*, Wellington, Friday, 2nd August, 1889.]

IN the disagreements which occurred between Mr. George Fisher when he was a member of the Cabinet and his brother Ministers Mr. Fisher was, it will be remembered, invariably checkmated by being flatly contradicted when he ventured to make any statement of fact. If he attempted to defend himself by asserting that he acted in this or that matter because certain other things had been done or said by his colleagues, those gentlemen, with a unanimity little short of marvellous, simply met him with the knock-down blow of flat denial. They declared that the certain things

complained of by Mr. Fisher had not been said or done. As the latter gentleman had five Ministers against him, a large number of people naturally concluded that the majority were right, the minority wrong. "The mills of God grind slowly, but they grind exceeding small," and bit by bit it begins to appear that Mr. Fisher was sometimes right in his assertions, and his cocksure comrades were and are sometimes wrong. There is one late instance of this, if not more. If the curious will turn to pages 397 to 403, Vol. VII., of *Hansard*, Sess. 1889, they will find some interesting particulars relative to the Gasparini correspondence. The matter in dispute between Sir Harry Atkinson and Mr. George Fisher was the printing of that correspondence which the Premier declared (page 379) "was printed on the authority of the honourable gentleman [Fisher] and on that of no one else." This Mr. Fisher strenuously denied. He read the following extract from the ill-advised letter written by the Governor of a great colony to a comparatively insignificant official holding the status of a French Vice-Consul: "It appears, however, that the papers in question have been printed without the knowledge or sanction of the Officer Administering the Government, and apparently on the authority only of Mr. Fisher, at that time Minister of Education, without consulting his colleagues" (pp. 398-99.) After reading to the House the foregoing extract, the following colloquy ensued (p. 389): "Sir H. Atkinson.—We were never consulted. Mr. Fisher.—May I ask the honourable gentleman whether he was consulted? Sir H. Atkinson.—No; you did not. You never said a word about it. Mr. Fisher.—About the printing of the papers? Sir H. Atkinson.—Never a word. Mr. Fisher.—Is it true, or is it not true, that the honourable gentleman, at New Plymouth, received from me the correspondence complete in print? Sir H. Atkinson.—Absolutely untrue!" If these words of the Premier did not distinctly imply that he did not even know the papers were printed, that he had never seen them, and that they were printed without his knowledge and consent; and if they do not bear out and were not intended to bear out before the House the allegations we have just quoted, contained in His Excellency's letter to the French Vice-Consul, then language ceases to have any meaning. This is one of the cases in which Mr. Fisher's colleagues replied to him by the simple method of giving him the lie direct. The question now is, was the foregone denial of the Premier, given in cold-blood and emphatically reiterated, a truthful statement of facts? With great regret—for there is nothing pleasing to us in the idea that the word of the Prime Minister of this colony is not his bond—we have to declare our opinion that they were not truthful words. Our reason for this opinion is simple: We have lately seen in print the original Gasparini correspondence which was sent by Mr. Fisher to Sir Harry at New Plymouth, with alterations and interlineations in the handwriting of Sir Harry Atkinson. Here at least there is one instance in which the denial of the Ministry counts for nothing—may there not be others?

No. 13.

[Extract from the *Rangitikei Advocate*, Wednesday, 24th July, 1889.]

WE presume that there is no qualification more essential in a Prime Minister than unimpeachable veracity. The deliberately-made statements of a gentleman occupying the high position of Chief Minister ought to be at all times thoroughly reliable. We regret, for the sake of New Zealand's credit, that Sir Harry Atkinson seems to have been guilty of either a surprising lapse of memory or else a wilful misstatement in connection with the Gasparini correspondence. It will be remembered that the Hon. Mr. Fisher was taken sharply to task for having, whilst Minister of Education, got this correspondence printed without the other members of the Cabinet knowing anything about it. Mr. Fisher replied that the Premier was not only cognizant of the fact that the correspondence had been printed, but had sanctioned the printing. This was utterly denied by Sir Harry Atkinson in a most emphatic manner. We quote from *Hansard* the following report of the discussion, which took place in the House on the subject: "Mr. Fisher.—Did you receive, at New Plymouth a copy of the printed papers? Sir H. Atkinson.—No. I received a copy of your memorandum; but that is not printing 'the papers' at all. Mr. Fisher.—I am so staggered, I cannot believe my ears. With your permission, Sir, I will put that question to the honourable gentleman again. Is it true, or is it not true, that the honourable gentleman, at New Plymouth, received from me the correspondence complete in print? Sir H. A. Atkinson.—Absolutely untrue." Nothing could be clearer than the Premier's language here. Yet, marvellous to relate, the Hon. Mr. Fisher, on Thursday last, produced in the House the Gasparini papers complete in print, as they were sent to Sir H. Atkinson at New Plymouth. The papers produced by Mr. Fisher in print were corrected in the Premier's own handwriting, and returned in that form to Mr. Fisher. It must be patent to every unbiassed mind that Sir H. Atkinson has permitted his rancorous antipathy to his late colleague to cloud his usually clear judgment and to rush him into conduct wholly unworthy of him. People will now have a good reason to suspect that Mr. Fisher was treated with the same gross unfairness in the beer-duty business. In fact, unless the Premier should thoroughly clear up the Gasparini mystery his reputation will be permanently damaged. Had not Mr. Fisher been fortunate enough to discover the printed correspondence, with the Premier's own annotations upon it, people would have believed that he had been guilty of a serious breach of his duty as a Cabinet Minister. As it is, he has completely vindicated himself, and proved that he has been the victim of gross misrepresentation at the hands of his former chief. This matter has already occupied a good deal of attention in the House, but it should not be permitted to rest here. The House should call upon the Premier to clear himself if he can, and if he cannot, the House should pass such a resolution as will unmistakably show its condemnation of such conduct on the part of its leader.

No. 23.

(No. 54.)

MY LORD,—

Government House, Wellington, 2nd October, 1889.

I have the honour to inform your Lordship that on the 19th September I prorogued, by Proclamation, the Third Session of the present Parliament of New Zealand.

I have the honour, for your Lordship's information, briefly to summarise the object of some of the principal measures to which I have, on Her Majesty's behalf, given my assent. A complete list will follow in a subsequent despatch.

The Chinese Immigration Act makes no alterations in the provisions of the Act of last year, but makes that Act perpetual.

The Patents, Designs, and Trade-marks Act assimilates our law on the subject to that of England, and embodies the main provisions of "The Imperial Merchandise Marks Act, 1887."

The Representation Act gives to the country districts an increased proportion of representation in the Lower House over that hitherto enjoyed by them in comparison with the boroughs having a population of upwards of two thousand, and also provides for the amalgamation into one electorate of each of the four principal cities of the colony.

The Native Lands Act and the Native Lands Frauds Act are directed towards the settlement of titles to Native land, in order, as it is hoped, to proceed more rapidly in certain districts.

The Land Transfer Act renders a title once upon the Register more secure than under the present Act.

The Chattels Security Act substitutes a uniform system of registration of all instruments relating to the transfer of chattels instead of the diverse laws existing at present time.

The Offences Against the Person Act raises the age of consent from twelve to fourteen years.

The Criminal Evidence Act permits the prisoner or his wife to give evidence, subject to the right of cross-examination.

A Bill was introduced to change the constitution of the Upper Chamber, but was rejected in the Legislative Council by a large majority; and I am informed that it is doubtful if it would have passed the Lower Chamber had it reached that body.

A Bill was also introduced into the House of Representatives providing for the mode of electing members of that House by a system of proportional representation. This was a tentative measure only, and was not expected to be passed.

A Bill was also introduced to alter and amend the present Hospitals and Charitable Aid Act, but this Bill, not meeting with the approval of the local bodies, was not pressed.

There were two amendments to motions of the Government which were treated by it as motions of wants of confidence; both were rejected by small majorities.

The proposal by a member of the Opposition to impose a tax upon the interest of the public debt payable in London was rejected by an overwhelming majority, after being commented upon in terms of the severest condemnation both by the Premier and the leader of the Opposition.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 24.

(No. 56.)

MY LORD,—

Government House, Wellington, 10th October, 1889.

Referring to the despatch from the Secretary of State dated the 26th August, 1885, in which, in reply to my predecessor's Despatch No. 54, of the 8th August, 1884, it was stated that Her Majesty's Government were not pre-^{A.—2, 1886, No. 9.}
^{A.—1, 1884, No. 16.}pared to advise Her Majesty to issue an Order in Council applying section 103

of "The Patents, Designs, and Trade-marks Act, 1883," to this colony unless the colonial law secured a person who had applied for a patent or for registration in the United Kingdom the same benefit in the colony, I have the honour to point out to your Lordship that these requirements are attained by section 106 of the Patents, Designs, and Trade-marks Act passed during the last session, of which Act I enclose a copy.

I have now, therefore, at the request of the Premier, to ask your Lordship to take the necessary steps for obtaining the application of section 103 of the Imperial Act to this Colony.

The Right Hon. Lord Knutsford, &c.

I have, &c.,

ONSLOW.

No. 25.

(No. 58.)

MY LORD,— Government House, Wellington, 15th October, 1889.

I have the honour to forward, for the signification of Her Majesty's pleasure, copies of the Acts passed by the General Assembly during the late session, together with a synopsis of the same prepared by the Solicitor-General.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

[For synopsis see *New Zealand Gazette*, No. 9, 20th February, 1890.]

No. 26.

MY LORD,— Government House, Wellington, 22nd October, 1889.

No. 19. Referring to my Despatch No. 49, of the 17th September, I have the honour to inform your Lordship that, Mr. T. W. Hislop having been re-elected by his constituents at Oamaru, he and Captain W. R. Russell, the member for Hawke's Bay, were on the 15th instant approved by me, acting on the advice of the Premier, as members of the Executive Council, and that they were duly sworn in on the same day.

In consequence of these changes in the Ministry, a redistribution of portfolios has taken place, the present division of offices being as follows: The Hon. Sir H. A. Atkinson, Premier, Colonial Treasurer, Commissioner of Customs and Stamps, Minister of Marine; the Hon. E. Mitchelson, Postmaster-General, Commissioner of Telegraphs, and Minister of Native Affairs; Captain the Hon. W. R. Russell, Colonial Secretary and Minister of Justice and Defence; the Hon. T. Fergus, Minister for Public Works and Mines; the Hon. G. F. Richardson, Minister of Lands, Immigration, and Agriculture; the Hon. T. W. Hislop, Minister of Education and Charitable Aid; the Hon. Sir F. Whitaker, M.L.C., Attorney-General; the Hon. E. C. J. Stevens, M.L.C., without portfolio.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 27.

TELEGRAM to the SECRETARY of STATE.—Wellington, 5th November, 1889.

(No. 61.)

COLONIAL Government agree conditionally to terms proposed Rarotonga Resident. Vote will be submitted to Parliament.

No. 28.

(No. 60.)

MY LORD,— Government House, Wellington, 7th November, 1889.

I have the honour, at the request of the Premier, to ask your Lordship to cause searches to be made in the records of the Colonial Office for the information required in the enclosed memorandum from the Native Department, at Wellington.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

Enclosure.

MEMORANDUM for HIS EXCELLENCY.

Premier's Office, Wellington, 23rd October, 1889.

THE Premier has the honour respectfully to request His Excellency to be good enough to communicate with the Right Hon. the Secretary of State for the Colonies with the object of having a search made in the records of the Colonial Office for any information which may be there on the subject of the purchase of the Otakou (Otago) Block from the Maoris in 1844-45. A memorandum from the Native Department, attached, will show the direction in which the search is required to be made.

H. A. ATKINSON.

Sub-Enclosure.

MEMORANDUM for the Hon. NATIVE MINISTER.

THE Joint Committee appointed to consider and report upon the Middle Island Native Land Claims reported to Parliament upon the Otakou case, on the 18th ultimo, as follows: "The Committee, having investigated this case, and considered it by the light of all available information, are of opinion that the whole question is, whether or not the principle of 'tenths' applies to this purchase. This point cannot be satisfactorily determined until inquiry has been made as to the nature of the instructions from the Governor asked for by the late Major Richmond, C.B., in his letter of the 12th June, 1844; and, as no record of this can be found in the colony, the Committee have resolved that steps be taken to obtain from the Colonial Office copies of all records on the subject."

The late Major Richmond—in his letter referred to by the Committee—wrote to His Excellency the Governor in the following terms: "By the sixth paragraph of the prospectus for the New Edinburgh Settlement I find that the provision hitherto made for the Natives by the directors of the New Zealand Company is left to the local government. I shall therefore demand, on their behalf, 'one-tenth' of each description of allotment, namely, town, suburban, and rural, and arrange with the principal agent of the company, or the agent for the new settlement, on the mode to be adopted for their selection, should I not receive your Excellency's instructions on this subject previous to the arrival of the latter with the immigrants."

It is respectfully suggested that steps may now be taken to apply to the Colonial Office for copies of all records it may be able to furnish on the subject of providing "tenths" of the land in the Otakou Block for the benefit of the Natives. An old volume of outward despatches, written during the period stated in the margin [22nd December, 1843, to 18th October, 1845], which may contain information on the subject, is unfortunately missing from Government House.

W. J. MORPETH,

Native Office, Wellington, 21st October, 1889.

For the Under-Secretary.

No. 29.

MY LORD,— Government House, Wellington, 8th November, 1889.

Your Lordship's Despatch No. 15, of the 17th June, 1889, informing A.-2, 1890, No. 15. me that Her Majesty's Government had instructed Major-General Edwards to proceed to this colony, among others of the Australasian group, for the purpose of inspecting the forces, was regarded with great satisfaction by my Ministers.

On the 25th August I received a telegram from the Governor of South Australia in the following terms: "General Edwards desires me to acquaint your Ministers that he is proceeding to Western Australia 26th August, at request of Australian Colonies, in consequence of Her Majesty's Government's proposal for fortification of King George's Sound. Obligated to return to his station November, previously paying visit to Tasmania, and completing Queensland and Thursday Island; therefore no time for New Zealand this year, but proposes obtaining sanction of Her Majesty's Government for minute inspection of New Zealand early in the year. Wire if satisfactory." As some preparations had been made in anticipation of General Edwards's visit, and as the organisation of the New Zealand forces had recently undergone some alteration, my Ministers were very anxious that General Edwards should not entirely omit this colony from his tour of inspection. Being anxious, therefore, to know whether the sanction of Her Majesty's Government to the proposed visit in the early part of next year was likely to be obtained, I transmitted to your Lordship my telegram of the 27th August, and in reply received, with much satisfaction, your Lordship's telegram of the 17th September. A.-2, 1889, No. 29.

General Edwards, in accordance with the instructions of the Secretary of State for War, arrived in this colony on the 15th October, and landed at Auck-

land. I had given directions that, in accordance with the Queen's Regulations, Sec. iii., No. 18, a guard of honour should be provided for his reception on landing; but I regret to inform your Lordship that it was not found possible to secure the attendance of a sufficient number of men from the Volunteer force for the purpose. As the men receive no allowance for parading on such occasions, there can be no certainty of insuring their attendance.

On the 16th October General Edwards inspected the forts at Auckland, and held two parades of the Volunteers. He left the next day for Wellington, and inspected the forts and troops there on the 22nd of October. He arrived at Dunedin on the 24th, inspected the Ocean Beach forts on the 25th, held two parades of the Volunteers on the 26th, and inspected the forts at Tairaroa Heads on the 28th.

On the 2nd November the General arrived in Christchurch, where I met him by arrangement, and had several long conversations with him upon the results of his visit.

On the 4th November he inspected the battery and forts at Lyttelton, and held a parade of the Volunteers the next day in Hagley Park. On both these occasions I accompanied him.

General Edwards left Christchurch on the 5th November for Wellington, where he had several conferences with Captain Russell, the Defence Minister. On the 9th he left Wellington for Auckland and Sydney.

I have since received his report, which will shortly be published.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 30.

(No. 62.)

MY LORD,— Government House, Wellington, 19th November, 1889.

Referring to your Lordship's circular despatch, dated 7th August, 1889, requesting that copies of the official reports and papers relating to the police should be furnished to the Home Office, I have the honour to transmit herewith, for the information of the Home Office, a copy of "The New Zealand Police Act, 1886," and Regulations, and also a copy of the last report of the Commissioner of Police. I have also given directions that all reports and other necessary papers relating to the police in this colony shall be forwarded regularly to the Secretary of State for the Home Department.

My Government are not aware of any non-official publications which could be purchased that would be likely to be of any use.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 31.

(No. 64.)

MY LORD,— Government House, Wellington, 21st November, 1889.

A.—2, 1890, No. 8.

Referring to your Lordship's circular despatches of the 16th April, 1889, and of the 3rd September, 1889, respecting the manner in which the expenses incident to the conviction of criminal lunatics and other convicted persons should be borne, I have the honour to inform your Lordship that my Government agree to the arrangement suggested by your Lordship in the above-mentioned despatches.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 32.

(No. 65.)

MY LORD,— Government House, Wellington, 22nd November, 1889.

A.—2, 1890, No. 11.

Referring to your Lordship's circular despatch, of the 2nd May, 1889, respecting the emigration of soldier-pensioners over fifty years of age, and commutation of so much of their pensions as may exceed 6d. a day, I have the

honour to inform your Lordship that my Government, while considering that it would be more expedient to encourage the immigration into the colony of younger men receiving their full pension, rather than of men who have attained the mature age of fifty years or upwards, would not decline to pay the balance of the pensions of men so immigrating as suggested by your Lordship.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLow.

No. 33.

(No. 66.)

MY LORD,— Government House, Wellington, 12th December, 1889.

With reference to your Lordship's Despatch No. 30, of the 28th September last, respecting the claims of Messrs. Donald and Edenborough against the German authorities in Samoa, and purporting to be accompanied by copies of two despatches on the subject from Berlin, I have the honour to point out that the copies referred to do not appear to have been transmitted, as I have not yet received them.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLow.

No. 34.

(No. 67.)

MY LORD,— Government House, Dunedin, 20th December, 1889.

I have the honour to inform your Lordship that on the 26th November I opened the New Zealand and South Seas Exhibition in this city.

I was accompanied on the occasion by the Premier, Sir H. A. Atkinson, and by Captains Bosanquet and Pelly, commanding respectively Her Majesty's ships "Opal" and "Lizard."

I send herewith a copy of the *Otago Daily Times*, containing a full account of the proceedings.

Just before the opening ceremony I received, and read at the opening, the following telegram from Her Majesty: "The Queen heartily congratulates New Zealand on the marvellous progress made during the past fifty years, and on the signs of recovery from the recent temporary depression. She highly values the continued expressions of loyalty of the people of New Zealand, and authorises me to say that she hopes the attachment to the Mother-country, which has been unbroken since Proclamation of sovereignty on the 29th January, 1840, may long continue unimpaired." To which I replied by the following telegram: "The Earl of Onslow presents his duty to the Queen, and begs to inform your Majesty that the New Zealand and South Seas Exhibition was this day opened in your Majesty's name amid manifestations of devoted loyalty. Your Majesty's congratulatory telegram was received with great enthusiasm."

Having now had an opportunity of studying with some care the various courts of the Exhibition, I have the honour to report to your Lordship on the Exhibition as a whole.

The three principal colonies exhibiting are this colony, New South Wales, and Victoria.

The New Zealand exhibits occupy the whole of one avenue, each province having a separate court. The exhibits show in a remarkable degree the progress which has been made during the fifty years which have elapsed since the foundation of the colony. They may be divided, roughly, into four classes—(1.) Agricultural and Pastoral—of which the chief exhibits are a model working-dairy, and dairy products. (2.) Wool: One of the most important classes of all. (3.) Canned meat. Frozen meat, as I need not now point out to your Lordship, is the article of export from New Zealand which is growing at a more remarkable rate than any other, but unfortunately by its nature not available for exhibition. (4.) Trophies of grain. (5.) Mining: (a) Coal, (b) gold, (c) building-stone. (6.) Forestry, the chief exhibits of timber being from the Public Works

Department and from the Midland Railway, now in course of construction. (7.) Manufactures—of which the chief are woollen (included in which are blankets of excellent quality at a low price), boots and shoes, biscuits, soap and candles, pottery, hardware, furniture, carriage-building, photography, flax-dressing machinery.

Of the other Australian Colonies, Victoria and New South Wales have contributed most largely, the former by sending many manufacturing and agricultural exhibits, the latter by showing specimens of minerals, agriculture, and trade articles, and by lending a collection of pictures from the Art Society of Sydney.

South Australia has sent little but her wines.

The foreign nations are not largely represented, owing in a great measure to the shortness of the notice which the Commissioners were able to give them.

The British court is very poor, but it is possible that more exhibits may yet arrive, which may have been delayed by the dock-labourers' strike in London.

The other chief features of interest are the Native court; the fernery, composed of the native ferns for which the colony is so celebrated; the armament court, and the art-gallery.

The Exhibition as a whole may be pronounced a great success. The exhibits are of the right kind, well selected and well arranged, and, although, of course, Otago has taken the leading part in organizing and supporting it, the Exhibition may well claim to be one of the colony and not of the province only. At the same time, it is open to question whether, if all the great centres of population had worked with equal zeal in this matter, an Exhibition might not have been obtained even more fully representative of the various products of the colony.

The most noticeable feature connected with the Exhibition is the extent to which it has had to rely on the support of private individuals. Unlike other colonial Exhibitions, the amount contributed by the Government has been exceptionally small. They gave a grant of £10,000, on condition that a main building sufficient to house the Government Exhibition was erected at a cost of £5,000, and that the other £5,000 should be expended in the early history, Maori, mining, natural history, fishery, and South Sea Islands courts; and that the capital of the Exhibition Company should be at least £15,000, of which half should be actually called up. The Government also gave a grant of £2,500 towards the expenses of bringing out the British loan-collection, and the Commissioners expended a similar sum on the erection of a fire-proof building. In fact, as Mr. Roberts, the President, said, at a banquet which he gave soon after the opening, "So far from saving any of that £10,000, we find we have actually, in carrying out the wishes of the Government, succeeded in expending £3,000 more than the £10,000."

I have already shown your Lordship that, as an industrial and educational agent, the Exhibition has proved a marked success, and I am glad to be able to add that it shows every sign of a financial success also. The initial outlay was £40,000; the cost of weekly maintenance is about £300; the daily receipts are about £100; and the total receipts up to date are nearly £30,000: and Mr. Roberts, a man of great caution, has publicly stated that he considers the final success of the Exhibition as already secured.

The results attained are due to the efforts of the Commissioners, and especially of the President, Mr. Roberts, and the Executive Commissioner, Mr. Twopeny, who have been ably seconded by the Manager, Mr. Joubert. Mr. Twopeny has applied to the work the experience of the management of other Exhibitions with which he has been connected—namely, Adelaide (1881), Perth (1881), and Christchurch (1882). Mr. Roberts has not before been so connected, but by his excellent business qualities and his unsparing energy he has done more than any one else to make the Exhibition the success which it is both generally and financially.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 35.

TELEGRAM to the SECRETARY of STATE, 21st December, 1889.

(No. 67A.)

REFERRING to your Despatch No. 8, of the 7th May, Governor of Tasmania advises A.-2, 1890, No. by telegraph that Macquarie Island included in letters patent creating office of Governor of Tasmania. What is the correct version? Is it necessary to proceed with proposed annexation.

No. 36.

MY LORD,—

Government House, Dunedin, 23rd December, 1889.

I have the honour to inform your Lordship that Mr. Deakin, the Chief Secretary of Victoria, is at present on a visit to this colony.

The President and members of the Victorian Commission took the opportunity of giving a banquet to the President and Commissioners of the New Zealand and South Seas Exhibition, which was held on the 11th instant, and was attended by most of the members of both Houses of Parliament now in Dunedin and by myself. Mr. Deakin availed himself of the opportunity to give expression to his opinion on the subject of the federation of the Australasian Colonies, with special reference to New Zealand and the Federal Council. I have the honour to enclose a copy of the speech which he delivered.

The Press of New Zealand has hitherto treated the proposed scheme with but little favour, and the public men of the colony have refrained from giving expression to their opinions.

There can be but little doubt that the leading commercial men of this the most prosperous city of New Zealand were greatly captivated by the manner in which Mr. Deakin dealt with the subject, and specially with the prospect of an opening to their markets by the reciprocity with Victoria which federation would secure. The butter, coal, wheat, and oats which New Zealand could send to Victoria, to say nothing of her growing woollen and boot and shoe manufactures, would far outweigh any commercial advantages which Victoria would gain by the free admission of her wines, the only commodity of importance which this colony receives from Victoria. So far as I have been able to gather, the general opinion of the colony appears to be hostile to Mr. Deakin's proposals. There is a feeling that the future race of New Zealand will be different in many qualities from that of Australia; that her insular position and numerous harbours are likely to make her more of a maritime nation than the colonies of the continent, and her position is compared with that of England and the European Continent, though it seems to have escaped the notice of these critics that in the Southern Hemisphere the island and the continent are one in race, in forms of government, and, to a large extent, in religion also. The model which Sir Henry Parkes appears to have set before his hearers is rather that of the Dominion of Canada than of the United States of America, and in New Zealand there is less disposition to view favourably a confederation such as is exemplified in the Dominion of Canada, where the Federal Parliament is supreme in all matters except such as are left to be dealt with by the Provincial Legislatures as being of local import only, than a federation where, as in the United States of America, the individual States are supreme except in so far as they have delegated their powers to the federal authority.

Tempting as is the inducement held out to the merchants and farmers by the proposal to break down the wall of intercolonial Protection which Victoria has set up, there are many who believe that, in a favourable season, Australia would need but little of those food supplies with which New Zealand is able to furnish her, while her manufactures are not likely to increase and improve at a lesser rate than the manufactures of this colony.

The different provinces of New Zealand will estimate the value of intercolonial free-trade and the price they are prepared to pay for it in proportion to the importance in which the Australian market is held in Auckland, Wellington, Canterbury, and Otago. The oats, cheese, and butter of the two latter already find their way to the continent, while the smaller industries of Auckland, and

her trade with the islands in the Pacific, bring her into constant relationship with the markets of Sydney. Wellington, on the other hand, trades in frozen meat and wool almost wholly with England, and draws from England nearly the whole of her imports.

Wellington especially, and the other centres in a lesser degree, resent Mr. Deakin's proposal for intercolonial Free-trade coupled with absolute Protection against the rest of the world (including the Mother country), in order, say the statesmen of Victoria, "to establish the protective principle in its fullest extent to protect us against the underpaid workmen of the Old World."

Meanwhile, Sir Harry Atkinson, the Premier, is recruiting his health at Hobart, and will probably remain there till February, to represent with some other Minister the interests of New Zealand at the conference of representatives of all the colonies to be held before or after the next meeting of the Federal Council.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 37.

(No. 1.)
MY LORD,—

Government House, Dunedin, New Zealand,
1st January, 1890.

A.-2, 1890, No.
12.

In accordance with your Lordship's Despatch No. 8, of the 7th May, 1889, the Colonial Government steamship "Hinemoa" was prepared to start, with provisions, and a wooden house for the accommodation of any persons who might land on the Macquarie Islands, having on board Mr. S. Percy Smith, the Surveyor-General, to whom I was about to issue a warrant directing him to make a Proclamation declaring her Majesty's sovereignty over the islands in question, when I received a telegram from the Governor of Tasmania stating that he had read of my intention in the newspapers, and informing me that the Macquarie Islands were included in the letters patent constituting the office of Governor of Tasmania. I accordingly transmitted my telegram of the 21st December to your Lordship, and in reply received your Lordship's telegram of the 28th December.

A.-2, 1890, No.
41.

Under the circumstances, I have directed the captain of the "Hinemoa" to refrain from exercising any act which may be deemed to denote an intention on the part of the Government of this colony to assume any rights over those islands, until I hear further from your Lordship.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 38.

(No. 3.)
MY LORD,—

Government House, Dunedin, 3rd January, 1890.

A.-2, 1890, No.
31.

Referring to your Lordship's circular despatch of the 19th September last, respecting the suggestion of the Board of Trade that it is not desirable to continue the practice of allowing owners of colonial certificates to be examined for Board of Trade certificates of the same value, I have the honour to inform your Lordship that the suggestions contained in the letter from the Board of Trade will be adopted in this colony.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 39.

(No. 5.)
MY LORD,—

Government House, Dunedin, 15th January, 1890.

With reference to your Lordship's Circular No. 5, of the 29th March, 1889, respecting a treaty of commerce, friendship, and navigation between Her Majesty's Government and the United States of Mexico, I have the honour to inform your Lordship that, inasmuch as there is no prospect of any trade with Mexico, and the proposed treaty might possibly interfere with other tariff arrangements, my Government would prefer that New Zealand should be excluded.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 40.

(No. 6.)
MY LORD,—

Government House, Dunedin, 16th January, 1890.

With reference to your Lordship's circular of the 26th October, 1889, respecting the omission of all reference to works of defence in ordnance survey plans, I have the honour to inform your Lordship that such omission has been the rule in this colony, and the Surveyor-General has been instructed to see that the rule is maintained.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 41.

(No. 9.)
MY LORD,—

Government House, Wellington, 22nd January, 1890.

I have the honour to forward to your Lordship for presentation to Her Majesty the Queen the accompanying address, which was presented to me to-day for that purpose by the Mayor and citizens of Wellington.

I propose to address your Lordship further with respect to the celebration of the Jubilee of the Colony of New Zealand at a later date.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 42.

TELEGRAM to the SECRETARY of STATE, 28th January, 1890.

(No. 11.)

RECEIVED telegram of Her Majesty the Queen, and Her Majesty's Government. A.—2, 1890, Nos. 44, 45.
Ministers and people of New Zealand return thanks for congratulations on Jubilee.

No. 43.

(No. 12.)
MY LORD,—

Government House, Auckland, 31st January, 1890.

I have the honour, at the desire of Major Kemp (whose name will be familiar to your Lordship as one of the most useful and devoted upholders of Her Majesty's authority among the Natives during the New Zealand war from 1864 to 1870, and as having particularly distinguished himself at the Wereroa Pa, and in the campaign against Te Kooti in 1870), to forward for submission to Her Majesty the Queen the message enclosed, contained in a communication made to the Minister of Native Affairs, of which I enclose a translation, together with a copy of my reply, and of a translation of a further message received from Major Kemp.

I may point out to your Lordship that the intention of the message is to give expression to the desire felt by a large number of the Native tribes that the relations of New Zealand to the Mother-country and neighbouring colonies at present existing may remain unaltered.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

Enclosures.

SIR,—

Wanganui, 27th January, 1890.

Salutations to you, our Minister of Native Affairs. This is a statement of ours to you, and do you make it known to the Governor, Earl Onslow, and to the committee of the Jubilee of New Zealand at Auckland—that is, my word, with respect to this celebration. Fifty years are now elapsed since Queen Victoria sent her mana and her favour to these two Islands called New Zealand; the proof of which is the Treaty of Waitangi. "In my opinion this is a fitting time to confirm the unity of New Zealand and England under the mana and favour of Queen Victoria and her chieftainship for ever and ever." Sir, this is an urgent word of mine to you, or, rather, to you and the Governor. Do you cablegraph these words above written, and I will pay for it, although it may cost me £10 or £20—that is, for those words from the words "fitting time" to "ever and ever," as quoted.

From your obedient servant,

MEIHA KEEPA RANGIHIWINUI.

The Hon. Edward Mitchelson, Minister of Native Affairs.

SIR,—

I have received through my Minister of Native Affairs your communication to Her Majesty the Queen, expressing your desire that the union of New Zealand to Britain, as at present existing, should be confirmed for ever and ever. I have, at your desire, conveyed that message to Her Majesty, and have also, as you request, directed that your statements be made known to the Jubilee Committee at Auckland. I am always ready and glad to receive your communications and addresses at any time that you intimate to me your wish to make them.

ONSLow, Governor.

Hon. E. Mitchelson, Native Minister.

Wanganui, 6th February, 1890.

AUCKLAND friend, salutations to you. My heart has experienced much pleasure in receiving your letter—that is, the letter from yourself and the Governor, Earl Onslow, acknowledging the receipt of my address to Queen Victoria, and I am very thankful to you [plural] for your agreeing to my wishes. Friend, please explain this to the Governor. I am exceedingly gratified at his reply to me, and that he has acceded to my request, and also at the other words in his letter. May he and his countess and his family live long. I have explained all this matter to my tribe. That is all.

From your humble servant,

MEIHA KEEPA RANGIHIWINUI.

No. 44.

(No. 13.)

MY LORD,—

Government House, Auckland, 1st February, 1890.

I have the honour to inform your Lordship that, the year 1890 completing the fifty years since the foundation of New Zealand as a colony, her people have, during the past month, been celebrating the Jubilee of the colony at various centres and on different dates.

I have already informed your Lordship that the Exhibition held at Dunedin was designed to celebrate the same auspicious event, and has been attended with a success quite unlooked-for.

Acting on the advice of my Ministers that the 29th of January had always been held to be the anniversary of the colony, and Parliament having given no expression of opinion as to what date was most generally considered to have been that on which the colony came into being, I proclaimed the 29th January, the day on which Captain Hobson landed in New Zealand, as a public holiday throughout the colony. I also proclaimed the 22nd of January, the day on which the first settlers landed at Port Nicholson, as a public holiday in the Wellington District.

The people of Wellington elected to celebrate the Jubilee on the 22nd January, and the people of Auckland on the 29th, thus enabling me to be present at both places, together with His Excellency the Admiral Commanding-in-Chief on the Australian Station, and His Excellency the Governor of New South Wales, Lord Carrington.

Loyal addresses were presented to Her Majesty the Queen, at Wellington, and at Auckland, to myself, as her representative.

At both places processions of trades and societies paraded the streets, and regattas took place. Although very great crowds thronged the streets and harbours, no accident attributable either to carelessness on the part of the authorities or to the misconduct of the crowds took place in either city.

The telegrams of congratulation from Her Majesty the Queen and from the Imperial Government were received with great satisfaction by my Ministers and by the crowd to whom I read them.

Addresses were also presented to me by the Natives. In Wellington, Major Kemp, whose loyalty in former days was of such immense value to the colonists, desired to present one in person; but, owing to his not having intimated his desire to me, I was not aware of it, and did not receive the address until I reached Auckland. I have, however, since been informed that it was in consonance with his wishes that the expressions of his opinion should be made public.

On the Jubilee of the landing of Her Majesty's first representative, Te Wheoro and the chiefs of the Waikato tribes came into Auckland to assist at the celebration, and I had the honour of receiving the first loyal address which has been presented by the Natives of the Waikato, as well as one from Paul Tuhaere and the Hauraki Natives at Orakei.

Fine weather favoured both celebrations, and I have reason to believe that the aspect of the people and the country produced a most favourable impression on the distinguished visitors present, amongst whom was His Excellency Sir J. Thurston, Governor of Fiji and High Commissioner of the Pacific.

The Right Hon. Lord Knutsford, &c.

I have, &c.,

ONSLOW.

No. 45.

(No. 16.)

MY LORD,—

Government House, Auckland, 24th February, 1890.

I have the honour to inform your Lordship that their Excellencies the Governors of New South Wales, Fiji, and South Australia have recently visited New Zealand.

Lord Carrington arrived at Dunedin on the 12th January in Her Majesty's ship "Orlando," and, after staying some time in that city to visit the Exhibition, accompanied me to Christchurch, Wellington, and Auckland. At all these places he had the advantage of seeing the cities and the people at their best, the weather being most favourable, and at the time of our visits Dunedin, Wellington, and Auckland were *en fête* for the celebration of the Jubilee of the colony.

Lord Carrington informed me that he was greatly struck by the industry, frugality, and perseverance of the people, by the results of the policy of economy, which, without recourse to further loans, is likely to produce a surplus in the national exchequer next year, and by the nine millions' worth of exports which a hundred thousand New Zealand producers have sent into the world during the year.

Sir John Thurston arrived in Auckland on the 22nd of December last, but was unable to avail himself of my invitation to visit me at Dunedin and see the Exhibition. During his stay at Auckland he had interviews with the Admiral Commanding-in-Chief, and the manager of the Union Steamship Company of New Zealand, on matters connected with the administration of his government; and he expressed himself both surprised and pleased at the wonderful order and temperance of the great masses of people who assembled during the Jubilee celebrations.

Lord Kintore arrived at the Bluff on the 20th January, and proceeded to Government House, Dunedin, where he resided as the guest of Lady Onslow during his stay in the city. After visiting the Exhibition he went round the West Coast Sounds in the Colonial Government steamship "Hinemoa," and afterwards proceeded from Hokitika overland to Nelson, and thence to Wellington. From Wellington he and his party went to Wanganui, and spent several days in going up the Wanganui River in native canoes, penetrating into the heart of the "King-country," which has only recently been thrown open to travellers by the Natives. Both he and Lady Kintore (who was the second English lady to ascend the river) speak highly of the scenery, and of the attention paid them by the Native tribes with whom they came in contact. Lord Kintore arrived in Auckland on the 16th instant, and remained as my guest here for a few days; after which he paid a visit to the Hot Lakes and the scene of the eruptions of 1886, and returned here on the 22nd instant. He leaves to-morrow for Sydney.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 46.

(No. 17.)

MY LORD,—

Government House, Auckland, 22nd March, 1890.

With reference to your Lordship's Despatch No. 43, of the 29th of November, 1889, respecting the appointment of Monsieur de Lostalot Bachoué³⁷ as Vice-Consul for France at Wellington, I have the honour to inform you that

A.—2, 1890, No.

I am not aware of any objection to this appointment, and have accordingly recognised M. Bachoué provisionally in that capacity, pending the arrival of the Exequator.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 47.

(No. 18.)

MY LORD,—

Government House, Auckland, 24th March, 1890.

I have the honour to enclose the copy of a letter, with the accompanying plan and report, which I have received from Mr. A. R. Guinness, the member for Greymouth, pointing out the natural advantages of Point Elizabeth as a coaling-station and harbour. I have the honour to request that your Lordship will bring the letter and documents under the notice of the Lords of the Admiralty.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 48.

(No. 19.)

MY LORD,—

Government House, Auckland, 31st March, 1890.

With reference to your Lordship's circular despatch of the 4th January last, relating to life-saving appliances, I have the honour to inform your Lordship that regulations under "The Shipping and Seamen's Act, 1877" (copies of which are forwarded herewith), have been made in this colony to the same effect as the rules made by the Board of Trade under "The Merchant Shipping (Life-saving Appliances) Act, 1888," 51 and 52 Vict., c. 24, and that these regulations are to come into force on the 1st September next.

With reference to the second paragraph of your Lordship's despatch, I would point out that the rules in Class IV., Divisions A, B, and C, and Classes V. and VI. of the Board of Trade Rules do not appear to be applicable except to the United Kingdom, but the New Zealand Act above referred to contains exactly similar provisions.

I have, &c.

The Right Hon. Lord Knutsford, &c.

ONSLOW.

No. 49.

(No. 24.)

MY LORD,—

Wellington, 17th May, 1890.

In compliance with the terms of your Lordship's circular despatch of 14th August, 1889, and your further circular of 12th March, 1890, I have the honour to refer your Lordship to my predecessor's Despatch No. 31, of 7th April, 1888, with which Sir William Jervois forwarded a copy of "The Licensing Act Amendment Act, 1882," and in which he informs your Lordship that a copy of the Licensing Act of 1881 was forwarded to you by Sir James Prendergast with his Despatch No. 61, of 3rd October, 1881.

2. Your Lordship will observe that under the Acts referred to power to grant licenses is vested in an elective body elected by the ratepayers of the respective districts, hitherto annually, but in future for a term of three years.

3. The Licensing Act also provides for the taking of a poll every third year to decide whether the number of licenses may or may not be increased. The annexed return (H.-37, of 1882) gives particulars of the number of votes recorded at the elections and local-option polls in that year. No further statistics are available, but there is no reason to suppose that there has been any appreciable increase in the number of voters in later years.

4. With reference to the special points upon which Lord Wemyss dwelt in his speech, and upon which he seeks for information, I have to inform your Lordship that there is no power given to the ratepayers in New Zealand to declare for absolute prohibition, and they merely vote for or against an increase

in the number of licenses then existing. It is admitted on all sides that the "local-option" clauses of the Act of 1881 have not had the effect anticipated, and it is in contemplation to introduce a Bill during the ensuing session of Parliament to enable a direct issue to be placed before the people and to be decided by them.

5. In most districts in the colony licenses are obtained with comparative ease, and illicit sales are chiefly confined to those localities where population has been temporarily attracted by the construction of new works, or in remote settlements where no licensed houses exist.

6. Special clauses provide for the regulation of the sale of liquor in Native districts, by which power is given to the Governor in Council to define districts called "Native Licensing Districts," within which it is unlawful for any person to sell, supply, or give any intoxicating liquor to any person of the Native race. Provision is also made for the election by the Natives in such districts of one of their number as an Assessor, who is, by virtue of his office as Assessor, a member of every European Licensing Committee for the ordinary licensing districts included within the boundaries of the Native district, and whose consent is indispensable to the granting of any license within such district. There are several of these Native districts in the colony, but experience goes to show that the Natives take very little interest in the matter, and considerable difficulty has been found in carrying out the election of Assessors, and in inducing them to attend the meetings of the Licensing Committees when elected.

7. A special provision is made by section 25 of the Act of 1881 whereby the Governor is empowered, on the application of the owners of any block of Native land on which no license has hitherto been granted, to declare by Proclamation that no license shall be granted within such block. This section has been taken advantage of in two cases.

The Right Hon. Lord Knutsford, &c.

I have, &c.,

ONSLOW.

No. 50.

(No. 25.)

MY LORD,—

Wellington, 23rd May, 1890.

With further reference to your Lordship's circular despatch of 12th March last, and in continuation of the information contained in my Despatch No. 24, of 17th instant, which, in accordance with your wishes, I sent without delay by last mail, I have the honour to enclose a copy of a table published in "The Wealth and Progress of New South Wales, 1888," by the Government Statistician, from which you will see that the consumption of intoxicants in New Zealand per head of the population is the smallest of the Australasian Colonies, with the exception of Tasmania, and but little more than half the consumption per head in Great Britain.

I also enclose a copy of a table published with the statistics of this colony for 1888, showing the consumption of alcoholic liquors per head of the population (1) excluding the Maoris, (2) including the Maoris. These tables show a steady annual decrease in the eight years under review. There is an apparent increase of the amount of spirits consumed in 1888, which is accounted for by the fact that, in November, 1888, in anticipation of an increase in the Customs duty, 82,759 gallons were cleared. It is estimated that the actual consumption of spirits, after allowing for these clearances, would amount in 1888 to only 0.680 per head of the population (excluding Maoris), as against 0.770 as shown in 1887.

I have, &c.,

The Right Hon. Lord Knutsford, &c.

ONSLOW.

Enclosure.

CONSUMPTION OF INTOXICANTS.

1888.					Spirits.	Beer.	Wine.	Total Equivalent in Proof Alcohol.
					Gallons.	Gallons.	Gallons.	Gallons.
Australasian Colonies—								
New South Wales ...					1·20	12·85	0·72	3·23
Victoria ...					1·09	16·29	1·24	3·80
Queensland ...					1·81	10·16	0·62	3·39
South Australia ...					0·80	14·37	1·59	3·32
New Zealand ...					0·87	8·61	0·26	2·18
Tasmania ...					0·70	10·00	0·14	2·17
United Kingdom ...					0·97	26·85	0·38	4·01
England ...					0·83	32·00		
Scotland ...					1·93	12·00		
Ireland ...					1·00	16·00		

NEW ZEALAND.

		Beer.		Spirits.		Wine.	
		Excluding Maoris. Gallons.	Including Maoris. Gallons.	Excluding Maoris. Gallons.	Including Maoris. Gallons.	Excluding Maoris. Gallons.	Including Maoris. Gallons.
1881	...	10·215	9·377	1·159	1·064	0·335	0·308
1882	...	10·523	9·684	1·153	1·061	0·351	0·323
1883	...	9·435	8·709	1·088	1·005	0·315	0·291
1884	...	8·769	8·121	0·999	0·923	0·272	0·253
1885	...	8·414	7·840	0·899	0·825	0·261	0·243
1886	...	7·861	7·333	0·820	0·765	0·212	0·198
1887	...	7·651	7·148	0·770	0·719	0·198	0·185
1888	...	7·133	6·670	0·820	0·767	0·167	0·156

[Approximate Cost of Paper.—Preparation, nil printing (1,325 copies) £21 4s.]

By Authority : GEORGE DIDSBURY, Government Printer, Wellington.—1890.