

16. In reply to this telegram, Mr. Kirchner drew up what he considered a full statement of his case as he viewed it himself, and this statement or recapitulation is now quoted in full.

"SIR,—

"Darmstadt, 13th March, 1876.

"It is my earnest desire to work for and not against you, and to remedy and repair any mistake which can be shown to have been committed by me. For that purpose I have worked out a recapitulation, such as I would make in stating the case to my lawyer. In asking yourself to be judge, I only request that you will calmly and patiently listen to my case. The Agent-General states in his letter to me that under the uncertainty of the continuation of free emigration, I ought not to have committed the Government, except to a very small extent. In reply, I have to state that I never received a decided order for stopping free emigration, although I advised regularly of my transactions and negotiations with emigrants, as the following letters will prove :—

"My letter of 18th October to Agent-General, informing him that I was engaging upwards of 100 families from the Province of Uckermark as free passages by the first vessel in spring, 1876.

"The Agent-General's letter of 12th January, 1876, enclosing circular dated 22nd December, with instructions to forward the same to my agents, in order to enable them to contradict any statement made detrimental to the colony. The opinion is stated in the above circular 'that the colony would have to import labour for a long time to come, if even all the Government contracts were to cease.'

"My letter to the Agent-General, 13th January, 1876, informing him that enough applications had been received by my agents to fill six vessels, and asking leave to come to London in order to examine the small mess stores and the fittings of the ships under the new charter

"The Agent-General's reply, per telegram, 17th January,—'Glad if you come; meanwhile suspend emigration as far as possible.'

"My letter of 21st January, informing the Agent-General, in reply to an inquiry about Dr. Uterhart, that this gentleman was returning from New Zealand, as I had appointed him surgeon for the first ship, sailing in April, 1876. On my arrival in London, on the 26th January, I had an interview with the Agent-General, who requested his shipping inspector, Captain Smith, to show me the 'Countess of Kintore' and the 'Bebington,' in order to see fittings and arrangements which I was to adopt in our future ships from Hamburg. I believe it was only on the 10th February that the Agent-General communicated to me the contents of a telegram received by the New Zealand Government instructing him to stop free immigration. He promised me then that all the emigrants I had then already engaged would be forwarded. He asked me the number of them, which I was unable to state then, but promised to advise on my return to Germany. He also kindly mentioned to me that it was the intention of the Government to make me a fair compensation in putting an end to my contract, and asked me to consider the amount of the said compensation. I replied that after the shipment of the accepted passengers I should be happy to meet his views in a fair way, and lend him my best assistance in putting an end to the Continental engagement. The Agent-General then expressed his wish that the engaged emigrants might, if possible, not be shipped before June, but I mentioned to him that all my emigrants had already given notice to leave their employers, or to give up their farms at Christmas, so that they would be out of employment on the 27th March next. I may mention here as a proof that all my accepted emigrants were engaged during or before December last, the fact that the German law requires indented servants to give a notice of three months before they can leave their service, and without a proper discharge therefrom no emigration permit can be obtained.

"After my return to Germany, I received a letter from Messrs. R. M. Sloman and Co., Hamburg, dated 14th February, stating that they had received a telegram from the Agent-General informing them of the temporary stoppage of Continental emigration, but that passengers already engaged would be forwarded. They urged me to fix the dates of sailing and number of engaged passengers. I replied that the 10th and 25th April would suit me, and estimated the number of engaged passengers as between 500 and 600 statute adults. Immediately on the Agent-General showing me his telegram stopping emigration, I wrote to my Continental agents, stating to them what the Agent-General had told me—namely, that free emigration had been suspended, and that the labour market was in such a state as would render the profitable employment of future arrivals a matter of doubt. Indignant letters came in reply; they wanted to know how I reconciled my notice with the circular of the 22nd December, which they published by my authority, and they advised about 400 adults, to whom they had promised passages in May and June. Some went so far as to state that, by publishing the above circular, I rendered myself liable to section 144, Penal Code. I therefore wrote to the Agent-General, mentioning that four ships would have to go. On the 22nd February, the Agent-General replied, by telegram, he could not accept the liability without examining applications of accepted passages. As these orders of acceptance were in the hands of the emigrants, I wrote on the 24th February to the Agent-General that I intended to proceed shortly to the North, in order to see my agents in Berlin, and get them to collect all acceptance certificates, the greater part of the people having been engaged by them in the neighbouring Province of Uckermark. I explained at the same time the *modus operandi* I had adopted, and the orders I had given to the different agents, confining the numbers not to exceed 1,500 for the next six months; but I mentioned at the same time that every emigrant, before he was accepted, had first to be approved of by me. In reply, I received a telegram from the Agent-General that he repudiated to take any of the above 1,500 emigrants. After proceeding to Berlin and collecting all acceptances, I wrote to the Agent-General enclosing the same on the 6th March, advising the total number of accepted passengers as 558 adults, which number I stated might still be reduced, for experience had taught me that generally from 10 to 15 per cent. of the engaged passengers remain behind for some reason or another. There would therefore be a probability of one ship only being required. I reminded the Agent-General of the promise which he had made both to Mr. Sloman and myself that all accepted would be shipped; and I also pointed out the painful position in which the emigrants and myself would be placed in case of his refusal to fulfil his promise. In reply to this letter, the Agent-General telegraphed that he had advised Mr. Sloman that he would not charter a single vessel from Hamburg this year, thus forgetting the distinct