

1877.

NEW ZEALAND.

FURTHER DESPATCHES

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

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

No. 1.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to the
OFFICER ADMINISTERING the GOVERNMENT of NEW ZEALAND.

(Circular.)

SIR,—

Downing Street, 3rd May, 1877.

I transmit to you the Queen's Proclamation for the maintenance of neutrality, which, with the advice of Her Privy Council, Her Majesty has issued, in consequence of the existing state of war between Russia and Turkey.

I desire that you will immediately give publicity to the said Proclamation.

I have, &c.,

CARNARVON.

The Officer Administering the Government of
New Zealand.

Enclosure in No. 1.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS we are happily at peace with all Sovereigns, Powers, and States :

And whereas, notwithstanding our utmost exertions to preserve peace between all Sovereign Powers and States, a state of war unhappily exists between His Majesty the Emperor of all the Russias and His Majesty the Emperor of the Ottomans, and between their respective subjects and others inhabiting within their countries, territories, or dominions :

And whereas we are on terms of friendship and amicable intercourse with each of these Sovereigns, and with their several subjects and others inhabiting within their countries, territories, or dominions :

And whereas great numbers of our loyal subjects reside and carry on commerce, and possess property and establishments, and enjoy various rights and privileges, within the dominions of each of the aforesaid Sovereigns, protected by the faith of treaties between us and each of the aforesaid Sovereigns :

And whereas we, being desirous of preserving to our subjects the blessings of peace which they now happily enjoy, are firmly purposed and determined to maintain a strict and impartial neutrality in the said state of war unhappily existing between the aforesaid Sovereigns :

We, therefore, have thought fit, by and with the advice of our Privy Council, to issue this our Royal Proclamation :

1—A. 2B.

And we do hereby strictly charge and command our loving subjects to govern themselves accordingly, and to observe a strict neutrality in and during the aforesaid war, and to abstain from violating or contravening either the laws and statutes of the realm in this behalf, or the law of nations in relation thereto, as they will answer to the contrary at their peril :

And whereas in and by a certain Statute made and passed in a session of Parliament holden in the 33rd and 34th year of our reign, intituled "An Act to regulate the Conduct of Her Majesty's Subjects during the existence of Hostilities between Foreign States with which Her Majesty is at Peace," it is, amongst other things, declared and enacted as follows :—

"Illegal Enlistment."

"If any person, without the license of Her Majesty, being a British subject, within or without Her Majesty's dominions, accepts or agrees to accept any commission or engagement in the military or naval service of any Foreign State at war with any Foreign State at peace with Her Majesty, and in this Act referred to as a friendly State, or whether a British subject or not, within Her Majesty's dominions, induces any other person to accept or agree to accept any commission or engagement in the military or naval service of any such Foreign State as aforesaid,—

"He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

"If any person, without the license of Her Majesty, being a British subject, quits or goes on board any ship with a view of quitting Her Majesty's dominions, with intent to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State, or whether a British subject or not, within Her Majesty's dominions, induces any other person to quit or to go on board any ship with the view of quitting Her Majesty's dominions with the like intent,—

"He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

"If any person induces any other person to quit Her Majesty's dominions, or to embark on any ship within Her Majesty's dominions, under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State,—

"He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

"If the master or owner of any ship, without the license of Her Majesty, knowingly either takes on board, or engages to take on board, or has on board such ship within Her Majesty's dominions any of the following persons, in this Act referred to as illegally enlisted persons, that is to say,—

"(1.) Any person who, being a British subject within or without the dominions of Her Majesty, has without the license of Her Majesty accepted or agreed to accept any commission or engagement in the military or naval service of any Foreign State at war with any friendly State :

"(2.) Any person, being a British subject, who without the license of Her Majesty is about to quit Her Majesty's dominions with intent to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State :

"(3.) Any person who has been induced to embark under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State :

"Such master or owner shall be guilty of an offence against this Act, and the following consequences shall ensue, that is to say,—

"(1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour ; and

"(2.) Such ship shall be detained until the trial, conviction, or acquittal of the master or owner, and until all penalties inflicted on the master or owner have been paid, or the master or owner has given security for the payment of such penalties to the satisfaction of two Justices of the Peace, or other Magistrate or Magistrates having the authority of two Justices of the Peace ; and

"(3.) All illegally enlisted persons shall, immediately on the discovery of the offence, be taken on shore, and shall not be allowed to return to the ship.

"Illegal Shipbuilding and Illegal Expeditions."

"If any person within Her Majesty's Dominions, without the license of Her Majesty, does any of the following acts, that is to say,—

"(1.) Builds or agrees to build, or causes to be built, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State : or

- “(2.) Issues or delivers any commission for any ship with intent or knowledge, or having reasonable cause to believe, that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State : or
- “(3.) Equips any ship with intent or knowledge, or having reasonable cause to believe, that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State : or
- “(4.) Despatches, or causes or allows to be despatched, any ship with intent or knowledge, or having reasonable cause to believe, that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State :

“Such person shall be deemed to have committed an offence against this Act, and the following consequences shall ensue :—

- “(1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour :
- “(2.) The ship in respect of which any such offence is committed, and her equipment, shall be forfeited to Her Majesty :

“Provided, that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties imposed by this section in respect of such building or equipping, if he satisfies the conditions following, that is to say,—

- “(1.) If forthwith, upon a Proclamation of neutrality being issued by Her Majesty, he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to or done, or to be done under the contract as may be required by the Secretary of State :
- “(2.) If he gives such security, and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe for insuring that such ship shall not be despatched, delivered, or removed without the license of Her Majesty until the termination of such war as aforesaid.

“Where any ship is built by order of or on behalf of any Foreign State when at war with a friendly State, or is delivered to or to the order of such Foreign State, or any person who to the knowledge of the person building is an agent of such Foreign State, or is paid for by such Foreign State or such agent, and is employed in the military or naval service of such Foreign State, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in the military or naval service of such Foreign State.

“If any person within the dominions of Her Majesty, and without the license of Her Majesty,—

“By adding to the number of the guns, or by changing those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting, the warlike force of any ship which at the time of her being within the dominions of Her Majesty was a ship in the military or naval service of any Foreign State at war with any friendly State,—

“Such person shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

“If any person within the limits of Her Majesty's dominions, and without the license of Her Majesty,—

“Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly State, the following consequences shall ensue :—

- “(1.) Every person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

- “(2.) All ships, and their equipments, and all arms and munitions of war, used in or forming part of such expedition, shall be forfeited to Her Majesty.

“Any person who aids, abets, counsels, or procures the commission of any offence against this Act shall be liable to be tried and punished as a principal offender.”

And whereas by the said Act it is further provided that ships built, commissioned, equipped, or despatched in contravention of the said Act, may be condemned and forfeited by judgment of the Court of Admiralty; and that if the Secretary of State or chief executive authority is satisfied that there is a reasonable and probable cause for believing that a ship within our dominions has been or is being built, commissioned, or equipped, contrary to the said Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to the Act, such Secretary of State, or chief executive authority, shall have power to issue a warrant authorizing the seizure and search of such ship and her detention until she has been either condemned or released by process of law : And whereas certain powers of seizure and detention are conferred by the said Act on certain local authorities :

Now, in order that none of our subjects may unwarily render themselves liable to the penalties imposed by the said Statute, We do hereby strictly command that no person or persons whatsoever do commit any act, matter, or thing whatsoever contrary to the provisions of the said Statute, upon pain of the several penalties by the said Statute imposed, and of our high displeasure.

And we do hereby further warn and admonish all our loving subjects, and all persons whatsoever entitled to our protection, to observe towards each of the aforesaid Sovereigns, their subjects and territories, and towards all belligerents whatsoever, with whom we are at peace, the duties of neutrality ;

and to respect, in all and each of them, the exercise of those belligerent rights which we and our Royal predecessors have always claimed to exercise.

And we hereby further warn all our loving subjects, and all persons whatsoever entitled to our protection, that if any of them shall presume, in contempt of this our Royal Proclamation, and of our high displeasure, to do any acts in derogation of their duty as subjects of a neutral Sovereign in a war between other Sovereigns, or in violation or contravention of the law of nations in that behalf, as more especially by breaking, or endeavouring to break, any blockade lawfully and actually established by or on behalf of either of the said Sovereigns, or by carrying officers, soldiers, despatches, arms, ammunition, military stores or materials, or any article or articles considered and deemed to be contraband of war according to the law or modern usages of nations, for the use or service of either of the said Sovereigns, that all persons so offending, together with their ships and goods, will rightfully incur and be justly liable to hostile capture, and to the penalties denounced by the law of nations in that behalf.

And we do hereby give notice that all our subjects and persons entitled to our protection who may misconduct themselves in the premises will do so at their peril, and of their own wrong; and that they will in nowise obtain any protection from us against such capture, or such penalties as aforesaid, but will, on the contrary, incur our high displeasure by such misconduct.

Given at our Court at Windsor, this thirtieth day of April, in the year of our Lord one thousand eight hundred and seventy-seven, in the fortieth year of our reign.

GOD SAVE THE QUEEN!

No. 2.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to the OFFICER ADMINISTERING the GOVERNMENT of NEW ZEALAND.

(Circular.)

SIR,—

Downing Street, 3rd May, 1877.

I enclose, for your guidance, a copy of a letter which I have received from the Earl of Derby, from which you will learn Her Majesty's pleasure on various matters connected with the hostilities which have broken out between Russia and Turkey. You will not fail to conform to Her Majesty's commands, and to give them publicity throughout the colony under your government.

I have, &c.,

CARNARVON.

The Officer Administering the Government of
New Zealand.

Enclosure in No. 2.

(Extract from the *London Gazette* Extraordinary, of Monday, 30th April, 1877.)

The Earl of DERBY to the LORDS COMMISSIONERS of the ADMIRALTY.*

MY LORDS,—

Foreign Office, 30th April, 1877.

Her Majesty being fully determined to observe the duties of neutrality during the existing state of war between the Emperor of all the Russias and the Emperor of the Ottomans, and being moreover resolved to prevent, as far as possible, the use of Her Majesty's harbours, ports, and coasts, and the waters within Her Majesty's territorial jurisdiction, in aid of the warlike purposes of either belligerent, has commanded me to communicate to your Lordships, for your guidance, the following rules, which are to be treated and enforced as Her Majesty's orders and directions:—

Her Majesty is pleased further to command that these rules shall be put in force in the United Kingdom, the Isle of Man, and the Channel Islands, on and after the 5th of May instant, and in Her Majesty's territories and possessions beyond the seas six days after the day when the Governor, or other chief authority of each of such territories or possessions respectively, shall have notified and published the same; stating in such notification that the said rules are to be obeyed by all persons within the same territories and possessions.

1. During the continuance of the present state of war, all ships of war of either belligerent are prohibited from making use of any port or roadstead in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, or of any waters subject to the territorial jurisdiction of the British Crown, as a station or place of resort for any warlike purpose, or for the purpose of obtaining any facilities of warlike equipment; and no ship of war of either belligerent shall hereafter be permitted to sail out of or leave any port, roadstead, or waters subject to British jurisdiction, from which any vessel of the other belligerent (whether the same shall be a ship of war or a merchant ship) shall have previously departed, until after the expiration of at least twenty-four hours from the departure of such last-mentioned vessel beyond the territorial jurisdiction of Her Majesty.

* Similar letters have been addressed to the Treasury, Home Office, Colonial Office, War Office, and India Office.

2. If any ship of war of either belligerent shall, after the time when this order shall be first notified, and put in force in the United Kingdom, the Isle of Man, and the Channel Islands, and in the several colonies and foreign possessions and dependencies of Her Majesty respectively, enter any port, roadstead, or waters belonging to Her Majesty, either in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, such vessel shall be required to depart and to put to sea within twenty-four hours after her entrance into such port, roadstead, or waters, except in case of stress of weather, or of her requiring provisions or things necessary for the subsistence of her crew, or repairs; in either of which cases the authorities of the port, or of the nearest port (as the case may be), shall require her to put to sea as soon as possible after the expiration of such period of twenty-four hours, without permitting her to take in supplies beyond what may be necessary for her immediate use; and no such vessel which may have been allowed to remain within British waters for the purpose of repair shall continue in any such port, roadstead, or waters for a longer period than twenty-four hours after her necessary repairs shall have been completed: Provided, nevertheless, that in all cases in which there shall be any vessel (whether ships of war or merchant ships) of the said belligerent parties in the same port, roadstead, or waters within the territorial jurisdiction of Her Majesty, there shall be an interval of not less than twenty-four hours between the departure therefrom of any such vessel (whether a ship of war or merchant ship) of the one belligerent, and the subsequent departure therefrom of any ship of war of the other belligerent; and the time hereby limited for the departure of such ships of war respectively shall always, in case of necessity, be extended so far as may be requisite for giving effect to this proviso, but no further or otherwise.

3. No ship of war of either belligerent shall hereafter be permitted, while in any port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, to take in any supplies, except provisions and such other things as may be requisite for the subsistence of her crew, and except so much coal only as may be sufficient to carry such vessel to the nearest port of her own country, or to some nearer destination, and no coal shall again be supplied to any such ship of war in the same or any other port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, without special permission, until after the expiration of three months from the time when such coal may have been last supplied to her within British waters as aforesaid.

4. Armed ships of either party are interdicted from carrying prizes made by them into the ports, harbours, roadsteads, or waters of the United Kingdom, the Isle of Man, the Channel Islands, or any of Her Majesty's colonies or possessions abroad.

The Lords Commissioners of the Admiralty.

I have, &c.,
DERBY.

No. 3.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to the OFFICER ADMINISTERING the GOVERNMENT of NEW ZEALAND.

(Circular.)

SIR,—

Downing Street, 3rd May, 1877.

I enclose a copy of a paper recently presented to Parliament, containing correspondence in regard to Her Majesty's ships visiting the groups of uninhabited islands lying in the track of vessels trading between this country and the Australian Colonies.

You will see that the Lords Commissioners of the Admiralty are of opinion that great and unjustifiable risks are incurred by the captains of those vessels who persist in making their course in very high latitudes; and I have to request that you will make their Lordships' views as widely known as possible in the colony under your Government.

I have, &c.,
CARNARVON.

The Officer Administering the Government of
New Zealand.

Enclosures.

No. 1.

Governor Sir G. F. BOWEN, G.C.M.G., to the Earl of CARNARVON.

(Received 6th May, 1876.)

MY LORD,—

Government House, Melbourne, 7th March, 1876.

At the request of my Responsible Advisers, I have the honor to forward, and to recommend to the favourable consideration of your Lordship and of the Lords Commissioners of the Admiralty, the enclosed ministerial memorandum by Sir James McCulloch,

2. It will be seen that the object of this memorandum is to urge the importance of issuing instructions that "Her Majesty's ships shall visit, whenever practicable, the groups of uninhabited or unfrequented islands which lie, more or less, on the outward and homeward tracks of vessels trading between Great Britain and the Australasian Colonies, in order that relief may be afforded to shipwrecked persons, should such be found thereon."

3. Sir James McCulloch further observes that the recent "discovery of a number of persons saved from the missing ship 'Strathmore,' on the Crozets [in the Southern Indian Ocean], after six months' privation and suffering, coupled with the fact that at least one other passenger vessel for Australia is now given up as lost, has invested this subject with fresh and painful interest."

The Right Hon. the Earl of Carnarvon, &c., &c.

I have, &c.,

G. F. BOWEN.

Enclosure in No. 1.

MEMORANDUM for His EXCELLENCY the GOVERNOR.

(No. 566.)

SIR JAMES McCULLOCH has the honor to submit to his Excellency the Governor that it is advisable to communicate at the earliest opportunity with the Right Hon. the Secretary of State for the Colonies, with a view to the issue of instructions to officers commanding Her Majesty's ships to visit, whenever practicable, the groups of uninhabited or unfrequented islands which lie, more or less, in the outward and homeward tracks of vessels trading between Great Britain and the Australasian Colonies, in order that relief may be afforded to shipwrecked persons, should such be found thereon.

His Excellency will probably recollect that in 1868, after the rescue of the survivors in the case of the "General Grant," which vessel was wrecked long previously on the Auckland Islands, the Lords Commissioners of the Admiralty were good enough to say, in reply to a letter from the Melbourne Chamber of Commerce, that periodical visits should in future be made by the ships on the Australian Station to the islands in the neighbourhood of New Zealand. Whether the directions then given continue to be observed this Government is not aware. In any case, no reference was made at that time to the islands situated between the Cape of Good Hope and Australia, which late events have shown to demand equal attention.

Recent telegraphic intelligence of the discovery of a number of persons saved from the missing ship "Strathmore," on the "Crozets," after six months' privation and suffering, coupled with the fact that at least one other passenger vessel for Australia is now given up as lost, has invested the subject with fresh and painful interest. Had it been the practice of Her Majesty's ships to examine the "Crozets" and other islands in the Southern Indian Ocean when navigating those waters, it is more than probable that the unfortunate persons alluded to would have been relieved from their distressing position at a much earlier date, and possibly many lives would have been saved.

Sir James McCulloch, therefore, begs to request that His Excellency will be so good as to write to Lord Carnarvon on the subject by the outgoing mail. He feels persuaded that it has only to be brought under the notice of Her Majesty's Government to insure immediate attention. It is suggested that ships of war should receive orders to make a careful examination of the various islands when sailing in adjacent seas; and that the officers commanding at the nearest naval stations shall cause like examinations to be made by the ships at their disposal as frequently as the exigencies of the service will permit.

Melbourne, 3rd March, 1876.

JAMES McCULLOCH.

No. 2.

The COLONIAL OFFICE to the ADMIRALTY.

SIR,—

Downing Street, 15th May, 1876.

I am directed by the Earl of Carnarvon to transmit to you, for the consideration of the Lords Commissioners of the Admiralty, a copy of a despatch from the Governor of Victoria,* with a ministerial memorandum, urging the importance of issuing instructions to the officers in command of Her Majesty's ships to visit, whenever practicable, the groups of uninhabited or unfrequented islands lying more or less on the outward and homeward tracks of vessels trading between Great Britain and the Australasian Colonies.

The Secretary to the Admiralty.

I have, &c.,

R. H. MEADE.

No. 3.

The ADMIRALTY to the COLONIAL OFFICE.

SIR,—

Admiralty, 18th May, 1876.

With reference to your letter of the 15th instant,† and the despatch of the Governor of Victoria, in regard to the importance of Her Majesty's ships visiting, whenever practicable, the groups of uninhabited or unfrequented islands lying, more or less, on the outward and homeward tracks of vessels trading between Great Britain and the Australian Colonies, I am commanded by my Lords

* No. 1.

† No. 2.

Commissioners of the Admiralty to request you will state to the Earl of Carnarvon that their Lordships have already been in communication with the Committee of Lloyd's on this question.

2. I am also to forward, for his Lordship's information, a copy of a letter addressed to the Secretary at Lloyd's on the 10th instant, stating the views of this Board on this subject.

I have, &c.,

The Under Secretary of State for the Colonies, &c., &c.

ROBERT HALL.

SIR,—

Admiralty, 10th May, 1876.

With reference to your letters of the 3rd instant, drawing attention to the fact that three first-class ships, trading between Great Britain and Australia, within the last nine months, are unaccounted for, and requesting that one of Her Majesty's ships should visit from time to time the islands lying in the ordinary track of vessels making the Australian voyage, or that one of the Australian squadron should be despatched on that service, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for information of the Committee for managing the affairs at Lloyd's, that, with every wish to meet their request, my Lords are unable to give directions for one of Her Majesty's ships on the Australian Station to search the outlying islands, as they are quite beyond the limits of the Australian command.

2. Orders, however, will be given for any vessel proceeding from the Cape of Good Hope to Australia, when possible, to sight the Crozet Islands sufficiently near to examine them.

3. In making this communication my Lords desire me to observe that it has come to their knowledge that ships, in making the passage from this country to Australia appear to incur very great risk by going too far south, and making the run amongst icebergs and floating ice, and that if this is the general practice their Lordships cannot feel surprised at several vessels being now missing.

4. My Lords further desire me to call attention to the first page of the sixth edition of the "Australian Directory," Vol. I., which directs that, "after rounding the Cape of Good Hope, vessels bound to the south coast of Australia should run down their longitude on or about the parallel of 39° S., where the winds blow almost constantly from some western point, and seldom with more strength than will admit of carrying sail. In a higher latitude the weather is frequently more boisterous and stormy, and sudden changes of wind, with squally wet weather, are almost constantly to be expected, especially in the winter season, and after passing the islands of St. Paul and Amsterdam. Islands of ice have also been encountered in those regions, as was almost fatally proved by Her Majesty's ship 'Guardian' striking against one in lat. 46° or 47° S., and nearly foundering in the beginning of summer."

I am also to draw your attention to the foot-note on page 1 of the same work, indicated by an asterisk.

5. As an illustration of the above remarks, a chart of the southern hemisphere is herewith transmitted, showing the late tracks of the steamship "St. Blyth."*

I have, &c.,

The Secretary at Lloyd's.

ROBERT HALL.

No. 4.

The Earl of CARNARVON to Governor Sir G. F. BOWEN, G.C.M.G.

SIR,—

Downing Street, 30th May, 1876.

I caused to be forwarded, for the consideration of the Lords Commissioners of the Admiralty, a copy of your despatch of the 7th of March,† with the ministerial memorandum which accompanied it, pointing out the desirability of occasional visits on the part of Her Majesty's ships to the groups of uninhabited or unfrequented islands lying, more or less, in the outward and homeward tracks of vessels trading between Great Britain and the Australian Colonies; and I have the honor to transmit to you, for your information, a copy of a letter, with its enclosures, which has been received from their Lordship's department in reply.‡

I have, &c.,

Governor Sir G. F. Bowen, G.C.M.G.

CARNARVON.

No. 5.

The Marquis of NORMANBY to the Earl of CARNARVON.

(Received 31st January, 1877.)

MY LORD,—

Wellington, 12th December, 1876.

I have the honor to bring under your Lordship's notice a memorandum which has been handed to me by my Government, in which they express their hope that Her Majesty's Government may be induced to establish a depôt of food and clothing on the Crozet Islands, for the use of any persons who may unfortunately be wrecked there.

2. The recent loss of the "Strathmore," together with the fearful sufferings experienced by the crew and passengers who succeeded in reaching the shore, has naturally attracted much attention to these islands, which, from their position in the direct course of ships trading to New Zealand and Australia, are a constant source of danger to vessels employed in that trade; and, in view of the largely increased and still increasing trade between England and these colonies, it would seem desirable, now

that attention has so unfortunately been drawn to the subject, to take some steps which would at any rate alleviate the sufferings of any persons who may in future unfortunately be wrecked upon them.

3. The cost of establishing such a depôt as that proposed could not be large, while it may be the means of saving many valuable lives.

The Right Hon. the Earl of Carnarvon, &c., &c.

I have, &c.,

NORMANBY.

Enclosure in No. 5.

MEMORANDUM for His EXCELLENCY.

THE Chamber of Commerce at Christchurch recently drew attention to the privations and sufferings of the survivors from the wreck of the "Strathmore" on the Crozet Islands, and suggested that the Home authorities should be urged to place thereon a supply of food and clothing for the relief of castaways.

As these dangerous islets lie in the track of vessels making the voyage from Europe to Australia and New Zealand, there can be no question as to the desirability of taking the precaution to prevent any persons who may hereafter be unfortunately cast ashore there from encountering sufferings such as those to which the survivors from the "Strathmore" were exposed. The Government, therefore, beg that His Excellency will represent this matter for the favourable consideration of the Home Government.

It appears from correspondence between the Lords of the Admiralty and the Committee of Lloyd's with respect to Her Majesty's ships calling at the islands between the Cape of Good Hope and Australia, for the purpose of rescuing persons who may be shipwrecked upon any of them (a copy of which correspondence was laid before the House of Commons, and printed), that my Lords decided to give orders that Her Majesty's ships proceeding from the Cape of Good Hope to Australia shall, in future, when possible, pass the Crozets sufficiently near to examine them.

The Government venture to express a hope that, on the representations made herein being conveyed to the Lords of the Admiralty, they will see fit to supplement the instructions they have already given, by directing that a supply of food and clothing shall be landed on the islands, as promptly as possible, from one of Her Majesty's ships; and that whenever the group is subsequently visited, the depôt shall be inspected, and the supply renewed as far as may be necessary.

Wellington, 11th November, 1876.

I have, &c.,

H. A. ATKINSON.

No. 6.

The COLONIAL OFFICE to the ADMIRALTY.

SIR,—

Downing Street, 21st February, 1877.

With reference to the letter from this department of the 15th of May last, and to the reply from the Admiralty of the 18th of the same month,* in regard to the importance of Her Majesty's ships visiting, whenever practicable, the groups of uninhabited or unfrequented islands lying, more or less, in the track of vessels trading between this country and the Australasian Colonies, I am directed by the Earl of Carnarvon to transmit to you, to be laid before the Lords Commissioners of the Admiralty, a copy of a despatch from the Governor of New Zealand,† enclosing a memorandum from his Government expressing their hope that the Lords Commissioners will supplement the instructions they have already given upon this subject, by directing that a depôt of food and clothing be established on the Crozet Islands for the use of any persons who may unfortunately be wrecked there.

Lord Carnarvon desires me to add an expression of his own strong hope that it will be in the power of their Lordships to comply with the suggestion made by the New Zealand Government.

The Secretary of the Admiralty.

I have, &c.,

W. R. MALCOLM.

No. 7.

The ADMIRALTY to the COLONIAL OFFICE.

SIR,—

Admiralty, 10th March, 1877.

With reference to your letter of the 21st February last,‡ and its enclosures relative to the establishment of a depôt of food and clothing in the Crozet Islands for the use of any persons who may be shipwrecked there, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Carnarvon, that great difficulties exist in the way of placing depôts on these islands, as they are all "iron-bound," and, as a rule, inaccessible. Landing anywhere, even under favourable auspices, is precarious. The weather, as a rule, is extremely boisterous, accompanied with fogs, and there is only one known anchorage in the whole group, and this is a small and open one on the leewardmost island.

2. The group consists of five islands or clusters of islets, the largest of which is about thirteen miles in length and seven in breadth, and they occupy an area included in thirty-five miles of latitude and two degrees of longitude.

3. My Lords desire me here to observe that the "Strathmore" was lost on the northernmost of the group, which appears to be the smallest cluster, so that depôts on any other of the islands would

* No. 3.

† No. 5.

‡ No. 6.

in the case of that ship have been wholly useless. To place depôts on each of the islands would, therefore, appear to be the only solution of the proposal recommended, and to do this would involve much risk and a great outlay of time.

4. Their Lordships further consider that it would be very undesirable to carry out the suggestions made in the communications before referred to, as ships can have no possible excuse for nearing the Crozets when making a passage to Australia or New Zealand; and if depôts were provided there it would be tantamount to offering a premium for them to navigate in the neighbourhood. There is abundance of ocean room to the northward of these islands, and in their Lordships' opinion it is a dereliction of duty in any captain going near them, considering the fogs and tempestuous weather that prevail in their neighbourhood; and, further, that in the lower latitude of 40° S., or thereabouts, finer and more favourable winds are found.

5. In conclusion, my Lords would remark that, in all the discussion which has been brought about by the lamentable affair of the "Strathmore," the fact that this ship was more than eighty miles out of her reckoning at the time of the wreck appears to have been entirely lost sight of.

I have, &c.,

ROBERT HALL.

The Under Secretary of State, Colonial Office.

No. 8.

The Earl of CARNARVON to the Marquis of NORMANBY.

MY LORD,—

Downing Street, 17th March, 1877.

I have received your despatch of the 12th of December,* enclosing a memorandum from your Ministers expressing their hope that the Lords Commissioners of the Admiralty will, in addition to the orders they have already given that any of Her Majesty's ships proceeding from the Cape of Good Hope to Australia shall, when possible, sight the Crozet Islands sufficiently near to examine them, issue further instructions that a depôt of food and clothing shall be established on the islands for the use of any persons who may unfortunately be wrecked there.

2. I have been in communication with the Lords Commissioners of the Admiralty upon the subject, and I enclose a copy of the reply I have received from their Lordships.†

3. From this letter your Ministers will learn that great difficulties exist in complying with their suggestion, owing to the inaccessible nature of the Crozet Islands; and, moreover, that depôts would have to be established on each of the islands, owing to the scattered nature of the group, in order to insure that persons shipwrecked there would be able to avail themselves of them.

4. But in addition to these difficulties, their Lordships again point out, as they did in their letter to the Secretary of Lloyd's, dated the 10th of May, 1876,‡ to which your Ministers refer, that the Crozet Islands do not lie in the proper track of vessels trading to Australia and New Zealand, and that great and unjustifiable risks are incurred by those captains who persist in making their course in such high latitudes.

5. The opinions which their Lordships express appear to me to be conclusive, and, as it is desirable that their views should be known as widely as possible, I propose to lay the correspondence which has passed on the subject before Parliament.

I have, &c.,

CARNARVON.

The Marquis of Normanby.

No. 9.

The ADMIRALTY to the COLONIAL OFFICE.

SIR,—

Admiralty, 19th March, 1877.

With reference to previous correspondence respecting the Crozet Islands, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the perusal of the Earl of Carnarvon, a letter, dated the 4th January last, from Captain Lindesay Brine, of Her Majesty's ship "Wolverene," reporting his visit to these islands in the South Indian Ocean.

I have, &c.,

ROBERT HALL.

The Under Secretary of State for the Colonies.

Enclosure in No. 9.

REPORT respecting the CROZET ISLANDS, South Indian Ocean.

H.M.S. "Wolverene," at sea, lat. 37° 9' S., long. 150° 57' E.,

4th January, 1877.

SIR,—

I have the honor to submit to you, for the information of the Lords Commissioners of the Admiralty, the following report of an examination of the Crozet Islands, made in accordance with the directions of their Lordships, to ascertain if there was any appearance of castaways or vessels which may have wrecked there.

2. We left Simons Bay on 18th November, and proceeded to the south until we fell in with the prevailing westerly winds in lat. 38° S., long. 18° E. We then steered straight for the Crozet Islands until we reached lat. 43° 26' S., long. 36° 10' E., the islands then being 622 miles distant. We now entered a dense fog which continued with rare intervals of open sky until the morning of the 30th, at which time we had nearly run our estimated distance.

* No. 5.

† No. 7.

‡ Vide Enclosure to No. 3.

3. We were on the point of heaving to, to wait for the weather to clear, when a sudden lift of mist disclosed for a few minutes the west end of the Twelve Apostles about three miles off on the bow.

4. This point of the island is remarkable for its lofty group of pinnacle rocks closely resembling the Needles. These, although attached by their base to the island, appeared when first seen like sharp jagged peaks arising separately from the sea, and it was the low morning light penetrating between the open spaces that cause them to stand out so clearly, the island itself was not visible. A high rolling sea broke heavily on the weather shore.

5. At about 9 of the forenoon the fog again lifted, and I steamed in for the land to examine the Twelve Apostles (the island on which the "Strathmore" was wrecked), firing guns to attract attention.

6. It was evident that no close observation could be made unless a change took place in the weather, but most fortunately the fog cleared away and was succeeded by two singularly fine and calm days, and we were thus able to examine the shores, bays, and hill slopes within a distance from which any people or signs of wreck could have been distinctly seen.

7. A small cairn, raised by the survivors from the "Strathmore," still exists at a point on the ridge about 300 feet above the sea. A grassy plateau where they were encamped was covered with white albatrosses sitting on their nests, and the rocks were covered with penguins. Sea birds of various kinds were numerous, attracted by a good stream of fresh water which flows from the hill over the cliff into the sea.

8. After completing the examination of the Twelve Apostles, I steamed across to Hog Island and examined its leeward coast. Here, as at the Twelve Apostles, the valleys and hill sides were dotted with white albatrosses.

The top of this island was covered with snow, and, although it was now the summer of these latitudes, large quantities of snow were still lying in the cleft of the rocks near the shore. The windward or west side of Hog Island is precipitous and much exposed, and I did not see any places where wrecked people could settle, but upon its lee or eastern slope there were several fairly sheltered positions, where the landing would not be difficult. The lower sides of the hills are covered with coarse grass. There are numerous birds and rabbits, and several fresh-water streams.

9. I now proceeded to Penguin Island, the southern extremity of the Crozet Group. This is a bare precipitous rock about $4\frac{1}{2}$ miles in circumference. I could not see any water here, and very few birds.

This volcanic island appears to be destitute of any means of preserving life, and unfortunately it is, from its position, the most dangerous for vessels proceeding by a great circle route to Australia.

10. The search round the shores of the Windward Islands occupied one day, and the next was employed in a similar manner examining the Eastern Islands.

11. The first visited was Possession Island, the largest and most important of the group. When off Nairne Bay we observed on the beach a hut, several casks, and two boats, one of which seemed to be in fair condition. The sea being smooth and the wind light, I decided to anchor and send in our boats to search the shore, as I thought it probable we should find some record left by people who might have gone there in the hope of meeting a sealing vessel.

12. Upon landing, our interest was immediately excited by the strange sensation of finding ourselves surrounded by animals which evidently had not the slightest fear of men or their guns. Hundreds of seals which were resting on the damp grass bordering on the stream, which at this point enters the sea, made no attempt to escape from us; the albatrosses also would not move from their nests on the ground. These magnificent birds, measuring in several instances 11 feet across the wings, only showed resistance when actually seized, and even then did not seem to have any sense of danger. The bay was alive with birds; we observed the white and sooty albatross, petrels of various kinds, black hens and cape pigeons, numerous gulls and a few wild ducks, and the rocks were covered with seals and penguins.

13. The hut was about 12 feet long, and contained six sleeping bunks; it was rudely constructed with staves of casks. There was a stove inside on the right of the door, ingeniously made out of an old fish-kettle; the funnel was formed by a series of small iron hoops nailed together. There were a number of empty casks outside, together with other *débris* belonging to a sealing establishment. There were two whaleboats hauled up on the beach; one of these was useless, the other with some slight repairs could be made seaworthy. The name "J. A. Brink" was cut on the door of the hut. We found no document, or any signs of the bay having been lately visited. The following record was placed in a tin box and secured to the stove in the hut: "Her Britannic Majesty's ship 'Wolverene,' 17 guns, visited each island of the Crozet Group to ascertain if there were any shipwrecked people on them, and finally called at this bay on the 1st December, 1876, on her way to Perth, Western Australia, from England."

14. We concluded our examination by steaming round and searching the steep and desolate shores of East Island, the last of the group.

15. Soon after leaving the land, and while the Crozets were still visible, we passed close to a large iceberg whose height was estimated at 300 feet, and the circumference at the water-line about three miles.

16. Judging from my experience, I would submit that merchant vessels should be cautioned against going down to a higher latitude than the 44th parallel; in the stormy latitudes south of this the westerly gales propel a ship through the water at a great speed, and the seas are so high that it would be difficult to check the speed or haul to the wind to clear danger. The Crozets are in a known position and can be avoided by careful navigation, but this is not the case with icebergs; if one of these should happen to be floating in the line of course of a vessel going through the water at a rate of 12 or 13 knots during a fog by day or on a dark night it would not be seen until it was too near to be avoided, and destruction would be certain. Icebergs in these southern seas should be considered as representing rocks or shoals in unknown positions. Merchant ships rushing blindly through these dangers run most criminal risks; they play a daring game of chance at which the lives of the passengers

and crews are hazarded. It is more than probable that the majority of the ships reported as missing in these seas are missing because wrecked by sudden and violent contact with drifting icebergs.

17. In the event of people being cast away on the Crozets, I would recommend that, if possible, they should establish a look-out place on the Twelve Apostles; this island is the one which would most probably be sighted by ships, and an object placed or a man standing on the ridge where the "Strathmore" cairn is erected would be seen at a great distance.

The north-east point of the Twelve Apostles is by the chart placed in long. 50° 41' East. Our chronometers placed the point in long. 50° 36' East. This is assuming the latitude to be correct, as no observations for latitude could be obtained. If our longitude is correct, the Twelve Apostles should therefore be placed five miles west of their present position on the chart.

18. Attached to this letter is a copy of the log for the two days that the "Wolverene" was examining the Crozet Group.

I have, &c.,

LINDESAY BRINE, Captain.

H.M.S. "WOLVERENE," Thursday, 30th day of November, 1876, from Cape of Good Hope to Crozet Isles, and among the Crozets.

Initials of the Officers of the Watch.	Hours.	Knots.	Tenths.	Standard Compass Courses.	Leeway Points.	Wind.		Weather.	Deviation of Standard Compass.	Height of		Temperature of the Sea.	Remarks.	
						Direction.	Force			Bar.	Ther.			
	1	1	—	N. $\frac{1}{2}$ E. . .	5 $\frac{1}{2}$	-	-	c.q. -	—	—	—	—	A.M. Steam up in three boilers.	
	2	1	—	. . .	—	N.W. by W.	4 to 5	—	—	—	—	—	3.10 Squared yards, shaped course S.E. $\frac{1}{2}$ E. Out, reefs set; foresail and top gallant sail.	
	3	1	—	—	—	—	—	—	—	—	—	—	4.50 Crossed royal yards; set the sail and port foretop studding sail.	
	4	4	—	. . .	—	-	-	o.d. -	—	29.23	40	39	5.45 Commenced steaming 40 rev. Lost overboard by accident log lines, one in number.	
	5	6	—	—	—	—	—	—	—	—	—	—	7.5 Sighted Twelve Apostles Islands on star. bow. In studding sail, upper sails, and upper foresail.	
	6	8	—	—	—	—	—	—	—	—	—	—		
	7	9	5	—	—	—	—	—	—	—	—	—		
	8	—	—	Steaming as requisite around Twelve Apostles Group and Hog Island.	—	N.W.	3 to 4	o.m. -	—	29.23	41	49	9.36 Set fore and aft sails.	
	9	—	—		—	—	—	—	—	—	—	—	—	9.40 Mustered at quarters; prayers. In fore and aft sails stopped.
	10	—	—		—	—	—	—	—	—	—	—	—	Dense fog.
	11	—	—		—	—	—	—	—	—	—	—	—	10.10 Proceeded under steam and rounded north end of Twelve Apostles group, steamed close under lee, fired guns to attract attention. Proceeded full speed for Hog Island.
Noon.	—	—	—	. . .	—	Westerly	2 to 4	b.c.m. -	—	29.37	40	39	11.0 Stopped under lee of Hogg Island, fired guns; sounded in 57 fms., cinders and black sand. Pro- ceeded.	

Course :	Distance		Latitude.	Longitude.	Variation allowed.	Water remaining : 23½ tons.	Daily Expenditure : 3½ tons.	True Bearing and District.	No. on Sick List.
	Made good.	Thro' the Water.							
Current :	Miles.	Miles.	D. R.	D. R.					
			Obs.	Chro.		Distilled since yesterday :			

													P.M.
													0.10 Braced round yards, steaming round west end of Hog Island and for Penguin Isles.
													2.0 Sighted Penguin Island ahead. Set fore and aft sails.
													3.30 Fired a gun. Easy speed around Penguin Isle; found only one island instead of the two marked on the chart.
													5.30 Mustered at quarters. Set topsails; sighted Possession Island on port bow; stopped. Steaming; went on condensing.
													8.15 Sounded in 129 fms.; fine black and grey sand.
													9.20 Braced round. In trysail.
	Midt.	0	5										Mid. Penguin Island N.W. by N. $\frac{1}{2}$ N.

Signals, &c. {

Coals expended during the 24 hours.	{	For engines ...	20	0
		For ship ...	0	4
		For distilling ...	0	0

H.M.S. "WOLVERENE," Friday, 1st day of December, 1876, in and out the Crozet Group.

Initials of the Officers of the Watch.	Hours.	Knots.	Tenths.	Standard Compass Courses.	Leeway Points.	Wind.		Weather.	Deviation of Standard Compass.	Height of		Temperature of the Sea.	Remarks.
						Direction.	Force			Bar.	Ther.		
	1	—	8	S.S.E. . . .	—	R. by S. .	1	b.c. .	—	—	—	39	A.M. 3.35 Proceeded under steam. Furled sails.
	2	1	5	S.S.E. . . .	—	—	—	—	—	—	—	—	4.0 Fog and drifting mist.
	3	1	5	S.E. . . .	—	E.S.E. .	2	o.c.m. .	—	29.48	37	39	6.30 Obs. Possession Island on port bow.
	4	2	5	S.E. by E. as requisite for Possession Island.	—	—	3 to 4	—	—	—	—	—	9.0 Division; prayers.
	5	6	5	—	—	—	—	—	—	—	—	—	Steaming along the S.W. and south side of island, firing guns at intervals.
	6	6	8	—	—	—	—	—	—	29.38	38	38	9.10 Sighted East Island on star. bow.
	7	—	—	—	—	—	—	—	—	—	—	—	11.0 Off Navire Bay; weather fine.
	8	—	—	—	—	—	—	—	—	—	—	—	Steamed closer in and came to in 17 fms. with S.E. veered to 30 schls.
	9	—	—	—	—	E. . .	1	—	—	—	—	—	Kept steam ready.
	10	—	—	—	—	—	—	—	—	—	—	—	Sent Lieut. Dugdale in cutter to deposit a memorandum and examine hut and bay.
	11	—	—	—	—	—	—	—	—	29.39	39	38	Noon.
Noon.	—	—	—	—	—	—	—	—	—	—	—	—	

Course :	Distance		Latitude.	Longitude.	Variation allowed.	Water remaining :	True Bearing and Distance.	No. on Sick List.	
	Made good.	Thro' the Water.							Daily Expenditure :
Current:	Miles.	Miles.	Obs.	Chro.					
	1	—	Single anchor off Navire Bay. Steaming for East Island. Examined the bays and creeks around East Island.	S.E. .	1	o.c. .	—	—	
	2	—		—	—	—	—	—	
	3	—		—	—	—	—	—	
	4	—		—	—	—	—	—	
	5	—	East	—	—	—	—	—	
	6	—		—	—	—	—	—	
	7	—	—	—	—	—	—		
	8	3	—	—	—	—	—		
	9	6	5	—	—	—	—		
	10	3	—	—	—	—	—		
	11	2	N.E. .	—	—	—	—		
Midt.	1	—	N.E. by N. .	E.S.E. .	Light Airs.	o.c. .	29.62	39	38

Signals, &c. {	Coals expended	{	For engines	...	Tons	cwt.
	during the		For ship	...	—	
	24 hours.		For distilling	...	—	
					—	

By Authority: GEORGE DINSBURY, Government Printer, Wellington.—1877.