

Commander Bruce, May 15, 1881. H.M.S. "Cormorant," was sent to the Florida Isles by the Commodore to bring the perpetrators of the "Sandfly" murders to justice. There he issued a declaration that "In consequence of an English officer and boat's crew being murdered by Florida men, the Queen of England declares war with the whole tribes of Floridas, unless the actual murderers are given up in fourteen days"; adding that "in case of any other white man being killed in the Florida Isles, the whole of the chiefs would be held responsible, and the Florida Islands be considered to be at war with the Queen of England." Bishop Selwyn, being then on the spot, humanely did all he could to save life. Writing to Commander Bruce, he says:—"I have acted as I have done, because you, sir, as the representative of Her Majesty, have declared war against all the people of these islands unless the murderers are given up. It appears to me to be my duty to save the people from such a calamity, by using what influence I possess to induce them to comply with Her Majesty's demands." The Commodore "fully approved of the 'Cormorant's' action at the Floridas." Thus it seemed that a naval officer, in reprisals for an outrage, might issue a "declaration of war" against entire tribes in the Western Pacific, and that what he required must be considered as being "Her Majesty's demands." Surely it was not this which could ever have been looked for as the outcome of the scheme of 1875 for the government of the Western Pacific.

Remedies which were suggested.

It is no wonder that such a state of things should have caused serious anxiety to Her Majesty's Government, or that the Secretary of State should have desired the High Commissioner to advise what was now to be done. That the Order in Council had failed was evident; "an acknowledgment," says Sir Arthur Gordon, "that the present system is a failure, and the consequent repeal of the Order in Council would have the merit of simplicity." But the question was what should be put in its place. When the news came home of the events we have just described, Lord Kimberley sent a despatch to the Governor of Queensland, saying that it was contemplated to invite the naval powers to agree to the appointment of a Joint Commission for considering the measures which should be taken for the regulation of the labour traffic, the trade in firearms, and the prevention and punishment of outrages of all kinds, under the sanction of a Convention between Her Majesty's Government and the other Powers. The Queensland Government immediately expressed their willingness to co-operate with the Imperial authorities for such a plan. The High Commissioner expressed his own concurrence. "Some sort of international agreement," he said, "seems to me to form an essential part of any satisfactory arrangement." He then went on to make several recommendations for improving the existing system, one of which was that the judicial powers conferred by the Orders in Council should be so extended by Act of Parliament as to render offences committed by natives against British subjects equally cognizable with those committed by British subjects against natives. But it would evidently have been useless to assume jurisdiction over the native people and continue to except foreigners. Nor did the High Commissioner shrink from admitting this. "To obtain," he said, "the power of dealing satisfactorily with the misdeeds of other whites than Englishmen, or of punishing attacks upon them, an international agreement, having the sanction of a treaty, with France, Germany, and the United States, would be necessary. Such an arrangement would probably involve the substitution for the High Commission of a mixed Commission similar to the old mixed Commission Slave Trade Courts." And Sir Arthur Gordon then went on, with perfect truth, to touch the real kernel of the whole matter. "It should be borne in mind," he said, "that the punishment of outrages, though at present forced into prominence, is not the only nor the most important matter which has to be dealt with in these seas;" and he reminded the Secretary of State that the jurisdiction of the High Commissioner and his Court was one "primarily created to bring law, both civil and criminal, within the reach of British subjects far from all other legal tribunals, to check aggressive lawlessness, and to regulate the growth and development of British settlements in the Western Pacific." This was wise language. But when such recommendations were made, it was difficult to escape the logical conclusion from them. Once let it be admitted that the Imperial Government can pass an Act such as was advised by the High Commissioner, and is there anything but the thinnest veil left between that and the assertion of the very right of "sovereignty or dominion" which it was the purpose of the Act of 1875 to forbid?

It would not be fair if we did not refer to other remedies which were suggested by the High Commissioner. Early in 1881, after reciting the causes for the increased frequency of murder of Europeans by natives in the Western Pacific, Sir Arthur Gordon referred to two ways by which they could be prevented in future. "One is," he said, "that which I know on good authority was seriously contemplated by Her Majesty's Government some years ago,—the establishment of a strong chartered Company possessing an exclusive right to trade. . . . Another course would be to limit the protection given for trading operations, to those carried on at certain specified localities." But Sir Arthur Gordon even then allowed that the time for any scheme of a chartered Company had passed; and last year he proposed another plan to improve the working of the existing High Commission, the leading features of which, in addition to extending his jurisdiction by a new Act of Parliament, were the appointment of three Deputy-Commissioners, the conferring of Deputy-Commissioners' powers on naval officers in command of H.M. cruisers, and the permanent employment of a vessel, not a man-of-war, in the service of the Commission.

Whatever might have been the recommendations some years ago, in favour of granting an exclusive right of trading in the Western Pacific to a chartered Company, we entirely agree with Sir Arthur Gordon that the time for any such scheme has long gone by. An elaborate plan was devised in 1876 by Sir Julius Vogel, then Premier of New Zealand, and the present Premier of that Colony, Mr. Whitaker, for the establishment of a great trading Company for the Western Pacific; but it fell to the ground, as any scheme of the kind now proposed must inevitably do. There are no circumstances in the Pacific similar to those which were held to justify the granting of a Royal Charter, in November, 1881, to the North Borneo Company; on the contrary, there are circumstances essentially adverse to any plan of the kind. But even if there were not, we may point to two things which alone ought now to dismiss it from consideration. In the first place, it would always have been futile to imagine that any grant of exclusive rights of trade to a Company would be effectual even in the case of British traders; not only would they have traded in spite of it, but at no time after the promulgation of the Order in Council could any such exclusive grant have been made without grave injustice to them; while, as regards foreigners, such a right would not have affected the French, German, and American traders; and if it was not to be respected by everybody, it must necessarily fail as a remedy. There are already French Companies established in New Caledonia, whose operations