

No. 5.

VI.—The Fiji.

The Right Hon. the Earl of KIMBERLEY to Governor Sir G. F. BOWEN, G.C.M.G.
(Circular.)

SIR,—

Downing Street, 3rd November, 1871.

I have received your Despatch No. 57, of the 11th July, 1871, respecting the formation of a Government at Fiji, under the authority of King Thakombau. I have to inform you that, as long as this newly-constituted Government exercises actual authority, you should deal with it as a *de facto* Government so far as concerns the districts which may acknowledge its rule; but Her Majesty's Government are not prepared to give any opinion as to the propriety of formally recognizing it without much fuller information as to its character and prospects.

I have, &c.,

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

KIMBERLEY.

No. 6.

The Right Hon. the Earl of KIMBERLEY to Governor Sir G. F. BOWEN, G.C.M.G.
(Circular.)

SIR,—

Downing Street, 14th August, 1872.

Her Majesty's Government have had under their consideration a question which has arisen with reference to the Government established *de facto* in the Fiji Islands, namely, whether, beyond the limits of the new State, British subjects, so long as the new State is not duly recognized, can be accepted as citizens of it, and exempted from British jurisdiction, in respect of acts done by them or engagements entered into with them.

A reference has been made to the Law Officers of the Crown, who have advised Her Majesty's Government that British subjects, beyond the limits of the new State not yet duly recognized, should not be accepted as citizens of the new State, nor be held exempted from British jurisdiction for acts done by them on British territory, or on board ships which ought to be navigated under the British flag; and, further, that they should not be held exempted from British jurisdiction for engagements entered into with them in cases where the validity or construction of such engagements would properly, and in ordinary course, be triable before a British tribunal. They are further of opinion that Her Majesty's Government may interfere with the acts and engagements of British subjects within Fiji, and may declare certain acts and engagements to be legal or illegal in the case of British subjects within Fiji.

The Law Officers have also reported, with reference to inquiries made through Mr. Consul March, by certain half-castes residing at Fiji, as to the protection which could be granted to them, on account of their British origin, in connection with the establishment of a *de facto* Government, that the half-castes in question appear to be illegitimate children of Fiji women, and to have been born in Fiji territory; and that, consequently, their nationality is not British, and that they are not entitled to British protection.

These opinions are communicated to you for your information and guidance.

I have, &c.,

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

KIMBERLEY.

No. 7.

Governor the Right Hon. Sir J. FERGUSSON, Bart. to the Right Hon. the Earl of CARNARVON.
(No. 27.)

MY LORD,—

Government House, Auckland, New Zealand, 13th April, 1874.

I have the honour to transmit copies of a memorandum which has been addressed to me by the Premier on the part of the Ministry, with a request that I would transmit it to your Lordship.

2. I have so fully explained to your Lordship's predecessor my sense of the earnest desire of the people of this colony to see British government extended in the South Pacific, where European settlement has spread, that it is unnecessary for me to do more than assure your Lordship that in my belief my Advisers are justified in reckoning on the support of the Assembly in the proposition which they make.

3. I do not understand Ministers to recommend or advocate the constitutional union of Fiji with New Zealand. The dissimilar circumstances of the two communities, the one possessing a large and growing predominance of the Europeans, and the other of the colonial race, seem to me to render the idea of a collective Parliament out of the question. It is, then, to the personal government of the Governor of New Zealand, assisted by his Responsible Advisers, perhaps, as Councillors, that the charge of the local government of Fiji, whatever it might be, would be committed. I think that I can offer no remarks upon this proposal that would be of service to Her Majesty's Government. They are well aware that the British people of New Zealand possess a large experience of a similar race to those which inhabit the Fiji and neighbouring groups, and that, whatever failures may have occurred in the early stages of the colony, the management of Native affairs is now prudent and successful.

4. In the event of Her Majesty's Government undertaking the sovereignty of or protectorate of Fiji, and preferring to place the Lieutenant-Governor, Agent, or Resident, under the government-in-chief of the Governor of New Zealand, I see no considerable difficulty in the way. If he should be made personally responsible for the details of government, it would certainly be necessary for him