

1885.
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. 58.)
MY LORD,—

Government House, Wellington, 8th August, 1884.

I have the honour to report that a capital sentence was, on the 15th ultimo, executed in the case of Rowland Herbert Edwards, who had been convicted at the Criminal Sittings of the Supreme Court held at Napier before Mr. Justice Gillies, in June last, of the wilful murder of his wife and four children. Answer, A.—2,
No. 11.

2. I took the advice of my Executive Council, and decided that there was no reason to interfere with the course of justice in the case.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 2.

(No. 79.)
MY LORD,—

Government House, Wellington, 11th October, 1884.

I have the honour to transmit herewith copies of a little work entitled “Health for the Maori,” by Mr. J. H. Pope, the Government Inspector of Schools for this colony. Answer, A.—2,
No. 29.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 3.

(No. 81.)
MY LORD,—

Government House, Wellington, 8th November, 1884.

I have the honour to acknowledge the receipt of your Lordship's Despatch No. 32, of the 6th June last, transmitting a letter from the Board of Trade enclosing a communication addressed by the United States Minister in London to the Secretary of State for Foreign Affairs, with two gold watches, awarded by the United States Government to Captain W. J. Grey, of the New Zealand Government steamship “Stella,” and Captain J. B. Greig, of the New Zealand Government schooner “Kokeno.” A.—2, No. 1.

I presented the watch awarded to Captain Grey, in person, at a meeting of the Executive Council of New Zealand at Government House. Captain Grey requested me to present to the United States Government, through your Lordship, his most respectful and sincere thanks for the honour they had conferred upon him.

As Captain Greig was not expected at Wellington for some time, I decided that the most suitable way for having the presentation made to him would be to

forward the watch intended for him to the Mayor of Invercargill, with a request that it might be publicly given to Captain Greig when next he visited the borough.

I transmit herewith an extract from the *Southlander*, giving an account of the ceremony; and also the receipts for the two watches.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 4.

(No. 82.)

MY LORD,—

Government House, Wellington, 8th November, 1884.

A.-2, No. 2.

With reference to your Lordship's Despatch No. 41, dated the 29th July last, respecting a fugitive offender, James Chapman, I have the honour to report that careful inquiries have been made, but no trace of him has yet been found. Inquiries are still being made. Mr. and Mrs. Scott, referred to in the enclosure to your Lordship's despatch, have been residing at Nelson for some time.

2. I enclose herewith a copy of the *New Zealand Police Gazette* for 29th October, containing an advertisement and reward offered for James Chapman's discovery.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 5.

(No. 83.)

MY LORD,—

Government House, Wellington, 8th November, 1884.

A.-2, No. 4.

With reference to your Lordship's circular despatch of the 15th August last, covering copy of correspondence between the Colonial Office, the Board of Trade, and the Secretary of Lloyd's, with reference to the employment of officers in the colonies, having duties in connection with the mercantile marine, as agents for Lloyd's, I have the honour to report that the mercantile marine officers in New Zealand are entirely paid by the colony. My Government, however, are of opinion that, even supposing these officers to be qualified, it would be very objectionable that they should act in any way as agents for Lloyd's, seeing that many cases might come before them with which they would have to deal, not only as such agents, but as representing the Government.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 6.

(No. 84.)

MY LORD,—

Government House, Wellington, 8th November, 1884.

A.-2, No. 8.

With reference to your Lordship's circular despatch of the 2nd September last, concerning Naval and Marine Court-martial prisoners, I have the honour to report as follows:—

1. The usual remission for good behaviour which is granted to civilian prisoners is not in New Zealand extended to Naval and Marine Court-martial prisoners, because the warrants under which they are detained specify the dates on which they are to be released.

2. There is no record of a Naval or Marine Court-martial prisoner being transferred from a New Zealand prison to complete his sentence in England.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 7.

(No. 86.)

MY LORD,—

Government House, Wellington, 8th November, 1884.

I have the honour to transmit herewith a report of a Select Committee of the House of Representatives of this colony, appointed to consider and report on the best route for the North Island Trunk Railway.

2. It was decided some years ago that a system of railways should be undertaken in order to open up the interior of the two Islands of New Zealand, both by trunk lines and branches. The great part of the trunk line and several of the branches in the South Island have long since been completed; but comparatively little has been done as regards the railways in this Island. Native difficulties and the comparatively unknown condition of the interior had combined with other causes to bring about this delay, and to make the question of route more uncertain. The Natives of the "King Country," however, seeing that their property will be largely increased by the railway, have now no objection to its going through their lands. Answer, A.—2,
No. 44.

3. As will be seen from the maps accompanying the report, there were three routes which were specially advocated: (1) the East, which had the advantage of utilizing the line already nearly completed between Wellington and Napier, and of uniting Napier with Auckland; (2) the West, which would similarly utilize the Hawera line, and unite New Plymouth with Auckland; and (3) the Central, which, although involving the construction of more new line than either of the others, is the most direct route between Wellington and Auckland, and the best line in regard to the facility of construction and working. There is at present comparatively little settlement along this route, but it will open up a rich country, and tend greatly to the union of the Maori and European races.

4. The question of the routes was submitted to a Committee, who have reported in favour of the Central or "Marton" (so called from the contemplated railway leaving the existing Wellington-New Plymouth line at Marton) one. The Committee consisted wholly of members from the South Island, it being considered that representatives from the North Island might be influenced by the interests of their respective constituencies: the opinion of the Committee, which was, with one exception, unanimous, may therefore be regarded as entirely unbiassed.

5. The matter having been again discussed in the House of Representatives on the presentation of the Committee's report, the Central Route has been adopted. I enclose herewith extracts from the "New Zealand Parliamentary Debates," containing the discussion.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 8.

(No. 88.)

MY LORD,—

Government House, Wellington, 8th November, 1884.

With reference to your Lordship's Despatch No. 68, dated the 10th December, 1883, concerning Native affairs in New Zealand, I have the honour to transmit herewith copies of a memorandum I have just received from the Premier, Mr. Stout, forwarding a memorandum from Major Atkinson, which represents the views of the Government of which he was Premier on the subject. A.—5, 1884, No. 7.
Answer, A.—2,
No. 32.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 9.

(No. 89.)

MY LORD,—

Government House, Wellington, 8th November, 1884.

With reference to your Lordship's Despatch No. 26, of the 9th May last, and further correspondence concerning federation and annexation, I had A.—3D, Sess. II.,
1884, No. 1.

hoped to be able to report fully on the subject, as far as New Zealand is concerned, by this mail; but no decision has yet been arrived at, and the matter is at this moment (midnight) under discussion in Parliament.

2. For the same reason I am not yet able to send any reply to the telegram I received from your Lordship, through the Governor of New South Wales, concerning the additional sum required for the Special Commissioner of New Guinea, and the proposed Council to assist him. I understand, however, that my Government are not likely to see their way to accede to either suggestion.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 10.

(No. 91.)

MY LORD,— Government House, Wellington, 10th November, 1884.

Answer, A.—2,
No. 35.

I have the honour to inform your Lordship that I have this day procured by Commission the first session of the ninth Parliament of New Zealand.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 11.

(No. 97.)

MY LORD,— Christchurch, 6th December, 1884.

A.—2, No. 10.

With reference to your Lordship's circular despatch of the 20th September last, I have the honour to state that I have forwarded to the Chairman of the Library Committee of the General Assembly of this colony the copy of the "More Leaves from the Journal of a Life in the Highlands from 1862 to 1882," which Her Majesty has been graciously pleased to present to that library, and am requested by the Committee to assure your Lordship that it will long be treasured as an additional proof of Her Majesty's interest in New Zealand.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 12.

(No. 98.)

MY LORD,— Christchurch, 6th December, 1884.

Answer, A.—2,
No. 36.

I have the honour to transmit herewith copies of the Acts passed by the General Assembly of New Zealand during its recent session to which I have assented in the name and on behalf of Her Majesty, together with a synopsis prepared by the Solicitor-General.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 13.

(No. 99.)

MY LORD,— Christchurch, 6th December, 1884.

A.—1, No. 9.

In continuation of my Despatch No. 89, of the 8th November last, concerning federation and annexation, I have the honour to state that I am now in a position to report on the subject as far as New Zealand is concerned.

Answer, A.—2,
No. 34.

2. The political changes here during the earlier part of the session had the effect of drawing the attention of the Parliament, the Press, and the public entirely to local affairs; and consequently the great importance of these subjects was hardly realized in the colony. Besides, there is certainly a general feeling throughout the country against federation in the ordinary sense of the term,

arising partly from the view that the distance between New Zealand and Australia is too great and the climate too different to make any arrangement like that now existing in the Canadian Dominion desirable, and partly from the disagreement among the advocates of federation as to details, some desiring that the Council should be a legislative, others only a deliberative body.

3. Again, with reference to New Guinea, it is agreed that, though it is possible that a trade may arise between this colony and India by the Torres Straits, the direct interest of New Zealand in that country is very slight, and the readiness with which the colony has taken part in the movement as regards the New Guinea protectorate may be attributed to its being regarded as a step towards annexation in the Western Pacific. Thus the Government, whilst declining to advise Parliament to contribute anything further than a proportionate part of the sum originally asked for, have determined to propose next session that this colony shall guarantee the cost incident to the acquisition of the Samoa and Tonga groups of islands, which they hope may be effected.

4. Considerable interest is exhibited in New Zealand concerning the Western Pacific islands. This arises partly from fears connected with the French Récidiviste Bill and the possible occupation of those islands by other European Powers, and partly from the hope that an extensive trade with them may arise.

5. A memorandum by the Colonial Treasurer, Sir J. Vogel (of which I enclose copies), has been adopted by my Ministers as expressing their views on these subjects.

6. Your Lordship will perceive that in that memorandum reference is made to "The New Zealand Confederation and Annexation Act, 1883" (which I transmitted with my Despatch No. 66, of the 8th September, 1883), to which my Government are anxious that Her Majesty's assent should be given.

7. The following resolutions were introduced by the Government into the Legislative Council and House of Representatives respectively:—

"Whereas, at a meeting of delegates from the following colonies—namely, Fiji, New South Wales, New Zealand, Queensland, South Australia, Tasmania, Victoria, and Western Australia—held in Sydney during November and December, 1883, the following resolutions were agreed to:—

"(1.) That further acquisition of dominion in the Pacific, south of the equator, by any foreign Power, would be highly detrimental to the safety and well-being of the British possessions in Australasia, and injurious to the interests of the Empire:

"(2.) That this Convention refrains from suggesting the action by which effect can best be given to the foregoing resolution, in the confident belief that the Imperial Government will promptly adopt the wisest and most effectual measures for securing the safety and contentment of this portion of Her Majesty's dominions:

"(3.) That, having regard to the geographical position of the Island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this Convention, while fully recognizing that the responsibility of extending the boundaries of the Empire belongs to the Imperial Government, is emphatically of opinion that such steps should be immediately taken as will most conveniently and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto as is not claimed by the Government of the Netherlands:

"(4.) That, although the understanding arrived at in 1878 between Great Britain and France, recognizing the independence of the New Hebrides, appears to preclude this Convention from making any recommendation inconsistent with that understanding, the Convention urges upon Her Majesty's Government that it is extremely desirable that such understanding should give place to some more definite engagement, which shall secure those islands

“ ‘ from falling under any foreign dominion ; at the same time, the Convention
 “ ‘ trusts that Her Majesty’s Government will avail itself of any opportunity that
 “ ‘ may arise for negotiating with the Government of France with the object of
 “ ‘ obtaining the control of those islands in the interests of Australasia :

“ ‘ (5.) That the Governments represented at this Convention undertake to
 “ ‘ submit and recommend to their respective Legislatures measures of permanent
 “ ‘ appropriation for defraying, in proportion to population, such share of the cost
 “ ‘ incurred in giving effect to the foregoing resolutions as Her Majesty’s Govern-
 “ ‘ ment, having regard to the relative importance of Imperial and Australasian
 “ ‘ interests, may deem fair and reasonable :

“ ‘ (6.) That the Convention protests in the strongest manner against the de-
 “ ‘ clared intention of the Government of France to transport large numbers of
 “ ‘ relapsed criminals to the French possessions in the Pacific, and urges Her
 “ ‘ Majesty’s Government to use every means in its power to prevent the
 “ ‘ adoption of a course so disastrous to the interests of Australasia and the
 “ ‘ Pacific Islands :

“ ‘ (7.) That the Convention expresses a confident hope that no penal settle-
 “ ‘ ment for the reception of European criminals will long continue to exist in the
 “ ‘ Pacific, and invites Her Majesty’s Government to make to the Government
 “ ‘ of France such serious representations on this subject as may be deemed ex-
 “ ‘ pedient :’

“ And whereas at the said Convention a draft Bill to constitute a Federal
 “ Council of Australasia was also agreed to : And whereas, in pursuance of the
 “ undertaking given by the delegates from the Colony of New Zealand, it is
 “ desirable that the resolutions of the said Convention should be submitted to
 “ this Legislature :

“ This Council resolves,—

“ That it agrees generally with the resolutions of the said Convention ; but,
 “ in order that its views may be specifically expressed, it resolves as follows :—

“ (a.) That it approves of the steps taken by the British Government for the
 “ establishment of its rule over New Guinea, and hopes that like measures will
 “ be taken for a protectorate over the islands of the Pacific Ocean not under
 “ the dominion of any stable Government.

“ (b.) That this colony is willing to pay, in proportion to its population, a
 “ share of the sum of £15,000 proposed by the Imperial Government.

“ (c.) That it desires respectfully to protest against the transportation of
 “ criminals to the French possessions in the Pacific.

“ (d.) That it requests the British Government to make such representations
 “ to the European Powers as will prevent the maintenance of penal establishments
 “ in any of the Pacific Islands.

“ (e.) That the establishment of such a Federal Council as is proposed in the
 “ Convention’s draft Bill is premature.

“ (f.) That, so far as the Bill aims at enabling the colonies to jointly initiate
 “ legislation on questions of common interest and importance to the several
 “ colonies, it has the cordial support of this Council.

“ (g.) That, to place the proposed measure in accordance with these opinions,
 “ it will be necessary to vary the Bill so as to provide—First, that the Federal
 “ Council shall not make representations to the Imperial Government direct, but
 “ to the several Colonial Governments ; second, that any measure it initiates shall
 “ not have any force within any colony, nor affect any colony, until it is adopted
 “ by the Legislature of such colony.”

8. In the Legislative Council the subject was thoroughly discussed, and the
 resolutions were amended by striking out (f) and (g) and adding the following
 words to (e) : “ so far as New Zealand is concerned, the geographical position
 “ of New Zealand requiring that the federal connection between New Zealand and
 “ Australia should be less close than that between the various Australian
 “ Colonies.”

9. In the House of Representatives, however, the discussion did not come
 on till the evening of Saturday, the 8th November, when several members had

already left Wellington, and it was generally understood that the session would end the following Monday. There was therefore a strong feeling that in such circumstances the question could not be adequately considered, and, although members of both the present and the late Government spoke strongly in favour of the resolutions (subject only to a verbal alteration making it clear that the sum of £15,000 which this colony would undertake to pay a share of, was that which was first proposed by the Imperial Government), they were amended by striking out resolutions (e), (f), (g), and substituting the following words: "(e.) That it is of opinion that further negotiations should take place between the "Australasian Colonies with regard to federation, and that further consideration "of the question be postponed until next session of Parliament."

10. I transmit copies of the resolution as agreed to by the two Houses respectively. The New Zealand *Hansard* containing the debates is not yet printed; but I will transmit copies as soon as they appear.

11. From my telegram of the 17th November your Lordship will have already learnt the conclusions arrived at by Parliament, and will have seen that in accordance therewith my Government urge the postponement of the Federal Bill.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure No. 1.

MEMORANDUM by Sir JULIUS VOGEL.

THE Colonial Treasurer of New Zealand, having for many years past taken great interest in questions relating to the South Sea Islands, submits this memorandum to the Cabinet regarding his views as to the present situation.

1. There are four subjects relating to the islands calling more or less for a distinct decision on the part of the colony through its Legislature.

2. These questions are,—

- (a.) The annexation or establishment of a protectorate over New Guinea and other islands in the Pacific;
- (b.) A contribution by the colony to the cost of a High Commissioner and his staff in special relation to New Guinea;
- (c.) The question of any of the islands in the South Seas being used for the reception of convicts;
- (d.) The proposal to establish a Federal Council.

It is better to deal with these subjects separately.

3. (a.) New Zealand has less direct interest in New Guinea than in the more easterly islands. The annexation of New Guinea, or a large portion of it, is of commanding importance to Queensland because of its proximity to that colony. The establishment of a foreign Power in the south-east of New Guinea would, in course of time, be as disastrous to Queensland as would the foreign occupation of one of its islands be to New Zealand, or the foreign occupation of Tasmania be to Victoria. The southerly Colonies of Australia have somewhat more interest in the annexation of New Guinea than has New Zealand: the interests of the latter are mainly concerned in the annexation of the islands to the eastward of Australia. Considering less their geographical position than the trade which has grown up with them, Victoria and New South Wales have probably as much interest in the islands to the east as they have in New Guinea, so that in making New Guinea the most prominent subject of their representations they have shown rare disinterestedness. Still no colony has so much interest in any one island, or group of islands, as Queensland has in New Guinea, and the colonies were bound to look at the question from something more than a selfish point of view. It is well, however, that the situation should be distinctly understood, because there is no reason why New Zealand and other colonies should carry their self-sacrificing disposition so far as to fail to press on the Imperial Government the immense importance to them, now that the question, as far as it relates to New Guinea, is settled, of the annexation of the other islands. The Colonial Treasurer holds that the Parliament of New Zealand should be asked to express its approval of the annexation of the easterly islands, as well as of New Guinea. The re-enactment, slightly altered, of the following resolution, passed by the House of Representatives last year, would seem to meet the case so far as an expression of opinion is concerned: "That the British Government should, under existing circumstances, take steps for the establishment of its rule over such islands in the Pacific as are not already occupied by or under the protectorate of a foreign Power, and the occupation of which by any foreign Power would be detrimental to the interests of Australasia." It might, however, be better to follow more nearly the language of the resolutions passed by the Convention last year. It would embarrass rather than aid the Imperial Government to enter into the question of the conflicting interests to be considered in relation to the islands east of Australia and New Guinea. But it can do no harm to make a special reference to the Tonga and Samoa groups of islands, which are probably the most valuable of the islands yet unannexed. The Tonga

group is now ruled by an aged king. It is an open secret that whenever he dies there are likely to be such disturbances in the islands as will make the Natives glad to welcome the intervention of a strong Power. Viewing the situation of these islands with regard to Fiji, putting apart all other considerations, there would seem to be no doubt that Great Britain should be prepared to intervene at Tonga whenever the necessity arises. The Samoan Islands possess advantages of which foreign Powers have shown themselves aware. Negotiations relating to them will probably be of a very delicate nature, and it is better to refrain from saying more than that they are fully as valuable to Great Britain as to other Powers. In relation to all these questions, it is clearly alike the duty and the interest of the colony to strengthen, not to weaken, the hands of the Imperial Government. A point of great importance to New Zealand does not seem to have entered into the consideration of the Sydney Conference, and yet it is well worthy of careful deliberation. The Colonial Treasurer alludes to the Act passed last year, reserved for Her Majesty's approval, providing a machinery for enabling one or more islands to be annexed to New Zealand. As far as the other Australasian Colonies are concerned, it must be better in all respects that the islands annexed should, without expense to them, become integral portions of a constitutionally-governed colony, in preference to a system of a protectorate or of Crown-colony government. The Act makes it clear that the New Zealand Legislature is agreeable to an increase of the territory of the colony. It is greatly to be hoped that Her Majesty's assent will be given to the Act.

4. (b.) The contribution of £15,000 asked for seems to be intended as an expenditure on New Guinea especially. From what has already been said it is clear that this is an expenditure in which New Zealand has a minimum amount of interest. But the same in less degree may be said of Victoria, and it would be so impolitic of New Zealand to place itself outside the Australasian combination that the Colonial Treasurer is favourable to the colony sharing the liability on the basis of its limitation to the same proportion of the whole contribution as the population of New Zealand bears to the total population of the Australasian Colonies. In round figures this would amount to £2,500 a year, more or less.

5. (c.) The restriction of convict settlements in the Pacific is a question of overwhelming interest to the Australasian Colonies. To some extent they may keep the convicts from their shores by stringent legislation; but, besides the inexpediency, in the interest of friendly relations, of having to adopt such legislation, the injury does not stop with the actual access to the colonies of the criminals themselves. Their presence indeed in the colonies, where they could be to some extent held in restraint, deplorable as it would be, would perhaps be less injurious than that they should carry throughout the Pacific Islands their crime-stained instincts, and lay the foundation of future generations of lawless peoples. No representations on the subject can be too strong, but it is to be doubted if it is not better calculated to aid the British Government in its negotiations that the representations should be made to it direct, rather than fulminated in a manner calculated to arouse the pride of a great nation. It should be easy to show to France, from which country the danger is apprehended, that, in the interests of her own possessions in the Pacific, and of the large trade that must grow up between them and the colonies, it would be to her own advantage to seek some other part of the world as a home for her criminal population.

6. (d.) Upon the question of a Federal Council there seems to be some misunderstanding, both as to the exact nature of the proposals under consideration, and as to the extent of the desire expressed for federation by the Secretary of State for the Colonies. Practically the views of Lord Derby, as to saving the Imperial Government additional expenditure, are sufficiently met by the Colonial Legislatures singly giving their guarantees to provide funds. This it is proved can be done without recourse to federation. The Federal Council Bill is a measure calculated to arouse mistrust, because it is impossible to determine what consequences may arise from it. Its advocates profess to see in it the road to an ultimate Australasian Dominion; but it is by no means established that such a result is desirable. There are not the same reasons for constituting a Dominion in Australasia as there were in Canada. The Australasian Colonies are of vast size, their systems of central and local government have been matured according to the wishes of their respective peoples: federation would impose irksome restraints on the self-governing powers of each colony, would reduce the competition and emulation that now work favourably, and would give no sufficiently compensating advantages. Federation of the entire empire would be impeded, rather than promoted, by a permanent federation of the separate colonies. The benefits that would follow Imperial federation are as certain as those of Colonial federation are doubtful. If the federation of Australasia is desirable, it should be brought about openly, not insidiously. The Federal Council Bill either does not aim at federation, or aims at fastening it on the colonies by gradually and involuntarily committing them to it. The colonies are not yet sufficiently agreed on vital points to be ready for federation. To decoy them into it is to run the chance of creating feelings of a nature so bitter that their one effort will be to subsequently free themselves.

The leading features of the Bill are,—

(a.) That, subject to the Colonial Legislatures approving the Act (*i.e.*, the Bill under consideration), the Federal Council constituted by it will thereafter have absolute and final powers of legislation on a great many questions.

(b.) The Council will have powers of legislation on further questions specially referred to it.

(c.) The Council may make such representations or recommendations to Her Majesty as it may think fit with respect to any matters of general Australasian interest, or to the relations of Her Majesty's possessions in Australasia with the possessions of foreign Powers.

(d.) Each colony is to be represented in the Council by two members, excepting Crown colonies, which are to be represented by one member each.

Regarding (a.) and (b.), it is only necessary to point out how a word or a sentence may alter the meaning of an Act, to show it does not follow that the Council's legislation will be satisfactory because the colonies approve of its dealing with the questions to which the legislation relates,

Nothing short of the colonies separately approving each measure after the Council passes it can meet what they require, whilst they retain their independent rights of government.

The authority to make representations (*c.*) to the Imperial Government cannot be exercised beneficially. The Council is to have the option of not sitting more than once in two years. It may work, it is true, by Committees, but no colony would be content that authoritative representations should be made on its behalf by Committees not selected by it; and, as to the Council, it may not be sitting when the representations require to be made. Neither, however, to Council nor Committee could a colony safely leave the power of making representations on its behalf. It really all comes back to this point: that, as long as the colonies are not federated, as long as each is self-governed, and the Government of each responsible to the local Legislature, it will be impossible for such Government to do justice to its responsibility and yet allow part of the powers it ought to exercise to be exercised by others. There would be a constant struggle between each colony and the Federal Council. The Imperial Government would espouse the rights of the Council, would decline to receive separate representations, and there would be coolness and want of friendly understanding between the colonies and the Colonial Office.

The conditions of representation (*d.*) in the Council would not be satisfactory to colonies which, like New Zealand, make their ordinary system of representation to depend mainly on the basis of population. A single large colony, with the aid of two or three smaller ones, might override the rest of the colonies, possessing double the aggregate population. If the Council were a mere Convention to frame measures for the consideration and approval of the colonies separately, and to make recommendations to the Colonial Governments on subjects of joint importance, but not to the Imperial Government, the basis of representation would be of less consequence.

But these objections are only directed against the measure as a Federal Council Bill. Were its objects less ambitious, and did it merely aim at enabling the colonies to pass laws on subjects of common importance to them all, too much could not be said in its praise. The colonies have long felt the want of dealing with particular subjects by common laws, and would hail a machinery by which, as regards those subjects, a common law could be made to prevail. By providing, as before suggested, that no law should have force until approved by the colonies separately, the objections would be met, as the independence of the several Governments would not be overridden before the time arrived for efficient federation.

6th October, 1884.

JULIUS VOGEL.

Enclosure No. 2.

RESOLUTIONS passed by the LEGISLATIVE COUNCIL.

WHEREAS, at a meeting of delegates from the following colonies—namely, Fiji, New South Wales, New Zealand, Queensland, South Australia, Tasmania, Victoria, and Western Australia—held in Sydney during November and December, 1883, the following resolutions were agreed to:—

1. That further acquisition of dominion in the Pacific south of the equator by any foreign Power would be highly detrimental to the safety and well-being of the British possessions in Australasia, and injurious to the interests of the Empire:

2. That this Convention refrains from suggesting the action by which effect can best be given to the foregoing resolution, in the confident belief that the Imperial Government will promptly adopt the wisest and most effectual measures for securing the safety and contentment of this portion of Her Majesty's dominions:

3. That, having regard to the geographical position of the Island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this Convention, while fully recognizing that the responsibility of extending the boundaries of the Empire belongs to the Imperial Government, is emphatically of opinion that such steps should be immediately taken as will most conveniently and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto as is not claimed by the Government of the Netherlands:

4. That, although the understanding arrived at in 1878 between Great Britain and France, recognizing the independence of the New Hebrides, appears to preclude this Convention from making any recommendation inconsistent with that understanding, the Convention urges upon Her Majesty's Government that it is extremely desirable that such understanding should give place to some more definite engagement, which shall secure those islands from falling under any foreign dominion; at the same time, the Convention trusts that Her Majesty's Government will avail itself of any opportunity that may arise for negotiating with the Government of France with the object of obtaining the control of those islands in the interest of Australasia:

5. That the Governments represented at this Convention undertake to submit and recommend to their respective Legislatures measures of permanent appropriation for defraying, in proportion to population, such share of the cost incurred in giving effect to the foregoing resolutions as Her Majesty's Government, having regard to the relative importance of Imperial and Australasian interests, may deem fair and reasonable:

6. That the Convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges Her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands:

7. That the Convention expresses a confident hope that no penal settlement for the reception of European criminals will long continue to exist in the Pacific, and invites Her Majesty's Government to make to the Government of France such serious representations on this subject as may be deemed expedient :

And whereas at the said Convention a draft Bill to constitute a Federal Council of Australasia was also agreed to : And whereas in pursuance of the undertaking given by the delegates from the Colony of New Zealand, it is desirable that the resolutions of the said Convention should be submitted to this Legislature :—

This Council resolves,—

That it agrees generally with the resolutions of the said Convention ; but, in order that its views may be specifically expressed, it resolves as follows :—

(a.) That it approves of the steps taken by the British Government for the establishment of its rule over New Guinea, and hopes that like measures will be taken for a protectorate over the islands of the Pacific Ocean not under the dominion of any stable Government.

(b.) That this colony is willing to pay, in proportion to its population, a share of the sum of £15,000 proposed by the Imperial Government.

(c.) That it desires respectfully to protest against the transportation of criminals to the French possessions in the Pacific.

(d.) That it requests the British Government to make such representations to the European Powers as will prevent the maintenance of penal establishments in any of the Pacific Islands.

(e.) That the establishment of such a Federal Council as is proposed in the Convention's draft Bill is premature so far as New Zealand is concerned, the geographical position of New Zealand requiring that the federal connection between New Zealand and Australia should be less close than that between the various Australian Colonies.

Enclosure No. 3.

RESOLUTIONS passed by the HOUSE OF REPRESENTATIVES.

WHEREAS at a meeting of delegates from the following colonies—namely, Fiji, New South Wales, New Zealand, Queensland, South Australia, Tasmania, Victoria, and Western Australia—held in Sydney during November and December, 1883, the following resolutions were agreed to :—

1. That further acquisition of dominion in the Pacific south of the equator by any foreign Power would be highly detrimental to the safety and well-being of the British possessions in Australasia, and injurious to the interests of the Empire :

2. That this Convention refrains from suggesting the action by which effect can best be given to the foregoing resolution, in the confident belief that the Imperial Government will promptly adopt the wisest and most effectual measures for securing the safety and contentment of this portion of Her Majesty's dominions :

3. That, having regard to the geographical position of the Island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this Convention, while fully recognizing that the responsibility of extending the boundaries of the Empire belongs to the Imperial Government, is emphatically of opinion that such steps should be immediately taken as will most conveniently and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto as is not claimed by the Government of the Netherlands :

4. That, although the understanding arrived at in 1878 between Great Britain and France, recognizing the independence of the New Hebrides, appears to preclude this Convention from making any recommendation inconsistent with that understanding, the Convention urges upon Her Majesty's Government that it is extremely desirable that such understanding should give place to some more definite engagement, which shall secure those islands from falling under any foreign dominion ; at the same time the Convention trusts that Her Majesty's Government will avail itself of any opportunity that may arise for negotiating with the Government of France with the object of obtaining the control of those islands in the interests of Australasia :

5. That the Governments represented at this Convention undertake to submit and recommend to their respective Legislatures measures of permanent appropriation for defraying, in proportion to population, such share of the cost incurred in giving effect to the foregoing resolutions as Her Majesty's Government, having regard to the relative importance of Imperial and Australasian interests, may deem fair and reasonable :

6. That the Convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges Her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands :

7. That the Convention expresses a confident hope that no penal settlement for the reception of European criminals will long continue to exist in the Pacific, and invites Her Majesty's Government to make to the Government of France such serious representations on this subject as may be deemed expedient :

And whereas at the said Convention a draft Bill to constitute a Federal Council of Australasia was also agreed to : And whereas, in pursuance of the undertaking given by the delegates from the Colony of New Zealand, it is desirable that the resolutions of the said Convention should be submitted to this Legislature :—

This House resolves,—

That it agrees generally with the resolutions of the said Convention; but, in order that its views may be specifically expressed, it resolves as follows:—

(a.) That it approves of the steps taken by the British Government for the establishment of its rule over New Guinea, and hopes that like measures will be taken for a protectorate over the islands of the Pacific Ocean not under the dominion of any stable Government.

(b.) That this colony is willing to pay, in proportion to its population, a share of the sum of £15,000 as at first proposed by the Imperial Government.

(c.) That it desires respectfully to protest against the transportation of criminals to the French possessions in the Pacific.

(d.) That it requests the British Government to make such representations to the European Powers as will prevent the maintenance of penal establishments in any of the Pacific Islands.

(e.) That it is of opinion that further negotiations should take place between the Australasian Colonies with regard to federation, and that further consideration of the question be postponed until next session of Parliament.

No. 14.

(No. 101.)

MY LORD,—

Christchurch, 6th December, 1884.

I have the honour to transmit herewith a petition from the King and chiefs of Samoa to Her Majesty praying that the Government of Great Britain will take over their country.

2. I am not aware of the circumstances under which the petition was drawn up. It was forwarded to me by Messrs. W. McArthur and Co. of Auckland, who have since informed me that it was sent to them, but they had no connection with the movement.

3. A letter has also been sent to me by the petitioners, asking me to forward their petition, and to telegraph to your Lordship that I have done so.

4. I assume that the previous petition, of which mention is made, is that which is referred to in the enclosure to my Despatch No. 63, of the 16th August last.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

[For enclosure in Despatch No. 101, see Appendix 1 to Premier's letter, 19th March, 1885.]

No. 15.

(No. 1.)

MY LORD,—

Government House, Wellington, 3rd January, 1885.

With reference to my Despatch No. 99, of the 6th December last, concerning federation and annexation, I have the honour to transmit herewith extracts from the "New Zealand Parliamentary Debates" containing the debates in the Legislative Council and House of Representatives on the subject.

A.—1, No. 13.
Answer, A.—2
No. 40.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 16

(No. 2.)

MY LORD,—

Government House, Wellington, 3rd January, 1885.

With reference to your Lordship's circular despatch of 29th August, concerning the International Inventions Exhibition which it is proposed to hold in London this year, I have the honour to state that, as the despatch did not reach me until the 27th October, and applications from colonies for space were only receivable up to the 1st November, it was impossible for New Zealand to take any part in this exhibition.

2. A notification on the subject was, however, published in the *Gazette*, and the Government announced that they would afford all available information to residents desiring to exhibit, and would arrange to send to London free of freight any approved inventions, &c., that might be forwarded to the Colonial Secretary as exhibits.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 17.

(No. 3.)

MY LORD,—

Government House, Wellington, 3rd January, 1885.

A.-2, No. 12.

With reference to your Lordship's Despatch No. 60, of the 8th October last concerning the extradition of one Herbert Joseph Williams, who was believed to be in New Caledonia, passing under the name of Dr. Willoughby, I have the honour to inform your Lordship that I have received a despatch from His Excellency the Governor of New Caledonia, stating that on the communication to him of the telegram from the Foreign Office to the British Consul demanding his extradition, he placed the matter in the hands of the *Chef du Service Judiciaire*, who sent for Dr. Willoughby, questioned him, compared him with the photograph of H. J. Williams and with the description which had been furnished by the police here, made further inquiries, and came to the conclusion that there were no grounds whatever for supposing that Dr. Willoughby who went in the "Duplex" from Sydney to Noumea and is now there, is the same as the forger H. J. Williams.

I regret that your Lordship should have been caused unnecessary trouble in the matter.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 18.

(No. 4.)

MY LORD,—

Government House, Wellington, 3rd January, 1885.

A.-2, No. 13.

A.-2, No. 17

With reference to your Lordship's Despatch No. 61 of the 8th October last and further correspondence concerning the case of Alexander Forsyth Anderson, a fugitive offender, I have the honour to state that I have this day signed a warrant ordering his return to Liverpool, under the custody of Inspector James Irvine. He is to go by the direct steamer "Tongariro," leaving Lyttelton on the 17th instant.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 19.

(No. 5.)

MY LORD,—

Government House, Wellington, 3rd January, 1885.

With reference to correspondence concerning the case of William Sheehan, charged with murder, your Lordship will have learnt by telegram of his arrest. This was effected on Sunday, the 21st ultimo, when information had been received of the issue of the warrant in Ireland. As the prisoner at once admitted to being the William Sheehan therein referred to, there was no difficulty, when he was brought before the magistrates on the 23rd, in obtaining a remand until the 31st; and on that day a further remand was granted until the 9th instant, by which time it is hoped that information will have been received that the officer has left England with the deposition.

2. It appears that notices of the murder and of William Sheehan being in this part of the world first appeared in the English papers (amongst others the *Weekly Despatch* and the *Home News*), from which they were copied into the newspapers here.

3. I enclose extracts from the local papers giving an account of the proceedings before the Magistrates, from which your Lordship will perceive that the police have acted in an energetic and praiseworthy manner in the case.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 20.

(No. 6.)

MY LORD,—

Government House, Wellington, 5th January, 1885.

I have the honour to report that the Honourable William Hunter Reynolds, M.L.C., Minister without portfolio, has resigned his seat in the Executive Council. Answer, A.—2
No. 39.

2. The Honourable William James Mudie Larnach, C.M.G., Member of the House of Representatives for the Peninsula, has been appointed in his stead, and has to-day taken the oaths and his seat. Mr. Larnach has received the portfolios of Minister of Mines and Minister having charge of the Marine Department.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 21.

(No. 11.)

MY LORD,—

Christchurch, 17th January, 1885.

With reference to my Despatch No. 15, of the 1st March, 1884, and further correspondence concerning the "Kate McGregor" and the "Agnes Donald," I have the honour to transmit herewith a copy of a letter from Mr. Thomas Hill, Collector of Customs at Auckland, enclosing extracts from the log of the "Agnes Donald," giving an account of some recent proceedings on board that vessel. A.—1, 1884, No. 22.

2. I am forwarding similar documents to the naval officer commanding on the station.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

SIR,—

Customs, Auckland, 24th December, 1884.

Referring to my letter, No. 55-84, of 9th February, 1884, relative to certain transactions on board the schooner "Kate McGregor," Hayward, master, I now enclose extract from official log of the schooner "Agnes Donald," of this port, 61 $\frac{25}{100}$ tons, official number 70,334, commanded by the same man, Hayward. It appears that on the 21st July last, while this vessel was at a place called Kuria, in the Gilbert Group, there was also another vessel lying there named the "Wm. H. Stevens," and that after lunch a shooting affray took place, in which the mate of the "Agnes Donald," Henry Mulley, was injured by being fired at by a Mr. Smith, who was on board the "Wm. H. Stevens" at the time. According to the statement in the log, the wounded man quickly recovered from the injuries, and was subsequently discharged at Apemama.

Though this may not be a matter of which the New Zealand Government would take cognizance, I submit that it would be well to put the Commodore of Her Majesty's ships on the station in possession of the facts, in order that he may take action, if necessary.

I may mention that the "Agnes Donald" has left here again for a cruise for those Islands, and it was only yesterday that I was made acquainted with the facts as before stated.

I have, &c.,

THOMAS HILL,

Collector.

The Secretary, Marine Department, Wellington.

Sub-Enclosure.

EXTRACT from Official Log-Book of "Agnes Donald," Official No. 70,334, of Auckland.

Kuria, or Woodle Island, Gilbert Group.

Kuria, 21st July, 5 p.m., 1884.

THE "Wm. H. Stevens" at anchor here. I went on shore, and was accompanied on board by the captain and Mr. Smith, and afterwards accompanied them on board the above-mentioned vessel, where we took lunch. Afterwards a quarrel arose between Captain Hansen and the mate, Henry Malley; then the latter went into the boat; after which Captain Hansen fired a shot over his head from a pistol or revolver; the mate, becoming afraid, commenced to cut the boat's painter, and was told by Smith to desist, or he would shoot him, at the same time firing a bull-dog revolver, the ball from which entered the mate's body behind the shoulder-blade, and passing through under the collar-bone; all parties concerned being the worse for liquor obtained on board the "Wm. H. Stevens."

H. C. HAYWARD.

W. H. BLOTT.

July 22nd, 8 a.m.—This day I saw Smith, who blamed the whole thing on drink and the mate's attempt to take the boat and leave with her.

July 30th, Apamama.—The mate's wound completely healed. In fact, there has been very little discharge from it at any time. It is now completely healed on both sides.

August 11th.—Having seen the mate handling a bucket as I would myself, and that several times during the week he had been mending clothes, &c., I requested him to look after the work, which he did not appear inclined to do. Afterwards he did turn to (but with a very bad grace), and I should judge wilfully mixed the paint too thin. I then saw the vessel was rather too close in, and the mate informed me that he had heard her bump the night before, but would not inform me of it. I then told him I should want his services no more, and that he might leave here. His reply was "that he would ; he was tired of the vessel." I then read the above entry to him.

H. C. HAYWARD.

W. H. BLOTT.

August 13th, Apamama.—Discharged mate and cook on mutual consent, for general neglect of duty on the part of each.

H. C. HAYWARD.

W. H. BLOTT.

No. 22.

(No. 12.)

MY LORD,—

Christchurch, 17th January, 1885.

A.-2, No. 16.
A.-2, No. 20A.

With reference to your Lordship's Despatch No. 64, of the 15th October last, and No. 73, of the 19th November, concerning the Queen's protectorate over the south-east coast of New Guinea and sundry adjacent islands, I have the honour to state that I have directed the Proclamation and the schedule appended thereto to be notified in this colony. I transmit herewith copies of the New Zealand Government *Gazette* of the 8th instant, containing the announcement.

2. I have received a telegram from Major-General Scratchley, stating that he intends visiting this colony before his departure for New Guinea.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 23.

(No. 13.)

MY LORD,—

Christchurch, 17th January, 1885.

Answer, A.-2,
No. 42.

I have the honour to transmit herewith a petition from James Tyler, late farrier-sergeant, 4th Hussars, to the Secretary of State for War, praying for the grant of an annuity from the Patriotic Fund.

2. Your Lordship will observe that the petition is supported by a large number of the leading citizens of Christchurch, including the Primate, Sir John Hall, K.C.M.G., and several members of both Houses of Parliament.

The case appears one thoroughly deserving of recommendation to the Secretary of State for War, should your Lordship see fit to forward the application.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

SIR,—

St. Albans, Christchurch, New Zealand, 5th December, 1884.

I have the honour to submit the following for your consideration :—

Understanding that there is a considerable portion of the "Patriotic Fund," which was raised for the benefit of soldiers who took part in the Crimean War, unexpended, I beg leave to apply for an annuity from the said fund on the grounds herein mentioned, viz. :—

I enlisted in the 4th Light Dragoons on the 27th day of November, 1843, at Gloucester, served with the regiment on Home service from that period till 1854, when, with the regiment, under the command of Lord George Paget, I proceeded to Turkey in July of that year, and from thence to the Crimea, where I took part in the Battle of Alma, was present at the bombardment of Sebastopol, and was engaged with the Light Brigade at the Battle of Balaclava, where I was wounded by a grapeshot through the body. For these services I have the honour to possess the Turkish medal and Crimea medal, with three clasps. In consequence of the wound received at Balaclava I was confined in hospitals abroad and at Home until June, 1855, when I was able to rejoin the dépôt of the regiment at Brighton. In 1860 I was promoted to farrier-sergeant of the regiment, and continued duty as such until 24th December, 1867, and retired on a pension of 1s. 8d. per day, after a service of twenty-four years and twenty-five days.

I have been unable for eight years to work at my trade as a farrier owing to my wound, failing eyesight, and general physical infirmity from old age, being now sixty-one, which also debars me from earning sufficient to sustain my invalid wife, whose age is sixty-three, and myself.

I would respectfully point out that, as my pension is insufficient for my own support, you will be pleased to grant my request for an annuity, and enable me, with my present pension, to sustain my wife and myself in our declining years.

I have, &c.,

JAMES TYLER,

Late Farrier-Sergeant, 4th Hussars.

The Hon. the Secretary of State for War, War Office, London.

I certify that I have compared the "account-book" of Farrier-Sergeant James Tyler, and found the services claimed duly certified therein. I have also inspected his discharge certificate, as well as his pension certificate; also his medals and clasps.—ALEXANDER ROSE, Collector of Customs; also Local Paymaster Imperial Pensions, Christchurch District. Christchurch, 2nd January, 1885.

Sub-Enclosure.

SIR,—

St. Albans, Christchurch, New Zealand, 5th December, 1884.

We have much pleasure in supporting the application of Farrier-Sergeant James Tyler, hereunto annexed, for an annuity from the Patriotic Fund, and consider that the present age of himself and wife, and his long and valuable services in his country's defence, entitle him to every consideration at your honourable hands.

We have, &c.,

H. J. C. Christchurch, Primate of the Church in New Zealand.

C. P. Halbert, Mayor of Christchurch.

James W. Stack, Curate of St. Albans, Christchurch.

De Renzie Brett, Colonel, late of H.M. 108th Regiment, New Zealand.

T. J. Maling, merchant, Christchurch.

John Holmes, M.H.R.

P. Cunningham, J.P.

Alexander Rose, Local Paymaster Imperial Pensions, Collector of Customs, Lyttelton, &c.

E. C. J. Stevens, M.L.C., New Zealand.

Frederick Hobbs, J.P., ex-Mayor of Christchurch.

J. D. Macpherson, J.P.

John T. Matson, J.P., New Zealand.

John Anderson, J.P.

F. W. Hutton, late Captain 23rd R.W. Fusiliers.

Wiban Vigors Richards, late Lieutenant 87th R.I. Fusiliers.

J. L. Coster, M.H.R., J.P.

F. J. Garrick, M.H.R.

Henry Jacobs, D.D. Oxon., Dean of Christchurch, New Zealand.

George Roberts, J.P., Christchurch.

Leonard Harper, M.H.R.

H. Thompson, J.P., Christchurch.

Thomas W. Maude, J.P., Christchurch.

George Harper, Barrister-at-Law, Christchurch.

Max. Lean, Lieut.-Colonel Commanding Canterbury Volunteer District, J.P.

Ernest Gray, J.P.

John Hall, K.C.M.G.

Charles V. Eccles, A.D.C., Major Rifle Brigade.

The Hon. the Secretary of State for War, War Office, London.

No. 24.

(No. 19.)

MY LORD,—

Christchurch, 31st January, 1885.

I have the honour to transmit herewith a petition from Mr. H. Baucke, of Wellington, addressed to Her Majesty, concerning his claim against the Government of this colony.

2. As your Lordship will perceive from the enclosures to the petition, the case has been frequently considered by Parliament, the Supreme Court, and successive Ministries. Mr. Baucke has also petitioned several of my predecessors and myself. I do not consider, therefore, that any further report on the subject is called for.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

To Her Most Excellent Majesty VICTORIA, of Great Britain and Ireland Queen, &c.

MAY it please your Majesty,—The petition of Henry Baucke, subject of your Majesty, late of Chatham Islands, residing at Wellington, New Zealand, humbly sheweth,—

1. That your petitioner was, with the consent of His Majesty the King of Prussia, sent from Berlin as a missionary to the Chatham Islands by a certain society called the Evangelical Lutheran Missionary Society, whose head and leader at that time was the Rev. Johannes Gossner.

2. That your petitioner arrived at the Chatham Islands, within the Colony of New Zealand, in the year 1843, and became a naturalized British subject in the year 1853.

3. That, in course of time, to more effectually proceed with his mission labours amongst the Natives of the Islands, your petitioner applied to the Government of New Zealand to establish a magisterial authority on the Islands.

4. That the request of your petitioner was readily granted by the Government, but that the Magistrate appointed—one Mr. Archibald Watson Shand—proved to be a man of thoroughly reprobate character, addicted to the lowest and most degrading vices, causing even the Natives to deride his private conduct and to condemn his official management; and that, notwithstanding this conduct of Mr. Shand was reported to the Government by your petitioner and the Natives, no notice or action was taken by the authorities.

5. That, under certain circumstances (set forth in document marked A), Mr. Shand succeeded in obtaining a certain sum of money—namely, £151—from your petitioner, under pretence of a certain official authority, which was only of a temporary character, and had previously expired, the said money being the purchase-money of your petitioner's property, which had been bought by Mr. Shand, his object being to possess himself of the property while retaining possession of the purchase-money thereof.

6. That, having so far succeeded, Mr. Shand coveted your petitioner's homestead, adjoining the property previously referred to, and offered your petitioner a sum of £200, or about one-third of its value, for it; but your petitioner, having obtained an insight into Mr. Shand's character, declined to accede to his proposal, or to have anything further to do with him.

7. That, finding himself unsuccessful in his scheme, Mr. Shand tried another method, and instigated the Natives from whom your petitioner had bought the land, as well as leased an adjoining run, to drive your petitioner out of the place. Failing to induce the Natives to do this, Mr. Shand proceeded, in the absence of your petitioner, to ill-treat his family, with a view to bring your petitioner to his terms. To more effectually carry out his designs against your petitioner, Mr. Shand devised a malicious scheme, under pretence of which he refused your petitioner protection, so outlawing him, and then reported the outlawry throughout the main island, with intent to ruin your petitioner, and by which he sustained very severe losses, and was compelled to remove, under very hard and trying circumstances, to another place some forty miles distant, and thereby his homestead was rendered valueless to him.

8. That in course of time another Magistrate was appointed to the Chatham Islands in place of Mr. Shand, who, instead of righting your petitioner, endeavoured, by continuing the outlawry commenced by Mr. Shand, to gloss over his predecessor's misdeeds by making it appear that your petitioner was himself to blame for what had occurred, even going so far as boldly to advise your petitioner that if he was not satisfied he should leave the Islands or go to New Zealand to seek his rights. This latter course your petitioner said he would take, though his subsequent experiences have been of a character to make him regret that he did not then leave the colonial jurisdiction for ever.

9. That your petitioner visited New Zealand, and, on arrival, presented a statement of his complaints to the Hon. the Colonial Secretary, dated 10th January, 1866; but, instead of being taken notice of, the Government sent a large number of Maori prisoners to the Chatham Islands in such a way and to such a place that your petitioner was compelled to return to the Islands in order to again remove his family to another place some thirty miles distant, which removal occasioned the death of your petitioner's wife, leaving nine children behind, of which the youngest was only three years old.

10. That, on again returning to New Zealand, your petitioner embodied the aforesaid statement in a petition, and presented it in the ensuing session of Parliament, and on the report of the Committee (see a copy marked "B") a Commission was sent to the Chatham Islands to investigate his complaints against the Magistrates.

11. That during the session of the Parliament of 1867 your petitioner presented another petition, and the Committee awarded him £300 for his properties sold to Mr. Shand as aforesaid.

12. That, when the Government were taking steps to give effect to the recommendation of the Committee, Mr. (now Sir James) Prendergast, the Attorney-General for the colony, but now Chief Justice of the Supreme Court of the colony—a man equally [*sic*] devoid of conscience with, but more subtle than, Mr. Shand, endeavoured with attempts to legalize the fraud originally concocted by Mr. Shand, and to favour Mr. Lyon, Government bookseller, of Wellington, to defraud your petitioner of the £300, and, to effect this purpose, conspired with one Robert Hart, solicitor, of Wellington, to set up the claim and title of one Charles Cameron to the money (see particulars set forth in statement marked "A"); and Sir James Prendergast, whilst Attorney-General and Chief Justice, taking advantage of the high position he occupied, carried everything before him by misrepresentations to the effect that the money did not really belong to your petitioner, and that, in fact, in prosecuting his claim to the money, your petitioner acted the part of a rogue. Thus he frustrated every attempt made by your petitioner, either by petitioning Parliament or by taking action in the Supreme Court, during some sixteen years, until your petitioner was latterly [*sic*]

turned out of Court. The last case entered in Court, and the remarks made by the presiding Judge in *banco*, and the subsequent correspondence between your petitioner and the Premier (see document marked "C").

13. That, being turned out of Court, your petitioner rendered his account to the Premier for losses and damage sustained, accompanied by letter (marked "O") setting forth the grounds of his claim.

14. That, having previously made certain specific charges to the Government against several of the Judges of the Supreme Court, your petitioner, having failed in his first attempt, succeeded in a second attempt to present a petition to Parliament praying for an investigation of these charges. Being summoned before the Public Petitions Committee, the Chairman requested your petitioner to state his claim against the Government. Before, however, complying with that request your petitioner asked the Chairman, "What about the Judges?" when, in reply, the Chairman said, "That comes afterwards." Whereupon your petitioner stated his claim as previously rendered to the Premier; but the Committee failed to make any report.

15. That at a subsequent session of Parliament—*i.e.*, in 1883—your petitioner presented another petition praying that his claim might be satisfied, and submitted substantial documentary evidence to the Chairman of the Committee in proof of his claim; yet the Committee made a most fallacious report. Whereupon your petitioner addressed a letter to the Hon. the Colonial Secretary, enclosing copy of the petition and report, to which your petitioner drew the attention of the Government, pointing out also the construction your petitioner put upon the report. (See copy of letter and report, marked "E.")

16. That, although receiving an acknowledgment, but no reply as requested by his letter, your petitioner made again fresh charges against three of the Judges of the Supreme Court, and prayed by petition to the Minister of Justice for a removal of these Judges from the Bench, with a view to enable him to again prosecute his claim in the Supreme Court, but received no reply. Your petitioner addressed a letter to the Minister of Justice showing the necessity for an inquiry into these charges, but was met with perfect silence.

17. That, being treated with such contempt for so many years, and placed in a most helpless and ruined position, your petitioner decided upon leaving the colony, and addressed a letter to the Premier to that effect, stating the grounds for his leaving, and rendered his final claim against the Government, embodying that previously rendered. (See copy of letter and account and copy of reply, marked "F.")

18. That subsequently your petitioner resolved to make a final attempt to have the matter settled in and by the colony, and accordingly presented a petition to Parliament during the session of 1884, when your petitioner submitted all the documentary evidence mentioned in this petition, and more, to the Chairman of the Committee; but even this attempt met with a failure. When, seeing that the matter was not to be settled, your petitioner presented a petition to His Excellency the Governor, through the Colonial Secretary, praying His Excellency not to prorogue Parliament till the Government had settled his claim, and that, some days after the Parliament had been prorogued, His Excellency, through the Colonial Secretary, acknowledged having received his petition.

19. That, finally, your petitioner addressed a letter to the Hon. the present Premier, requesting a settlement of his claim, as rendered to his predecessor, to which the Premier sent a most extraordinary reply, which caused a short correspondence between him and your petitioner, to which extraordinary correspondence (marked "G") your petitioner most humbly draws your Majesty's particular attention.

20. That, from the facts set forth in his petition, and from the various documents your petitioner submits to your Majesty, it will be obvious to your Majesty the determination of both the Government and the Parliament to leave your petitioner without any redress whatever, and finding no protection from your Majesty's representative, His Excellency the Governor, your petitioner, with his family, is placed in a most helpless and dangerous position. Wherefore, as protection is refused him here by the authorities of this colony, your petitioner, as a British subject, is now forced to claim, at the hands of your Majesty, the protection of the Crown.

21. That, in further support of his claim, for the protection of the Crown at the hands of your Majesty, your petitioner now humbly desires to state a few additional facts, to which he humbly desires to draw the attention of your Majesty. (1.) With regard to the £300 awarded him for his property, your petitioner was, since 1867, unable, either by corresponding with the Government or petitioning the Parliament, to understand the true position how the matter had been placed until 1870, when Sir J. Vogel, as Colonial Treasurer, read a memo. in the House of Representatives, drawn up by the Assistant Law Officer, with remarks upon it by the Attorney-General. (2.) That that memo. was followed by a letter, read by Sir J. Vogel, from two lawyers of Wellington, Messrs. Hart and Buckley, with intent to obtain the sanction of the House to a prearranged scheme to defraud your petitioner of the £300 (see particulars alleged in the statement already mentioned, marked A, pages 8, 9, 10, 11); and that Sir J. Vogel is again in the new Ministry, as is also the last-named lawyer, one of the authors of the said letter. (3.) The extraordinary conduct of the Committee of last session of Parliament, who, having during the whole session the fullest and clearest documentary evidence in proof of your petitioner's claim under their consideration, and nothing to contradict such evidence, yet at the close of the session, after entering into communication with the new Ministry, made a most absurd report on the claim of your petitioner. (See copy of report, marked "H.") 4. That His Excellency the Governor acknowledged to your petitioner the receipt of his petition some days after the prorogation of Parliament. (5.) And, lastly, the extraordinary conduct of the present Premier in sending, to the letter of your petitioner, a reply containing allegations which he is unable to prove true, even upon being challenged by your petitioner to do so. (See correspondence, marked "G.")

22. That the facts stated, and the many schemes which have been tried during so many years to defraud your petitioner of his right, clearly proves to his mind that there is some sort of an extraordinary new scheme under contemplation by all the highest authorities of the colony, not merely to defraud your petitioner of his rights, but to bring him also in disrepute and disgrace.

23. That your petitioner, when taking up his abode in an uncivilized and barbarous nation, knows what treatment to expect, and is prepared to act accordingly; but that your petitioner cannot submit to unconstitutional and immoral treatment at the hands of a Government professing to be governed by civil law and principles of justice.

Wherefore your petitioner most humbly prays your Most Gracious Majesty to be pleased to grant him the protection of the Crown, and under the authority of the Crown to submit his case to your Majesty's Privy Council for their decision on the facts set forth in the letter addressed by him to the previous Premier of the Colony of New Zealand, dated the 19th June, 1882 (marked "F"), and on the facts set forth in the correspondence between your petitioner and the present Premier (marked "G.") And your petitioner further prays that the decision of their Lordships may be final, and to be executed by your Majesty.

And your petitioner, as in duty bound, will ever pray, &c., &c.

HENRY BAUCKE.

No. 25.

(No. 20.)

MY LORD,—

Christchurch, 31st January, 1885.

1, No. 13.

With reference to my Despatch No. 99, of the 6th December, 1884, concerning Federation and Annexation, in paragraph 3 of which reference is made to the intention of my Ministers to propose to Parliament next session to guarantee the cost incidental to the acquisition of the Samoa and Tonga groups of islands, it is now desirable that I should represent to your Lordship what has recently taken place as concerns Samoa.

2. It will be recollected that on the same day I forwarded to your Lordship a petition, signed by King Malietoa, the Vice-King Tapu, and forty-eight chiefs and members of the Government of Samoa, to Her Majesty, praying that Her Government might take over their country and either make it a British colony or permit them to be governed by New Zealand. At the same time, in accordance with the request of the petitioners, I telegraphed to your Lordship that I had forwarded their petition.

3. On the 25th of the same month I received a telegram from your Lordship informing me that the representations which I had forwarded with reference to Samoa and Tonga would be fully considered, but that foreign interests in those islands presented difficulties. I duly communicated this telegram to my Ministers.

4. On the 28th December I received a memorandum from the Premier, Mr. Stout, dated Dunedin, 26th December, informing me that, in view of the present state of Samoa and the reported anxiety of the chiefs and people to be united to New Zealand, Ministers deemed it of importance that the Hon. the Colonial Secretary should at once visit Samoa. They also stated that the visit of the Colonial Secretary would be of advantage in reference to the establishment of postal services between New Zealand and the Pacific islands, for which a sum had been voted by the New Zealand Parliament; and further proposed that the Government steamer "Hinemoa," which was due to take me about that time on a visit to the west coast of this Island, should be despatched on the mission.

5. The same day that I received this memorandum the Colonial Secretary called on me here, and the following day, the 29th, he called on me again in company with the Premier. On both occasions I stated that so far as I was concerned I begged that they would consider the "Hinemoa" entirely at their disposal, but that there appeared to me to be weighty objections to sending her with a Minister on board to Samoa.

6. Both the Premier and the Colonial Secretary went to Wellington that day.

7. It was not until after they had left that it occurred to me that I had said nothing to them about the petition which I had forwarded to your Lordship on the 6th December. As a fact, considering the circumstances under which a somewhat similar petition was prepared about a year ago, the manner in which the present petition came to me led me to consider it a document of no great importance. As stated in my despatch transmitting it, it was forwarded to me by Messrs. W. McArthur and Co. of Auckland. It was accompanied by

a brief covering letter, the signature to which was illegible. Thinking, however, that it might have come from McArthur and Co., I telegraphed to them to inquire, and received in reply a telegram to the effect that the petition had been sent to them, but that they had no connection with the movement. I mention these facts in order to account for the slightness of the impression which the petition made on me, which alone was the cause of my not mentioning it to my Ministers.

8. However, when the matter occurred to me almost immediately after my interview with the Premier, I informed him by telegram that I had received and forwarded the petition, and had telegraphed to your Lordship.

9. (I may here mention that if the fact of the petition had any bearing on the question of the "Hinemoa" proceeding to Samoa, it appeared to me to be an argument against it; for the desire of the islanders for annexation had already been placed in the hands of the Imperial Government.)

10. I received in reply a telegram from the Premier asking me to furnish him by telegraph with a copy of the text of the Petition and Despatch. I at once did so. At the same time I telegraphed to the Premier asking him whether he wished to cancel the memorandum of the 26th December, or that I should reply to it. He answered that he would reply to the question either that evening or the following day.

11. It appearing to me that it was more desirable that I should personally consult with my Ministers on the subject, I went by the steamer which left here that evening, and arrived at Wellington the following morning.

12. My Ministers urged that the "Hinemoa," with the Colonial Secretary on board, should be despatched forthwith to Samoa. I objected, however, on the grounds that questions concerning foreign countries do not come under the cognizance of the Colonial Government, that the presence of a Colonial Government steamer at Samoa, with a Minister on board, would be likely to lead to complications with any foreign man-of-war which might be there at the time, and with the Government she represented. Moreover, the question of the relation of Samoa to Great Britain (whether directly under the Imperial Government or under the Government of New Zealand) was already under the consideration of Her Majesty's Government, who had been informed of the earnest desire of my Ministers on the subject; and I may add that the presence of a New Zealand Government steamer in waters subject to the jurisdiction of Her Majesty's High Commissioner for the Western Pacific, without Imperial authority, might be open to misconstruction.

13. My Ministers, however, maintained that they were within their constitutional rights in despatching the steamer to Samoa as proposed.

14. It was ultimately agreed that I should immediately telegraph to your Lordship reiterating the desire my Ministers had already expressed for the annexation of Tonga and Samoa, and stating that they were prepared next session to propose that New Zealand should pay the cost; and, should the Imperial Government wish it, that they were ready also to undertake the government of Fiji; and that, from information which they had received from Samoa, they believed that the views expressed in the petition were those genuinely felt by the Samoan people; and that they proposed, seven days after the date of my telegram, to despatch the "Hinemoa," with a Minister on board to make inquiries on the subject.

15. I subsequently arranged that, in the event of the "Hinemoa" being despatched, my private secretary, Mr. Pennefather, should also go in her; and directed him to go to Auckland in order to meet the steamer there.

16. On the 5th instant, however, I received a telegram from your Lordship to the effect that the Imperial Government regretted that they could not comply with the desire of my Ministers; that British annexation in Tonga or Samoa was prevented by existing foreign interests; and that only recently assurances had been exchanged with the Imperial German Government for the maintenance of the independence of those groups of islands. Your Lordship further observed that the despatch of the "Hinemoa" with the Colonial Secretary on board would

probably lead to serious complications; and expressed a hope that no action might be taken by the Government of this colony which would have the effect of preventing the internationalization of these islands.

17. Upon the receipt of this I requested the Premier to stop the departure of the "Hinemoa," and telegraphed to my Private Secretary to return from Auckland.

18. The same day I informed your Lordship by telegram that the "Hinemoa" would not go to Samoa; adding, at the request of my Ministers, that a day or two previously they had received information from Samoa to the effect that two German men-of-war had made their appearance there, and that the officers of those vessels had, immediately on hearing of the despatch of the petition, entered into an agreement with the King of Samoa which was to last for five years, by which the whole authority of the Government was handed over to Germany; but that the king stated that he had signed the agreement under coercion; none of the consuls, except the German Consul, had been consulted; the chiefs (who had not been consulted) and people repudiated the agreement, and the Parliament refused to ratify it. I stated also that my Ministers once more urged that, inasmuch as several residents in New Zealand were largely interested in Samoa, if the German annexation in New Guinea was acquiesced in, it was most desirable that Tonga and Samoa should become part of the British Empire; and that they trusted that the agreement which had been entered into between England and France with reference to the New Hebrides would not be in any way affected.

19. The same day I returned to Christchurch; and soon after my arrival here I received by telegram from the Premier a full copy of the German-Samoan agreement, which had been forwarded from Samoa. The Premier added that Ministers thought it so important and affected them so much that I should telegraph it to the Colonial Office. I replied by telegraph, concurring in the proposal, but pointing out that the cost of such a message would be about £400, and asking whether they approved of the expenditure. To this the Premier replied, "We think text of treaty should be wired; and perhaps Colonial Office, seeing it is of Imperial importance, will refund us cost."

20. I accordingly forwarded to your Lordship on the 8th instant the text of the agreement, adding that I was requested by my Ministers to state that they felt aggrieved that though the Colonial Office, knowing of the petition, had telegraphed that the representations of my Government would be fully considered, yet nevertheless assurances were exchanged between England and Germany that the independence of Samoa would be respected; and that the proceedings of the German Consul were a direct breach of such assurance.

21. On the 9th instant I received a letter from the King of Samoa (copy enclosed) forwarding a copy of a letter from him addressed to Her Majesty, dated the 12th November, and asking me to telegraph to Her Majesty not to regard the German treaty, because the Samoans accepted it fearing if they did not Samoa would be violently taken by Germany, and hoping it would be annulled by annexation to Great Britain. The King, also enclosed a copy of a letter from him to the Imperial German Consul, dated the 20th November, stating (in reply to a letter from that Consul to the King) that it was quite true that he and the Samoan Government had asked Her Majesty to annex Samoa, and that they firmly adhered to that desire.

22. By the same mail I received a letter (copy enclosed) from the Acting British Consul at Samoa stating that the feeling throughout the whole of that country in favour of annexation to Great Britain is genuine and general, and, notwithstanding many attempts to shake their determination, all parties of Samoans were unanimous.

23. These documents appeared to me to be so important that I telegraphed the substance of them to your Lordship on the same day.

24. Meanwhile constant notices and articles appeared in the newspapers with reference to the "movements of the mysterious 'Hinemoa.'" In consequence of these I telegraphed to the Premier asking him if necessary to repeat the orders already given, and received from him an answer to the effect that the vessel was expected back at Wellington in about ten days.

25. On the 10th instant I received a telegram from the Premier stating that Ministers had wired to the Agent-General asking him to call at the Colonial Office and ascertain whether your Lordship would allow the New Zealand Government to despatch a mission to King Malietoa at Samoa, and perhaps make a similar Convention to that made by Germany, adding “ ‘Hinemoa’ will await reply.”

26. This course appeared to me to be open to even greater objection than the original proposal. Your Lordship had given weighty reasons against the Colonial Government taking action; and the avowed object was now not only to make inquiries, but to enter into an engagement. If any step of the kind were to be taken, obviously it should be by the Imperial Government. I may add that if the internationalization of the Islands was to be maintained, I felt that it should rather be by the cancelling of special advantages conceded to Germany or any other Power, than by making counter-agreements.

27. To avoid any chance of misconception of my views on the matter, I telegraphed to your Lordship on the 10th instant to the effect that the idea of sending the “Hinemoa” to the Islands did not meet with my approval, but that I considered that if any action were to be taken it ought to be by an Imperial officer.

28. Your Lordship informed me in reply, by message received on the 12th instant, that the Admiralty had already been requested to send a ship to Samoa to inquire into the state of affairs there; and on the 13th instant I was informed by the Commodore, in answer to inquiry from me, that the “Miranda” had started that morning for Samoa.

29. On informing my Ministers that your Lordship had taken steps for the despatch of an Imperial ship to Samoa, the Premier telegraphed back that Ministers considered that as the petition from King Malietoa asked for annexation to New Zealand as an alternative, it was their “duty and right to visit Samoa and “ascertain feelings of natives” for themselves, and they requested me to represent their views to “the Colonial Office,” with the object of obtaining your Lordship’s consent to the despatch of the New Zealand steamer.

30. I replied that the matter was one to be dealt with by the Imperial Government, and not by that of the Colony; moreover that as an Imperial ship had been despatched to Samoa to inquire into the state of affairs there, the object desired by Ministers—namely, to ascertain accurately the “feelings of Samoans”—would be attained, and that it appeared to me that confusion might arise from sending a New Zealand Government steamer; but that if Ministers still wished me to do so, I would telegraph, as they requested, to your Lordship their views respecting the despatch of the “Hinemoa.”

31. The Premier replied that Ministers thought it better that your Lordship should know their views. I accordingly telegraphed on the 15th instant, submitting the request of Ministers for your Lordship’s consideration.

32. On the 20th instant I received another telegram from your Lordship, to the effect that Her Majesty’s Government could not approve of the proposed despatch of the New Zealand Government steamer to Samoa. Your Lordship observed that the question was not regarded in Europe as one depending on the national feelings of the Samoans, and that there was no reason for the inquiry which the Government of New Zealand contemplated making. Your Lordship added that, if not prevented by the action of the New Zealand Government, the Imperial Government would, at a Conference which was about to be held, do the best they could for British interests.

33. I accordingly informed the Premier of the substance of this message, and telegraphed to your Lordship in answer that no step would be taken here.

34. I have thus given your Lordship an account of recent occurrences here with reference to Samoa. I cannot but feel that the annexation of those Islands and of Tonga in some form or other would be most desirable in the interests of the Islands themselves, of this colony, of the Empire as a whole, and of other Powers concerned. There is no hope that a purely Native Government will be able to deal with the complicated questions which must arise from the presence of numbers of Europeans of different nations, and possibly an influx of Asiatics and Americans.

An irregular sort of Government by foreign consuls acting in the name of a Native King is unsatisfactory, tends to complication and misunderstanding, and at best cannot be permanent. The only means, therefore, of avoiding anarchy is by placing the administration of public affairs in the Islands in the hands of one civilized State—in a word, by annexation.

35. The question then arises, Which State shall annex? And, whilst observing that the Natives themselves express a decided opinion in favour of the United Kingdom I submit that the interests of all nations would be best served by Samoa becoming a British possession under such guarantees as would be satisfactory to other Powers.

36. The inhabitants of Samoa, whether native or foreign, would thus be under the Government which possesses the greatest facilities for the promotion of trade, and one which has always shown itself anxious to grant equal rights to foreigners and native-born subjects. I may mention that in this colony (as was recently pointed out by the Premier in an able speech, of which I enclose an extract) there are settlements of Germans, Danes, and Norwegians, to whom every facility is offered for the acquisition of land, and who are in every respect regarded as British subjects; and in South Australia, where I last had the honour of being Her Majesty's Representative, not only were there thriving German settlements from which the colony derived much benefit, but Germans became members of Parliament, and a German gentleman was for some time during my Government the Minister of Education.

37. Whether Samoa and Tonga should become small colonies, mutually independent; whether they should become dependencies of New Zealand; whether they should form part of a large island colony with Fiji for its head; or whether the whole group thus formed should be placed under New Zealand, is a question which, looking to the future, I venture to submit as one deserving the most serious consideration of Her Majesty's Government.

38. At the same time, I do not lose sight of the fact that no step can be taken in the way of annexation without consulting the wishes of other Powers who possess important interests in the South Pacific.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure 1.

[See Appendix 3 to Hon. Premier's letter to Agent-General of 19th March, 1885.]

Enclosure 2.

The KING of SAMOA to Sir W. F. D. JERVOIS.

YOUR EXCELLENCY,—

Muliunu, Samoa, 25th November, 1884.

I write to inform your Excellency that it has been made known to me that the German man-of-war has secretly gone to New Zealand to send a telegram to Germany about the agreement which they made by force with our Government, and also to place obstacles with regard to our petition to Her Majesty the Queen of Great Britain.

I therefore explain to your Excellency that what caused me to consent to this agreement was our fear that if I did not consent to it the German Government would quickly take our country by force. I have written a letter to the Queen of Great Britain explaining the reason why we made this agreement, and my letter will arrive in England about the 15th of December.

For this reason I beg your Excellency will inform the Queen of Great Britain by telegram of that letter, and also beg Her Majesty will take no notice of that agreement, because we consented to it through fear; and that our belief is that if the British Government is established in our country, then that agreement will come to an end.

I trust that your Excellency will grant my entreaty.
May your Excellency receive blessings.

I have, &c.,

MALIELOA,

King of Samoa.

His Excellency the Governor of New Zealand.

Sub-Enclosure 1.

The KING of SAMOA to the ACTING BRITISH CONSUL.

SIR,—

Muliunu, 12th November, 1884.

I write to inform your Excellency that I have written to Her Majesty the Queen of Great Britain, and made known to Her Majesty our petition, which has been communicated to the Governor of New Zealand: it is mentioned also in this letter. I have begged your Excellency that you would explain to Her Majesty everything that gave rise to my receiving the agreement which was made last night with Germany, having been much distressed lest our group of islands should be taken by Germany.

I wrote yesterday to the German Consul, and begged him to give me a copy of the agreement with me and my Government which we were required to sign, but the German Consul replied that he refused to give me and my Government a copy; then the whole Government met together and deliberated what was right to do, and it ended in our rejecting the agreement, and it was not received. Notwithstanding that, our distress still continues. It was getting near the hour of night which was fixed to hold the meeting at the German Consulate, and I walked in the road, when Tupua Tamasese came down. He spoke to me with distress, and told me that same bad story. I and Tamasese bearing in mind the agreement, we were very anxious; and I said, "Let us both go down and receive the agreement in order that we may be at peace to-day, and let us wait the decision of Great Britain." I beg your Excellency to make known to Her Majesty the great love of me and my Government for Great Britain, and also our strong desire to give up our group of islands to the Government of Great Britain. I hope Her Majesty will take no notice of the agreement with Germany. I am determined, when the Government of Her Majesty is in these islands, then that agreement shall end.

Will your Excellency be pleased to make these things clear to Her Majesty the Queen of Great Britain, and do you send this letter by the steamer at Tutuila.

I have, &c.,

MALIETOA,

King of Samoa.

W. B. Churchward, Esq., Acting British Consul.

Sub-Enclosure 2.

[See Appendix 2 to Hon. Premier's letter to Agent-General, 19th March, 1885.]

Sub-Enclosure 3.

The KING of SAMOA to the GERMAN CONSUL-GENERAL.

[TRANSLATION.]

SIR,—

Muliunu, 20th November, 1884.

I have received your letter respecting the report which your Excellency has heard that I and the Government of Samoa have written to Her Majesty the Queen of Great Britain, in order that Samoa may be joined to her Government.

To this I reply to your Excellency that it is very true that we have thus written, and also that we will hold firmly to that desire; and I also inform your Excellency that the report that Germany was about to seize our country was widely spread (general).

And another matter I complain to your Excellency—that it was very wrong of Mr. Weber to threaten some of the chiefs of the Government in order that our petition to the Queen should be withdrawn—Morris also came—and that if a letter was not sent (to that effect) then would come great trouble to our Government.

I beg your Excellency to forbid Mr. Weber, so that he shall desist from again doing anything of the kind.

May you live!

I have, &c.,

MALIETOA,

King of Samoa.

His Excellency the German Consul-General.

[NOTE.—Mr. Weber is the manager of the Germany company and the German Consul's chief adviser. Morris is Mr. Weber's messenger.]

Enclosure 3.

The ACTING BRITISH CONSUL to Sir W. F. D. JERVOIS.

YOUR EXCELLENCY,—

British Consulate, Samoa, 2nd December, 1884.

The Samoan Government have furnished me with a copy of a second letter that they have forwarded to you, also a copy of a letter they sent to the German Consul in answer to an inquiry from him as to whether they had solicited annexation to Great Britain or not. This also, they informed me, had been sent to your Excellency, to show that their determination was still the same.

Their idea is that when you hear of the agreement with Germany, that it will be imagined that they have changed their minds, and you will, in consequence, not feel disposed to forward their wishes.

In case the Samoans should not have sent translations, I have the honour to enclose such.

The feeling throughout the whole country is genuine and general, and, in spite of all sorts of attempts to shake the Government's determination they remain firm and decided to await the decision of Great Britain. Never before in the memory of the oldest sojourner here have the Samoans been in such unanimity, all parties being united for the same object.

Your Excellency may be surprised at their not having sent their application through me ; but in reality they were acting in strict accordance with my advice, very frequently sought for—viz., that if they wished Great Britain to take favourable notice of their wishes in such an important matter as that of cession, it must not be the result of official influence, but must be an unconditional act, of and from themselves as a nation ; also that it must be the desire of a decided majority.

Sincerely hoping that your Excellency will be disposed to help these people in their honest and unanimous desire, the non-acceptance of which they, with reason, look upon with great dread,

I have, &c.,

W. B. CHURCHWARD,

Acting British Consul.

His Excellency Sir W. F. D. Jervois, G.C.M.G., Governor of New Zealand.

Sub-Enclosure 1.

[Same as Sub-Enclosure 2 to Enclosure 2.]

Sub-Enclosure 2.

[Same as Enclosure 2.]

Enclosure 4.

[Extract from *Otago Daily Times*, Thursday, January 22, 1885.]

No. 26.

(No. 24.)

MY LORD,—

Christchurch, 13th February, 1885.

I have the honour to transmit herewith a copy of a memorandum from the Premier, Mr. Stout, with reference to facilities which have been offered by the Government of this Colony for the settlement of immigrants from amongst the crofters of the Highlands and islands of Scotland on land in the Provincial District of Otago, in which, as your Lordship is aware, the majority of the population is of Scotch origin.

I can heartily indorse all that has been said by Mr. Stout concerning the advantages that New Zealand offers for an industrious agricultural and sea-fishing population. I trust that Her Majesty's Government may be able to see their way to assist the emigration of a class whose presence here would be of great value to the colony ; and I beg to draw your Lordship's attention to the fifth paragraph of the memorandum, in which it is stated that the Colonial Government are prepared to act as agents to secure the repayment by the settlers of any moneys that may be advanced for the preliminary expenses by the Imperial Government.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

THE Premier presents his most respectful compliments to His Excellency, and would ask him to be good enough to call the attention of Her Majesty's Principal Secretary of State for the Colonies to section 42 of "The Waste Lands Act Amendment Act, 1884," transmitted herewith, which provides that free grants of land may be made to Highland crofters.

2. From the recent report of the Royal Commission on the subject, it will be seen that, as one means of ameliorating the condition of the Highland crofters, it is recommended that Her Majesty's Government should grant pecuniary aid to enable them to locate themselves in some other part of the Empire.

3. The Premier would venture to say that, among the whole of the British colonies, New Zealand, taking it all in all, is perhaps the best adapted for the comfortable settlement of the Highland crofters, whose occupation combines sea-fishing and agriculture. The healthiness of its climate, the fertility of its soil, the numerous harbours, its waters abounding with fish, its regular communication by steam with the markets of the world, all point to it as being a country peculiarly suitable for an industrious and thrifty population such as the Highland crofters.

4. As will be seen from the Act referred to, New Zealand is prepared to make free grants of land to each male adult up to a limited number ; and, assuming that they are willing to emigrate, the chief difficulty appears to be of transit and some small assistance towards enabling them to get over the first few months in the colony.

5. Under the circumstances, it is submitted that the making of advances to the crofters might fairly be undertaken by the Mother-country upon easy terms of repayment; in which case the Colonial Government would be prepared to act as agent for the Imperial authorities in the matter of any arrangement entered into.

6. In view of the existing condition of Highland crofters, it would seem as if they were a source of weakness, rather than strength, to the Empire; whereas the location of such a population in New Zealand, it is believed, will be of benefit to themselves and of advantage to the Empire.

7. Upon Imperial grounds, therefore, as well as colonial, the Premier ventures to hope that Her Majesty's Government may be induced to reciprocate the views of this Government, and give practical effect to these suggestions.

30th January, 1885.

ROBERT STOUT.

No. 27.

(No. 29.)

MY LORD,

Christchurch, 20th February, 1885.

I have the honour to transmit herewith a copy of a letter which I have received from the King of Samoa, giving an account of action recently taken by the German Consul there, and begging that a British man-of-war might be sent to Samoa. A copy of my reply to the King is enclosed herewith.

2. I also transmit a copy of a protest made by the consuls of Great Britain and the United States, and of a letter from the King to the British Consul, which I received by the same mail.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure 1.

The KING of SAMOA to Sir W. F. D. JERVOIS.

YOUR EXCELLENCY,—

Muliunu, 27th January, 1885.

I now write to tell you of our great anxiety on account of the harsh conduct of the German Consul, and the difficulties created by German subjects in Samoa.

Since the day on which I first wrote to your Excellency, the German subjects in Samoa have been unceasing in the efforts to break down my Government and to cause quarrels and disturbances in Samoa.

The most extreme action of the German Consul was taken on the 23rd day of this month, when he forcibly seized my sovereignty over the municipality of Apia, and landed officers and men from the German man-of-war, who, with coloured foreign labourers, constructed a fortification and hoisted the German flag.

I send your Excellency an English translation of the notice sent by the German Consul to me.

I am not aware that I have done any improper act towards the Government of Germany. It is solely on account of my love for Great Britain that this has been done to me by the German Consul, and the German subjects have endeavoured to tempt and terrify me into altering my mind; but they have failed, for my mind is firmly settled.

For this reason the Germans are scheming to frighten my chiefs in order that they may depart from my rule, and are striving to cause a rebellion in my country. They have spread a report that Her Majesty the Queen has refused to listen to our petition.

I beg to remind your Excellency that in my letter I begged that the Government of Great Britain would quickly send assistance to us, and I now fear that unless assistance is quickly sent Germany will seize our country.

I therefore humbly beg your Excellency that a British man-of-war may be quickly sent here. I am sure that on the arrival of a British man-of-war all rebellion will cease, and it would also be a sign by which it would be known by all men that the British Government has not forgotten me.

I trust that your Excellency will comply with my petition, and that you may be blessed.

I have, &c.,

MALIETOA,

His Excellency the Governor of New Zealand.

King of Samoa.

Sub-Enclosure.

COPY of a PROCLAMATION posted on the MUNICIPAL COURTHOUSE, APIA.

LET ALL THE PEOPLE OF SAMOA OBSERVE,—

During the long period that Malietoa has been King the Government of Germany has been treated with unkindness and injury: all agreements that have been made between the Governments of Germany and Samoa have been repeatedly violated. For that reason I must now make arrangements necessary for the protection of the subjects of my Government and their possessions. This is my view of that which is necessary to be done: that I should take possession of the lands of the villages of Apia and district, in which are included Muliunu and the Harbour of Apia, to hold possession under the supreme control (that was under the Government of Malietoa) for the Government of Germany.

This is the sign of this: I have lifted the flag of His Imperial German Majesty in Muliunu. This is the meaning of the lifting of the flag: that the Government of Germany will rule for the present over that portion of territory. Samoans, I tell you plainly that it is only the territory that is called the Municipality that is taken possession of; but no other portions of Samoa are taken possession of.

It is good, too, that you should be made acquainted with the reason of that which is done. It is no unkindness at all to Samoa. The German Imperial Government only wish for Samoa to have a strong Government that shall maintain cordial relations with the Government of Germany.

When a peaceful solution is effected of these difficulties, the land now taken possession of will be given up again.

I beseech you to be at peace, and to have confidence in the Government of Germany and myself; then Samoa will indeed be prosperous.

Apia, 23rd January, 1885.

I am, &c.,
D. STUEBEL,
Imperial German Consul.

Enclosure 2.

Sir W. JERVOIS to the KING of SAMOA.

SIR,—

Christchurch, 16th February, 1885.

I have the honour to acknowledge the receipt of your letter of the 27th January last, giving me an account of action recently taken by the German Consul in Samoa, and begging that a British man-of-war might be sent there.

I have telegraphed to the Secretary of Her Majesty the Queen of Great Britain the substance of your letter, and will forward a copy to him by the next mail.

I understand that H.M.S. "Miranda" was on her way to visit Samoa at the time when your letter to me was despatched.

King Malietoa, Samoa.

I have, &c.,
WM. F. D. JERVOIS.

Enclosure 3.

COPY of a PROCLAMATION posted upon the Municipal Courthouse, Samoa.

Apia, 24th January, 1885.

It having been made public that the German Consul has assumed the right of rule in the municipality, in contravention of the Convention of 1879, and renewed by the three Powers, we, the Consuls of the United States and Great Britain, do hereby make known that they will insist upon the rights of the Convention being observed, and deprecate force consummating the assumption.

T. CANISIUS,
United States Consul.
W. B. CHURCHWARD,
Acting British Consul.

Enclosure 4.

The KING of SAMOA to the ACTING BRITISH CONSUL.

SIR,—

Muliunu, 28th January, 1885.

I write to inform your Excellency that about 9 o'clock this morning an officer and a party of marines from the German man-of-war drew up in front of my house. The officer shouted out my name three times, "Malietoa," and said something in a foreign language which I did not understand. He beckoned with his arm to me to go away. I and my Government have thus been expelled from our place of government. Tamasese (the leader of the rebellion) sent his wife to the Safotulafai chiefs yesterday, and told them the result of the meeting which he had held with the Germans on the previous evening—that we should be driven away from Muliunu, as soon as Tamasese had gone to Aana, and that on his return in a few days he and his followers would be installed as King and Government of Samoa.

The statement of Manoo corresponds with this, and he further states that if we do not go away the Germans will fire their guns upon us.

May you be blessed!

I have, &c.,
MALIETOA,
King of Samoa.

His Excellency W. B. Churchward, British Consul.

I hereby certify that the above is a faithful translation of the original.—RICHARD HETHERINGTON, Apia, Samoa.

I hereby certify that I know Mr. R. Hetherington to be well acquainted with the Samoan language.—W. B. CHURCHWARD, Acting British Consul.

No. 28.

(No. 30.)

MY LORD,—

Government House, Wellington, 24th February, 1885.

With reference to your Lordship's Despatch No. 71, dated the 14th November, 1884, transmitting a letter from the Board of Trade concerning the

want of a light on Stephens Island, New Zealand, I have the honour to state that my Government fully recognize that such a light would be of great advantage, but at present there are not sufficient funds available to provide for its construction.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 29.

(No. 31.)

MY LORD,—

Government House, Wellington, 24th February, 1885.

I have the honour to inform your Lordship that I purpose leaving Wellington on the 24th instant for Sydney, and proceeding thence to Melbourne in order to meet Major-General Scratchley there, and to consult with him, before he leaves for New Guinea, on matters relating to the defences of Victoria. Answer, A.—2,
No. 43.

2. I shall be absent from New Zealand for a month.

3. In accordance with paragraph 16 of the Royal Instructions of the 21st February, 1879, I have informed the Executive Council in writing of my intended absence, and have duly appointed His Honor Sir James Prendergast Deputy-Governor, in accordance with Her Majesty's Letters Patent of the same date.

I enclose herewith a copy of the instrument whereby the Deputy has been appointed.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

[See *New Zealand Gazette Extraordinary*, 24th February, 1885.]

No. 30.

(No. 32.)

MY LORD,—

Government House, Wellington, 24th February, 1885.

I have the honour to inform your Lordship that I have received offers from several gentlemen in New Zealand to raise bodies of men for service in the Soudan. I have thanked them for their kind and patriotic tenders of service, and the matter is now under the consideration of my Ministers.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 31.

(No. 33.)

MY LORD,—

Government House, Wellington, 24th February, 1885.

With reference to your Lordship's despatch marked "Circular," and dated the 29th December, 1884, respecting a suggestion that copies of each revised list of persons removed from the Medical Register in the United Kingdom should be communicated to the Medical Boards in the principal colonies, I have the honour to state that the Registrar-General for Births, Marriages, and Deaths, Wellington (who is the Registrar-General under "The Medical Practitioners Registration Act, 1869"), will be happy to avail himself of the offer made by the General Council of the United Kingdom, and will, in return, forward to the Council copies of each revised list of persons removed from the Medical Register in this colony. A.—2, No. 28.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 32.

(No. 34.)

MY LORD,—

Government House, Wellington, 28th March, 1885.

I have the honour to transmit herewith copies of a memorandum from the Colonial Treasurer, Sir J. Vogel, K.C.M.G., on the federation of the British Empire. I understand, however, that the paper has not been considered by my Ministers, and is therefore only to be regarded as representing the views of Sir J. Vogel.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM ON THE FEDERATION OF THE BRITISH EMPIRE.

SIR JULIUS VOGEL has the honour to submit to His Excellency, for transmission to the Right Hon. the Secretary of State for the Colonies, a memorandum on the question of the Federation of the British Empire. He ventures to do so because he understands from remarks made by Lord Derby on a public occasion, or in the House of Lords—he is not certain which—that his Lordship, in referring to this question, said it was necessary to know precisely what was meant by, and what the colonies thought of, it. Sir Julius Vogel was, he believes, the first to ventilate this question some fourteen years since in a letter to the *Standard* newspaper, and subsequently in several magazine articles. He is aware that neither for this nor for other reasons has he the right to speak with authority about it. But it is evident that at the present time no one has the right to speak with authority for the colonies, and the nearest approach to what Lord Derby asks can only as yet be obtained by the ventilation of the views of those who take an interest in the question. Public opinion has yet to be formed on the subject. Sir Julius Vogel hopes that this explanation will exonerate him in the minds of the Secretary of State and of the Governor from the charge of presumptuously volunteering his opinion on the question.

Federation of the Empire Sir Julius Vogel understands to mean the promulgation of such a Constitution as will indissolubly knit all Great Britain's vast territories into one dominion, without power to any part to retire from the Federation. At present it is to be presumed that Great Britain would not listen to the severance of any Crown colony or of India. But as regards the constitutional colonies it is generally understood that, though the Mother-country desires to retain them, she would not force them to remain parts of the British dominions in the face of a well-matured desire on the part of one or more of them to separate. The colonists generally—it may be said universally—entertain the profoundest feeling of admiring esteem and loyal love for their gracious Sovereign. They recognize also the favourable anticipations in which they may justly indulge as to the future sovereignty. But no personal feeling of loyalty can possibly do away with the logical certainty that, when the time comes that the effective population (by which is meant that portion of the population which has a share in electing the representative portion of the Legislature) approaches in numbers the effective population of the United Kingdom, they will not agree to let the people of the latter solely regulate the external affairs of the nation. It is of course difficult to fix a standard; but it is certain that when the population of Australasia and Canada combined equals the population of Great Britain, and probably long before that time, neither Canada nor Australasia will be content to remain without a voice in the Government of the British Empire, so far as relates to external subjects, or indeed to all subjects upon which the issues of peace and war depend. It is manifestly impossible that they will feel otherwise, educated as they will have been in a deep veneration for representative institutions. How can it be imagined that many millions of self-governing, wealthy, and powerful people will consent, without exercising substantial control, to the horrors of war being thrust upon them, to share in

submission to affronts which they might consider would render war preferable to peace, or to treaties being negotiated which vitally affected their interests!

Within a period which in the life of a nation may be considered quite brief, the population of the colonies will grow to the dimensions which, as has been said, would place their decision beyond doubt. But as they attain to this numerical strength the feeling will mature, and it is impossible to predicate when it will commence, when it will become ominous, when irresistible. The culmination of the sentiment, and the nature of the terms, depend somewhat on whether the separate colonies federate amongst themselves or retain their individual entities. An Australasian Federation, for example, would grow earlier to ask for a share in the Government of the Empire than would the colonies separately, and would be more excessive in its demands.

If, then, what to the writer seems the mathematical certainty is recognized, that the colonies will within a few years insist upon having a voice in the affairs upon which peace, war, and treaties depend, it becomes a question, Should they attain to this voice gradually or by a violent wrench, when endurance is stretched to its extreme limit? Apart from the fact that under a violent strain the conditions are not likely to be so suitable or equitable as if they are gradually matured, there is everything in favour of educating both the Mother-country and the colonies into a workable system by tentative and early steps. This is so obvious that it would seem nothing more need be said to prove that the question is of an urgent nature.

If it be conceded that Federation is the sole alternative to the breaking-up of the Empire within a comparatively short period, and that it means that the several parts of the British dominions must have a share in the Government of the whole, it becomes necessary to consider how that share can be given. Obviously the share must be proportional to the importance of the portions represented, and in this fact there is a strong argument for early action, because, whilst early action will not give undue strength to the outlying dominions, it will accustom them to wisely co-operate as their strength increases.

The easiest way of arriving at a conclusion as to the means to be adopted is to first examine the difficulties to be overcome. It would be a mistake to conceal that the obstacles are of a formidable nature. The principal ones may be thus enumerated:—

- 1st. That it is necessary to strictly guard against any interference by the Federal Government with the internal affairs of the constituent parts of the Federation.
- 2nd. That the parliamentary system of the Mother-country is wholly wanting at present in any means by which representation could be given to the colonies without a liability of their interfering in local affairs.
- 3rd. That the colonies at present do not contribute to the cost of maintaining the external policy of Great Britain, and that it would be incongruous to give them control over expenditure to the defrayal of which they provide no share.
- 4th. The difficulty of securing representation which would give satisfaction to the colonies, and of bringing them to an agreement with any system arbitrarily framed.

The first and second obstacles point to the creation of a new Parliament to deal only with external affairs, which would, of course, include the means of attack and defence. But it may be at once admitted that any contribution the colonies would be willing to make to the cost of the forces of the Empire, at the present stage of their development, would fall far short of an amount which would warrant so great a disorganization of the existing parliamentary system of Great Britain as a distinct Federal Parliament would entail. The colonies are not now in a position to ask for anything of the kind, though obviously, when, in population and importance, they grow nearer on a par with the Mother-country, a Federal Parliament would be a necessary adjunct to Federation.

It is not to be expected that the third obstacle can be met without a great deal of consideration and negotiation. As to absolute cost, it is probable that

any contribution the colonies would have to make on any reasonable basis to the cost of the forces and defence of the Empire would fall far short of what they are now spending in more or less isolated efforts in the way of defence. But they are not sufficiently educated on the subject to negotiate on the basis of the three points: indissoluble connection, money-contribution, and efficient representation. If (which is to be doubted) the Mother-country were really able to make them a hard-and-fast proposal, the colonies are scarcely yet in a position to entertain a proposition which would bind their future condition for all time to come.

In short, in any way in which the subject is regarded, it is evident that the time is not ripe for its definite settlement. And yet, as has already been said, there are the strongest reasons for leading up to it as early as possible. If the colonies were much more populous and much more important there would be equal difficulty in the way of coming to a conclusive arrangement with them. True, they would be entitled to more consideration; but that very fact would make them more timid. These premises point to the inevitable deduction that if Federation of the Empire is to be brought about it must be arranged by tentative and progressive steps. The interests are too vast and the field too new to make a final commitment possible until a great deal is ascertained by actual experiment.

This means, in other words, that before arriving at any final arrangement the Mother-country must test how it will be possible to give the colonies a recognized position in the deliberations of the Empire with satisfaction to herself and them.

Several expedients have been proposed, such as a Board or Council to the Secretary of State, the giving a more defined and responsible position to the Agents-General, the leaving the Secretary of State from time to time to invite the co-operation of the colonies, and other plans of the same character. They are all open to the objections that they are not sufficiently elastic and capable of expansion, and that they are out of harmony with the ingrained feeling in the colonies that political power should proceed from an elective, and not a nominated, source. The test of any plans of this kind is really to be found in late events, and the writer confesses these have altered some of his previous opinions as to the practicability of depending on Councils of Advice. During the last eighteen months the Mother-country has been considerably interested in those questions relating to the Pacific Islands, which the colonies of Australasia have regarded as possessing supreme importance. These colonies have been represented in the Mother-country by exceptionally able Agents-General, well fitted for any confidence Her Majesty's Government might deem it fitting to repose in them. But yet they have in no sense been called into council. That it has not been deemed expedient to associate them in the negotiations which have been proceeding is proof sufficient that a system of Council or Board of Confidential Advice is not found desirable or workable. Had it been otherwise there probably never was a time during which the Secretary of State would have been more inclined to such a plan. There remains an alternative, which is free from many, though not all, of the objections touched upon, and which is by far the most promising course, inasmuch as it may be brought to a conclusion at any time if not found satisfactory, whilst, if it should prove acceptable, it is capable of being worked out to the ultimate end desired. That plan is to give to the colonies the right to elect a certain number of members to the House of Commons. It is not much to the purpose to say that some foreign countries give to their colonial possessions representation in the supreme Legislature, because no foreign colonies have essential features in common with the constitutional colonies of Great Britain. It is quite the case also that the plan is open in part to the second and third objections previously stated—namely, that such representatives would hold an incongruous position, both in respect to their power of interfering with local affairs, and with revenues to which those they represent do not contribute. Possibly some provision might be enacted for limiting the voting of colonial representatives, although it would be a matter of much regret that such restrictions should be thought necessary. Whilst the objections could not be altogether ignored, it should be borne in mind that the

purpose of the admission of colonial representatives would be to lead up to an arrangement under which the colonies would become contributors to the revenues, and that their power of interfering in local affairs would be incidental to its being found more convenient not to organize a Federal Parliament until the arrangements for Federation were matured. If Federation is ever to be, the source from which it will arise must be the House of Commons, and it has to be remembered that the Imperial Parliament is really only local by its own decisions. The Constitutions of all the colonies are by Act of Parliament, not by charter; and whilst it would be a broad, it would not be an illogical, contention that it is desirable the colonies should be represented whilst the prospect continued of legislation relating to their federation with the Empire. Again, it might with force be urged that, though the colonies do not now directly contribute to Imperial revenues, they spend a great deal on defences and forces that are essentially of Imperial moment.

The proposed representation might be made experimental, to extend, for example, over the duration of three Parliaments. The number of representatives given to the whole of the constitutional colonies need only be small, say twenty in all. Much may be said as to the advantages of this proposal. It is free from the principal objection to other plans that they involve the recognition of a new official position. A colonial representative would be neither more nor less than a member of Parliament. His influence in the House, or with members, or with the Government would depend upon the force of his character, the strength of his abilities, and the nicety of his tact and judgment. Gradually the colonial representatives would grow into being considered authorities on matters in which the colonies' interests were concerned. They would be the representative tests of the practicability and the expediency of ultimately creating a Federal Legislature. It would be of paramount importance that they should be elected by the constituencies, not nominated by the Governments of the colonies, and they would thus afford a good indication of what colonial representation in a Federal Parliament would mean. Elected for each Parliament they would be a living bond of communication between the colonies and the Mother-country, without interfering with the ordinary administrative communication through the Governors or Agents-General. They would be associated with the growth (if ever there is to be such growth) of a plan for Federation, though they would in no way represent or supersede the Executive Governments of the several colonies. And if Federation is not to be, and the Empire in course of time is to be disintegrated, no harm could possibly come of the colonies having had for a few years their representatives in the House of Commons.

In a former memorandum Sir Julius Vogel urged that the proposed Federal Council of the Australasian Colonies should take the shape of one accountable direct to the several colonies, and not representative to Her Majesty's Government. He thought, and still thinks, that the autonomy of each colony should be rigidly preserved. The Australasian Colonies have already the power, and it is likely they will use it, of making Customs treaties between themselves. A legalized power of general convention would complete the measure of authority necessary to enable them to adopt such mutual relations as from time to time they desired. They would be free to enter into a Federation of the Empire, and be much more likely to do so than if they were bound up in one dominion, with only one mouthpiece of communication with the Mother-country.

24th February, 1885.

JULIUS VOGEL.

No. 33.

(No. 39.)

MY LORD,—

Government House, Wellington, 28th March, 1885.

With reference to your Lordship's Despatch No. 46, dated the 9th A.-2, No. 3. August last, concerning a memorial from Maori chiefs, I have the honour to transmit herewith a copy of a memorandum from my Ministers. I also enclose copies of the Acts of the Colonial Parliament referred to therein.

No. 41, *infra*

2. I regret that I have been unable to send your Lordship an earlier reply. The delay, however, has been caused by the fact that the Native Minister desired to visit the Maori districts before my Government furnished me with a memorandum on the subject. Full reports of the several meetings held by him with the Natives will be forwarded by the next mail.

3. I beg to refer your Lordship to my Despatch No. 9, dated the 1st March, 1884, in which I have stated my own views with regard to the position of the Native race in this colony.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to the Governor, and beg to inform His Excellency that they have considered the memorial from Maori chiefs, referred to in the despatch from Lord Derby, No. 46, of 9th August, 1884.

2. Ministers are of opinion that they would least embarrass Her Majesty's Government by referring only to the period since 1865, when Her Majesty's troops were removed, when for the first time the colony was left to manage the Natives without interference by the representatives of Her Majesty in the colony. It is quite certain that since that period there has been no infraction of the Treaty of Waitangi. As it is clear that, if there was an infraction previously Her Majesty's Government and Imperial funds would be liable for the same, Ministers deem it more respectful not to express an opinion on the subject, but to leave Her Majesty's Advisers in Great Britain to arrive at their own conclusions.

3. As to the provisions of section 71 of the Constitution Act (15 and 16 Vict., cap. 72), Ministers would remark that it appears from the very terms of the section that the Imperial Parliament contemplated that that section should only be used for a short time and under the then special circumstances of the colony. The words used in the section are, "It may be expedient," "Should for the present be maintained." So far as allowing the laws, customs, and usages of the Natives in all their relations to and dealings with each other to be maintained, Ministers would point out that this has been the policy of all the Native Land Acts. The Courts that have to deal with Native land—and it is the land that to the Natives seems the most important—decide according to Native customs or usage (*vide* "Native Land Courts Act, 1880," section 24; see also sections 5 and 6 of the "Native Lands Frauds Prevention Act, 1881," and section 6 of the "Native Land Laws Amendment Act, 1883").

4. Regarding the proclamation of Native districts, the County of Waipa is practically a Native district, and, if the Natives desired such a form of local government as the Counties Act affords, there would be no difficulty in granting their request by the Colonial Parliament. What, however, the petitioners desire is really the setting up of a Parliament in certain parts of the North Island which would not be under the control of the General Assembly of New Zealand. Seeing that in the Legislative Council and the House of Representatives the Natives are represented by able chiefs, and that they have practically no local affairs to look after that cannot be done by their Committees—local bodies recognized by the Government—Ministers do not deem it necessary to point out the unreasonableness and absurdity of such a request.

5. Ministers have not deemed it necessary to go *seriatim* through the allegations of the petition and show their unsubstantiality. A former Premier, Sir Frederick Whitaker, specially dealt with a petition very similar to the one now under consideration (see memo. 12th December, 1882, addressed to His Excellency the Governor, in Appendix to the Journals of the House of Representatives, A.—6, page 5); and a former Native Minister, Mr. Bryce, wrote a memorandum referring to the alleged ill-treatment of the Maoris (see memo. for His Excellency, 11th January, 1884, A.—1, page 11, in Appendix, Vol. 1, 1884). The despatch of your Excellency, No. 9, of the 1st March, 1884, forwarding the memorandum of Mr. Bryce, also combated the statements of the Maori chiefs who had petitioned.

Ministers do not consider that there is any allegation in this petition that has not been before the Imperial Government, replied to by the colony, and dealt with before.

Wellington, 12th March, 1885.

ROBERT STOUT.

No. 34.

(No. 40.)

MY LORD,

Government House, Wellington, 28th March, 1885.

A.—2, No. 27.

With reference to your Lordship's circular despatch of the 27th November, 1884, concerning the Colonial Exhibition to be held in London in 1886, I have the honour to transmit herewith a copy of a memorandum from the Premier, Mr. Stout, stating that my Government have decided to apply to

Parliament at its next session for a vote to enable this colony to take a part in the Exhibition, and, when that is obtained, to nominate an Exhibition Committee.

I need scarcely add that I shall be most happy to do all that is in my power personally to forward the scheme.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to the Governor and desire to state that they have had under consideration Lord Derby's despatch, Circular 1, of the 27th November, 1884, and the letter from His Royal Highness the Prince of Wales which it enclosed, and have decided to apply to Parliament at its next session for a vote to enable this colony to take a part in the International Exhibition to be held in London in 1886, and, when that is obtained, to nominate an Exhibition Committee.

Ministers respectfully request His Excellency to be good enough to acquaint Lord Derby with the above decision.

The circular despatch is returned herewith.

Wellington, 11th March, 1884.

ROBERT STOUT.

No. 35.

(No. 42.)

MY LORD,—

Government House, Wellington, 28th March, 1885.

I have the honour to transmit herewith a copy of a memorandum from my Ministers, covering a memorandum from the Minister of Justice, praying that the Queen may be moved to issue an Order in Council, should Her Majesty be graciously pleased to do so, under "The Colonial Attorneys Relief Act Amendment Act, 1884," directing the Colonial Attorneys Relief Act to come into operation as to this colony. I enclose also copies of the local Acts referred to by the Minister of Justice.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to the Governor.

1. In 1884 a Colonial Attorneys Relief Act Amendment Act was passed by the Imperial Parliament, and it is suggested that this Act and the Acts it amends should come into operation as to New Zealand.

2. The Minister of Justice has written a memorandum on these Acts, which is forwarded herewith.

3. Ministers respectfully advise His Excellency to request the Right Honourable the Secretary of State for the Colonies to issue the necessary Order in Council.

Wellington, 13th March, 1885.

ROBERT STOUT.

Sub-Enclosure.

MEMORANDUM for the Hon. the PREMIER.

THE Canterbury Law Society requests that I will advise His Excellency the Governor to apply to Her Majesty's Principal Secretary of State for the Colonies to bring the Colonial Attorneys Relief Acts into force in respect of this colony.

I have perused the provisions of (1) "The Colonial Attorneys Relief Act, 1857;" (2) "The Colonial Attorneys Relief Act 1867 Amendment Act, 1874;" and (3) "The Colonial Attorneys Relief Act Amendment Act, 1884."

The last-named Act really determines the conditions under which the Colonial Attorneys Relief Act may, on the application of the Governor, be extended to New Zealand. It provides that: "Upon application made by the Governor of any of Her Majesty's colonies or dependencies, and after it has been shown, to the satisfaction of Her Majesty's Principal Secretary of State for the Colonies, that the system of jurisprudence as administered in such colony or dependency is founded on or assimilated to the common law and principles of equity as administered in England, and also that the attorneys and solicitors of the Superior Courts of law or equity in England are admitted . . . in the Superior Courts . . . of such colony or dependency on production of their certificates of admission in the English Courts, without service in the colony or examination, except in so far as

the laws of the colony differ from the laws of England, Her Majesty may from time to time, by Order in Council, direct the Colonial Attorneys Relief Act to come into operation as to such colony or dependency, although persons may in certain cases (which probably refers to Judges' Secretaries in New Zealand) be admitted . . . in such colony without possessing all the qualifications, or having fulfilled the conditions of service under articles to an attorney, and thereupon, but not otherwise, the provisions of the Colonial Attorneys Relief Act shall apply to persons duly admitted . . . in such colony after service and examination; that is to say, no attorney or solicitor of any such colony shall be admitted . . . in England unless, in addition to the requirements of the Colonial Attorneys Relief Act—viz., certificate from Supreme Court Judge of colony as to good fame and repute, and as to due payment of fees—he proves by affidavit that he has served for five years under articles of clerkship to a solicitor or attorney-at-law in such colony, and passed an examination . . . before admission as solicitor in such colony; and, further, that he has since been in actual practice as solicitor in such colony for seven years at least.

In the words of the Act, "the system of jurisprudence as administered in this colony," is founded on and assimilated to the common law and principles of equity as administered in England.

It is clear from the above statutory statement, which I have worded so as to embrace the material provisions of the several Acts referred to, that the Colonial Attorneys Relief Act, if extended to this colony, would be available only to those practitioners who had served under articles to a solicitor for five years, and would exclude solicitors who were admitted by virtue of having been Judges' Secretaries, or Registrars, or Deputy-Registrars of the Supreme Court, and also those admitted under our "Law Practitioners Act, 1882" (except those who voluntarily bound themselves for five years), or LL.B.s under "The Law Practitioners Amendment Act, 1883." Though, in these respects, the Colonial Attorneys Relief Act would be partial in its operation to this colony, still the fulfillment of the requisite conditions by, and the status of a great majority of, our colonial practitioners, both in regard to their services for the prescribed period of articulated clerkship and the period of their actual practice in the colony, entitles them to the advantage of Imperial reciprocity, which the Act is intended to confer upon them.

I therefore respectfully recommend that application be made by His Excellency the Governor, or, as the Act says, "the person exercising the functions of the Governor of the colony," to Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty may, by Order in Council, be pleased to direct the Colonial Attorneys Relief Act to come into operation as to the Colony of New Zealand.

Jos. A. TOLE.

Department of Justice, Wellington, 12th March, 1885.

No. 36

(No. 43.)

MY LORD,—

Government House, Wellington, 28th March, 1885.

I have the honour to transmit herewith a copy of a memorandum from the Premier, Mr. Stout, forwarding a memorial from the Synod of the Presbyterian Church of Otago, praying that the New Hebrides should become a part of the Empire.

The question has already been so fully brought before Her Majesty's Government on the occasions referred to in the Premier's memorandum, that it appears unnecessary for me to add anything further.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their most respectful compliments to His Excellency the Governor, and, in forwarding the enclosed memorial from the Synod of the Presbyterian Church of Otago, desire to state that they cordially concur in the request the Synod makes that the New Hebrides should become part of the Empire.

2. They would point out that this is no new request from the Government of New Zealand. In 1878 the then Ministry pressed on the notice of the Imperial Government the desirability of securing these islands for the Empire. (See enclosures to a despatch from the Most Hon. the Marquis of Normanby to the Right Hon. the Secretary of State for the Colonies, No. 21, 22nd June, 1878; and a memorandum from the Hon. Sir George Grey, dated 6th March, 1879, on the Secretary of State's despatch of the 10th November, 1878.)

3. If the wishes of a people, partly civilized through the influence of English people, ought to influence the decision of the Government, Ministers feel sure that the desire of the natives of the New Hebrides will not be overlooked.

Wellington, 9th March, 1885.

ROBERT STOUT.

Sub-Enclosure.

To the Right Hon. the Earl of DERBY, Secretary for the Colonies.

YOUR LORDSHIP,—

The Mission Committee of the Presbyterian Church of Otago, New Zealand, as instituted by the Synod of the said Church, would respectfully solicit the attention of your Lordship and of the British Cabinet anew to the necessity and importance of Britain annexing or assuming the protectorate of the New Hebrides Islands, or otherwise securing their independence.

To suffer these islands to fall into the hands of any other Power, and especially of France, which seeks to convert them into a penal settlement for its worst criminals, would seriously affect the interests of the Australasian Colonies, and even of Great Britain itself, both in time of peace and time of war. In time of peace it would expose the colonies to the inroads of escaped convicts, whereby their criminal population would be increased, and, as a consequence, a greater cost for protection against such would be required. In time of war it would supply to a foe of Britain a dépôt for coal and munitions of war and a rendezvous for ships and soldiers, from which a sudden descent might be made upon British possessions—a danger that would necessitate an increased expenditure for materials and means of war, even in time of peace, on the part of the Imperial and of the colonial authorities.

In addition to these—the certain results of the occupation of these islands by France—the Committee would special direct the consideration of your Lordship to the serious effects it would have upon the interests of the aborigines and in relation to the efforts that have been made for many years, at great expenditure, by several British and colonial Churches, to educate and christianize, and thereby civilize, the native population. On the one hand, the natives would be exposed to the evil example and influence of a degraded criminal class, to the frustrating of the good that has been accomplished by the Protestant missionaries that have laboured among them not without much success. On the other hand, there is the almost absolute certainty that these missionaries—British subjects, who have opened, by their presence there, these islands to commerce, and who alone have done ought to ameliorate the condition of the inhabitants—being, if not thrust forth from the islands, so hindered in their work as to render it futile for good to the natives, as has been the case in others of the islands of the South Pacific where French occupation has obtained, such occupation having had, uniformly, in its wain the domination of the Church of Rome, ever and elsewhere adverse to Protestant efforts and objects.

Further, the natives are themselves opposed to French occupation, and are desirous to be subject to the Government of Britain, and to secure its protection.

In view of these and other considerations that cannot fail to present themselves to your Lordship's mind, the Committee would respectfully urge that the prayer, coming alike from the colonies, the Churches engaged in evangelizing these islands, and from the natives themselves, may receive attention and obtain a favourable response from the Imperial Government.

Imperial interests, not less than the interests of the colonies and the natives, appear to the Committee to demand that Britain should respond to the call thus addressed to it in the matter.

I have, &c.,

WM. BANNERMAN,

Clerk of Synod and Convener of Mission Committee of the
Presbyterian Church of Otago, New Zealand.

No. 37.

(No. 45.)

MY LORD,—

Government House, Wellington, 28th March, 1885.

With reference to your Lordship's telegram concerning proposed arrangements as to mails, I have the honour to transmit herewith a copy of a memorandum from the Premier, Mr. Stout, stating that my Ministers are of opinion that it will not suit New Zealand to enter into any contract for the conveyance of her mails by Brindisi.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

MINISTERS present their most respectful compliments to His Excellency, and beg to state that they have had under consideration the telegram from Lord Derby, relative to the proposed arrangement with reference to mails, returned herewith, and have decided that it will not suit New Zealand to enter into any contract for the conveyance of her mails by Brindisi. Her postal arrangements are not by that route. Ministers respectfully request that His Excellency will please reply to Lord Derby to the above effect.

Wellington, 10th March, 1885,

ROBERT STOUT,

No. 38.

(No. 46.)

MY LORD,—

Government House, Wellington, 28th March, 1885.

A.—2, No. 31.
See also No. 46
infra.

With reference to your Lordship's Despatch No. 79, dated the 11th December last, concerning the proposed Federal Council of Australasia, I have the honour to transmit herewith a copy of a memorandum from my Ministers, stating that they consider that it will be better that the whole subject should be postponed until a clear understanding as to it has been arrived at by the colonies interested.

Your Lordship will already have learnt the opinion of my Government through the Agent-General for New Zealand.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to His Excellency.

2. With regard to Lord Derby's Despatch No. 79, of the 11th of December, as to "the legislation necessary for the establishment of a Federal Council of Australasia," Ministers desire to state that in His Excellency's absence from Wellington they forwarded to the Agent-General the following telegram:—

"Federal Bill. Until Parliament meets, cannot speak authoritatively. Our views are same as expressed in resolutions proposed to House. Object to Bill, also, as altered by Colonial Office, on grounds interferes with autonomy colonies, and in not allowing colonies reject or adopt laws passed by Council. Think Bill should be postponed until colonies better agreed. Press views Colonial Office, and make public."

3. As the Parliament of New Zealand passed last year a resolution declaring that the subject of federation should be deferred until the next session, Ministers do not see their way to express any opinions as to the Federal Council Bill of the late Convention, or as to the amendments thereof proposed by Lord Derby.

4. Considering the importance of the measure, and the differing views respecting it that have been expressed by some of the colonies, Ministers think it will be every way better that the whole subject should be postponed until a clearer understanding as to it has been arrived at by the colonies interested.

Wellington, 28th March, 1885.

ROBERT STOUT.

No. 39.

(No. 48.)

MY LORD,—

Government House, Wellington, 11th April, 1885.

A.—2, No. 33.

With reference to your Lordship's despatch No. 2 of the 10th January last and other correspondence concerning the case of William Sheehan, I have the honour to state that every facility and assistance for the execution of his duty was afforded to Sergeant Dunny by my Government; and that arrangements have been made that Detective Walker shall go to Ireland with Sergeant Dunny and the prisoner by the mail which takes this despatch.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 40.

(No. 50.)

MY LORD,—

Government House, Wellington, 11th April, 1885.

See also No. 44
infra.

I have the honour to state that, in view of the possible outbreak of hostilities, steps have been taken to place this colony in a state of defence.

2. As your Lordship is probably aware, in accordance with the recommendation of a Commission on Colonial Defences which sat in London in 1878, a certain number of guns—7-ton and 64-pounders—were ordered by the New Zealand Government. No steps, however, were taken to provide the necessary works for their reception until Colonel (now Major-General) Scratchley in 1880 reported on the subject.

3. On my arrival here in the beginning of 1883, finding that the plans of defence were still undecided upon, I suggested to my Ministers that application should be made to the Imperial Government for the services of an officer of the Royal Engineers to prepare the necessary plans under my direction; and Major Cautley was selected. The designs being accordingly determined upon, I entered into the whole question of the defence of New Zealand in the Address which I delivered before the New Zealand Institute, of which I forwarded to your Lordship a copy on the 11th October last.

4. During my recent absence on a short visit to Australia, the minds of my Ministers and of the public at large, in consequence of recent events in other parts of the world, were deeply impressed with the necessity of adopting immediate measures of defence; and the mounting of the guns already in the colony was determined upon. Armaments and stores were also ordered from England for the works that had been designed for the defence of the principal ports of the colony.

5. After my return I held a meeting with my Ministers and some naval and artillery officers resident in Wellington, to consider what further steps should be taken; and it was resolved that all the steam launches and small steamers which could be used for the purpose should be fitted with spar torpedoes; that submarine mines should be prepared for use where applicable at the principal harbours; that a supply of Whitehead torpedoes with the necessary gear and machinery should be ordered from England. It was also determined to engage the services of Lieutenant Douglas, late R.N., as Staff Naval Officer to the Defence Department. Mr. Smythe, late Quartermaster-Sergeant, Royal Engineers, will co-operate with him in matters relating to submarine mining defence.

6. Steps have also been taken for the appointment of an officer of the Imperial service as commandant of the local military forces. There exists at present a well disciplined force of the Armed Constabulary, amounting to about 400 men. There are also "Naval Brigades" at the principal ports, and numerous corps of Volunteers throughout the country. Besides these the first-class militia consists of all able-bodied men between seventeen and thirty years of age not specially exempted; and these can be called out in case of need. A reorganization of the whole force, however, is contemplated.

7. As your Lordship is aware, negotiations are proceeding with the Imperial Government for providing, chiefly at the cost of the colony, a powerful man-of-war cruiser for the special defence of New Zealand.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 41.

(No. 52.)

MY LORD,—

Government House, Wellington, 11th April, 1885.

With reference to my Despatch, No. 39, of the 28th ultimo, I have the honour to transmit herewith copies of the reports of the several meetings therein referred to, recently held by the Native Minister, Mr. Ballance, with the Maoris. A.—1, No. 33.
Supra No. 33.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

[See G.—1, 1885.]

No. 42.

(No. 57.)

MY LORD,—

Government House, Wellington, 25th April, 1885.

With reference to your Lordship's telegrams concerning George Townsend, a fraudulent bankrupt, I have the honour to state that Mrs. Townsend, See also No. 45
infra.

acting on the advice of her lawyer, immediately on demand handed over the eleven hundred-pound notes to the police at Auckland, by whom they have been placed for safety in the strong box of the Bank of New Zealand at that place.

2. On receipt of your Lordship's telegram of the 24th instant, I gave instructions to the police authorities at Auckland that the notes should be cut in halves, and one half forwarded in a registered letter to your Lordship by this mail, and the other by the next direct steamer.

3. I understand that the police have been put to no expense in the matter.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 43.

(No. 61.)

MY LORD,—

Government House, Wellington, 25th April, 1885.

A.-2, No. 37.

With reference to your Lordship's Despatch No. 7, of the 2nd February last, concerning the claim made by John Rahilly to land or an equivalent in money, for alleged services in New Zealand in 1849, I have the honour to transmit herewith a copy of a memorandum from the Minister of Lands, Mr. Ballance, forwarding a memorandum from the Under-Secretary, from which your Lordship will perceive that there is no foundation for the claim made.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for HIS EXCELLENCY.

THE Minister of Lands presents his respectful compliments to the Governor, and forwards to His Excellency, for transmission to the Secretary of State for the Colonies, a memorandum by the Under-Secretary, Lands Department, respecting the claim by Mr. John Rahilly for a grant of land, as set forth in his letter to the War Office, a copy of which is enclosed in Lord Derby's Despatch No. 7, 2nd February.

Wellington, 25th April, 1885.

J. BALLANCE.

Sub-Enclosure.

The Hon. the Minister of Lands.

THE only Act of which I am aware authorizing grants of land in the Province of Auckland to military settlers was "The Auckland Waste Lands Act, 1858," which provided that every naval or military officer, whether on full or half pay, and every non-commissioned officer and private, marine or seaman, who retired or obtained his discharge, should be allowed to select land free of cost, according to his rank, from 60 acres to 400 acres; provided that before any such officer, non-commissioned officer, private, marine, or seaman, obtained his land, it should be proved to the satisfaction of the Commissioner of Crown Lands that he retired or obtained his discharge for the purpose of settling in the Province of Auckland.

The provisions of the Act were subsequently extended to the remaining provinces of the North Island on the same terms. "The Auckland Waste Lands Act, 1858," was repealed as regards the Auckland Province as from the 1st March, 1867, as regards Wellington and Hawke's Bay in 1863, and as regards the Taranaki Province in 1865.

As private Rahilly, late of the 58th Regiment, did not retire for the purpose of settling in the Province of Auckland (or any other of the North Island Provinces) within the time the Acts authorizing grants of land to naval and military settlers were in force, his claim cannot be recognized.

H. J. H. ELLIOTT,
Under-Secretary.

No. 44.

(No. 62.)

MY LORD,—

Government House, Wellington, 25th April, 1885.

As your Lordship will have gathered from the several telegrams I have addressed to you, my Government feel aggrieved that New Zealand should be left, as at present, without direct protection from the Australian Naval Squadron.

They represent that during the last five years the visits of the men-of-war of other nations to the ports of New Zealand have been more frequent than those of Her Majesty's ships.

2. As regards the general question of the naval assistance which should be afforded to New Zealand by the Imperial naval squadron, I of course recognize that the Admiral commanding on the Australasian station is entirely responsible for the distribution of the ships under his command, and of all other matters pertaining to them. I recognize, moreover, that it is of great importance in the general defence of the commerce of Australasia that there should be men-of-war operating on the lines of communication irrespective of the distance from the colonies they are protecting; but, as I have pointed out elsewhere, the question has not only to be regarded from an Imperial and an Australasian, but also from a local point of view.

3. Realizing this, my Government made the proposition to which I have referred in paragraph 7 of my Despatch No. 50, dated the 11th instant, that a first-class cruiser of the "Esmeralda" type should be provided by the Admiralty, the colony paying the interest on the cost of the vessel and two-thirds of her expenses.

4. As yet no definite reply to this proposal has been received. I may observe, however, that the suggestion appears to me to be in the right direction, for it recognizes that the colony should contribute to the cost of the squadron for the protection of British interests in this portion of the world.

5. Four years ago, at my suggestion, the delegates from South Australia at the Intercolonial Conference at Sydney of 1881, proposed that the squadron should be doubled, the colonies paying the increased cost. At that time the suggestion was not entertained; but I have reason to believe that now different views are held, at any rate in some influential quarters. The matter, at all events, is again under discussion.

6. I enclose copies of the various telegrams which have passed between myself and Admiral Tryon, and of a letter which I addressed to him on the 17th instant, in which I represented to him views similar to those which I have herein expressed.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure 1.

LIST OF TELEGRAMS.—(1) Admiral Tryon to Sir W. Jervois, 13th April, 1885; (2) Sir W. Jervois to Admiral Tryon, 14th April, 1885; (3) Sir W. Jervois to Admiral Tryon, 14th April, 1885; (4) Sir W. Jervois to Admiral Tryon, 14th April, 1885; (5) Admiral Tryon to Sir W. Jervois, 14th April, 1885; (6) Sir W. Jervois to Admiral Tryon, 15th April, 1885; (7) Admiral Tryon to Sir W. Jervois, 16th April, 1885; (8) Admiral Tryon to Sir W. Jervois, 16th April, 1885; (9) Sir W. Jervois to Admiral Tryon, 17th April, 1885; (10) Admiral Tryon to Sir W. Jervois, 17th April, 1885; (11) Sir W. Jervois to Admiral Tryon, 17th April, 1885; (12) Admiral Tryon to Sir W. Jervois, 18th April, 1885; (13) Admiral Tryon to Sir W. Jervois, 18th April, 1885; (14) Sir W. Jervois to Admiral Tryon, 20th April, 1885; (15) Admiral Tryon to Sir W. Jervois, 20th April, 1885; (16) Sir W. Jervois to Admiral Tryon, 20th April, 1885; (17) Admiral Tryon to Sir W. Jervois, 21st April, 1885; (18) Sir W. Jervois to Admiral Tryon, 22nd April, 1885; (19) Sir W. Jervois to Admiral Tryon, 22nd April, 1885; (20) Sir W. Jervois to Admiral Tryon, 22nd April, 1885; (21) Admiral Tryon to Sir W. Jervois, 23rd April, 1885; (22) Admiral Tryon to Sir W. Jervois, 23rd April, 1885; (23) Sir W. Jervois to Admiral Tryon, 24th April, 1885; (24) Sir W. Jervois to Admiral Tryon, 24th April, 1885; (25) Admiral Tryon to Sir W. Jervois, 25th April, 1885.

Number 1.—With reference to your letter: Is the power to deny coal secured? I hope to be able, if you require them, to spare a few submarine mines, and, if necessary, a few 64-pounder converted guns to guard them. Have you skilled labour placed at disposal for submarine mining apparatus, and men to work 64-pounder converted guns if sent? Is coal in Bay of Islands all safe?

Number 2.—No means of preventing cutting submarine cable near shore. If impossible to telegraph, steam-vessel will immediately be despatched to Tasmania or Australia. Absence of telegraphic communication will indicate naval assistance required. My Government strongly urge you should detach man-of-war permanently for defence of New Zealand when war has broken out.

Number 3.—Taking steps to deny coal. Steam-vessels cannot coal rapidly at Russell, as never more than 100 tons in stock, and the mine is eight miles distant. I shall be glad to receive as many submarine mines as you can spare, with cables, stores, and apparatus; also ten 64-pounder

converted guns, with carriages, slides, ammunition, complete. Certain amount skilled assistance here for mines and guns, but I shall be glad if you can spare two skilled men for submarine mines and four for instructors working guns.

Number 4.—Can you supply ammunition for 1-inch Nordenfeldt gun?

Number 5.—It is absolutely necessary that I should know to what port you propose to protect British interests with such submarine mines as I can send. I possibly could spare twenty-five submarine mines of 500lb., and by what conveyance; also as to guns. New Zealand may rest assured that I shall use my ships in accordance with my order for the protection of all, and in co-operation with you. On what information is request preferred? How many Nordenfeldt guns have you, and what supplies of ammunition in hand and expected?

Number 6.—Colony will gladly purchase submarine mines and 64-pounder converted guns you kindly offer. Please send them complete, with all appliances, by next steamer Auckland or Wellington. Only one Nordenfeldt gun, 1-inch, New Zealand at present, but no supplies of ammunition. Other matters by letter.

Number 7.—Cannot send submarine mines unless I know what ports you propose to use them for. It is impossible to send proper appliances unless I am informed on this. Am waiting reply. Have you any armoured cable available? Expect to-morrow telegram about guns from Home. Cannot send you instructors. If necessary, have no doubt but what old artillerymen can be obtained in these colonies. The carriages are truck-carriages.

Number 8.—Steamship companies, under Companies Act, cannot convey the mines; the wet gun-cotton is now in them, just as they arrived from England. Hope to get cable to-day, but await reply to my telegram of yesterday.

Number 9.—Submarine mines will be used at Auckland. Regret to learn that impossible to send by passenger-ship. Can you manage send submarine mines by British man-of-war? This would give great satisfaction here, and get over the difficulties of Customs Act. Will wire again *re* other matters. Writing by mail to-day.

Number 10.—Am disappointed as to wire; but have purchased two miles for you, and hope for a third. I never had any of my own. I can let you have eight 64-pounder guns, with sixty rounds each, and twenty or twenty-five 500-lb. mines, all complete. Can you get any more wire? Am going to arm a cruiser or two. Every vessel I have at present has its allotted task, and is not available for the purpose you propose. If I had a freight-ship at my disposal, I should have sent the stores off ere this. New South Wales has just bought the five miles of cable belonging to the New Zealand and Australian Electric Company that was in Botany Bay. The guns I send are taken from the armament sent out for two cruisers; but I am anxious to help Auckland, where they will be well placed, and tend to secure me a harbour for vessels of war to coal, should they require it.

Number 11.—Please send guns, wire, and all other stores you can by next steamer. Will again telegraph *re* transport of explosives.

Number 12.—Have now secured you a little over three miles of cable. It will be tested. It is sufficient for a material defence; but I would have sent five miles if I could have got it. The mines have their gun-cotton in them, and they are very important.

Number 13.—Is ammunition for Nordenfeldt guns ordered, and when is it expected? I have but little.

Number 14.—Do not take trouble to send ammunition Nordenfeldt gun.

Number 15.—No steamer for Auckland till 30th. Steamer going to Wellington. Says guns must be disembarked there and reshipped.

Number 16.—Under the circumstances, better send them direct to Auckland.

Number 17.—Can, in case of necessity, your Government arrange for the storage of, say, 3,000 tons of coal at Wellington, also at Auckland, arranging for its rapid delivery. It should be so placed as to be safe, if I send it over. Shall I try to get a sailing-ship to take explosives and mines?

Number 18.—Useless send Sydney coal: New Zealand superior. 3,000 tons can be supplied Wellington, as follows: 2,000 tons in a fortnight after you accept proposal; 1,000 tons of coal thereafter four days' notice, to be stored in hulks in the usual manner. 28s. per ton, payment to be made as taken. If not taken for three months, 2s. storage, and 8d. by the month afterwards. My Government can arrange for steamer bring mines. Wire if you can deliver mines as soon a steamer ready to receive them. Coal can be obtained also here for Auckland. Will wire further on this subject.

Number 19.—With reference to my telegram of to-day, Shaw-Savill, have 1,500 tons here in hulks available for "Coptic."

Number 20.—My Government propose arranging for submarine mines being sent by "Hauroto," leaving Sydney 5th May. Can you arrange accordingly?

Number 21.—Submarine mines are ready.

Number 22.—Proposal not quite clear. At what fixed rate could arrangements be made for supplying coal to Her Majesty's ships on demand, stipulation that a reserve of 3,000 tons shall be kept ready at hand, stating mine whence coal is taken?

Number 23.—With reference to Wellington, except the 1,500 tons for "Coptic," none in hand; but if you give orders, 1,000 tons of coal can be got from Greymouth and Westport in four days, and so from time to time. With reference to Auckland, none in hand; but 3,000 tons of coal can be got from the Bay of Islands in three weeks, and 1,000 tons of coal from Waikato in a week, and so on. Union Steamship Company will supply 1,200 tons in a week. Coal not used can be stored in reserve—Wellington in hulks, Auckland on shore.

Number 24.—Just received from my Ministers following minute, to which I beg earnestly your serious attention:—"We have arranged that 'Hauroto' bring submarine mines, &c., Admiral is

willing to let us have. We consider, however, that it is our duty to represent to His Excellency most urgently that the delay is prejudicial, and that the Admiral should send them by man-of-war, and allow her remain on the coast. We shall have ports defended by guns, without which it is understood that Admiral objects to trusting any of his ships. We earnestly represent that leaving an important colony like New Zealand without any naval protection is inviting attack, and we most strongly urge His Excellency not to become responsible for such risk. Any arrangements respecting coal or financial arrangements required will be made."

Number 25.—"Waihora" leaves this on 30th, direct for Auckland. Time will be saved if you will arrange for guns, mines, and ammunition to go by "Waihora" instead of "Hauroto," which goes to Wellington. Otherwise, presume "Hauroto" will be ordered to go straight to Auckland. Shall try and send officer with two men to deliver stores and point out arrangements.

Enclosure 2.

Government House, Wellington, New Zealand, 17th April, 1885.

DEAR ADMIRAL TRYON,—

Whilst we are bombarding each other with telegrams there are some points on which there appears to be a chance, in such necessarily short communications, of our getting at cross-purposes: I therefore think it better to write to you thereon.

As regards the general question of the naval assistance which should be afforded to New Zealand by the Imperial naval squadron, you, of course, as the Admiral commanding on the Australasian station, are entirely responsible for the distribution of your ships and all other matters pertaining to them; and therefore I hope you will take anything I say as coming from me merely in the way of suggestion.

No doubt the Government and people of New Zealand do consider that they have been, and are, "left out in the cold" so far as regards the distribution of Her Majesty's ships. I well know, of course, how this has arisen and can be explained; but all the explanation in the world does not satisfy people here when they only get very occasional and short visits from vessels of the squadron.

I quite recognize the great importance to the general defence of the commerce of New Zealand, as of other parts of Australasia, that Her Majesty's ships should operate on the lines of communication, irrespective of the distance from the colony; but, as I pointed out in my address to the New Zealand Institute on the subject (to which I beg to refer you), the question must also be regarded from a *local* point of view. (See page 8, paragraph commencing "Of all parts," to page 9, paragraph ending "for their protection." See also pages 3 to 9 generally.)

At page 13 I proposed that certain vessels of the Union Steamship Company, of the New Zealand Shipping Company, and of the Shaw-Savill Company should be turned to account as armed cruisers. My Government, however, find a difficulty in turning the Union Steamship Company's vessels to account: they find that they would thereby enter into a sort of partnership with that company. And, as regards the vessels of the other two companies, the rendering them available for the local defence of New Zealand implies the abandonment *pro tem.* of the service for which they exist.

My Government made a proposition a few weeks ago to the Imperial Government that a first-class cruiser of the "Esmeralda" type should be provided by the Admiralty, the colony paying the interest of the cost of the vessel and two-thirds of her expenses. As yet no definite answer to this proposal has been received.

It seems to me that it is in the right direction; for it recognizes that the colony should contribute to the cost of the squadron on the Australasian station.

Four years ago, at my suggestion, the delegates from South Australia at the Sydney Conference of 1881 (minutes of Conference herewith) proposed that the Australian squadron should be doubled, the colonies paying the increased cost. I understand now that Mr. Stuart, the Premier of New South Wales, holds a similar opinion, and I am myself urging it on the consideration of my Ministers. It seems to me that this would be the best solution of the question.

Meanwhile I deem it my duty to represent to you the views that are entertained by my Government with regard to the necessity for an Imperial vessel of war being sent here immediately; and I therefore send you a memorandum which has been addressed to me by them on the subject.

I, of course, can perfectly understand the difficulty you might have in detaching a vessel from your squadron for the local defence of New Zealand; but, at the same time, if you can see your way to do so I think it would be a desirable move, pending the carrying-out of some more comprehensive arrangement.

I need scarcely say that I shall always be most happy to supply you with any information in my power that may aid you in the execution of your arduous duties, and I herewith enclose in a tabular form what is being done here with regard to defence.

Rear-Admiral Tryon, C.B., Sydney.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

ENCLOSURES.—1. Sir William Jervois's address before the New Zealand Institute, 4th October, 1884. 2. New Zealand Parliamentary Paper A-3, 1881. 3. Returns of Volunteers, torpedoes, &c.; supplied by the Defence Department. 4. Memorandum from Ministers, 15th April, 1885.

Sub-Enclosure 4.

MEMORANDUM for His EXCELLENCY.

MINISTERS have the honour to observe, concerning Admiral Tryon's telegram of the 14th instant, that they hope that all New Zealand is doing or proposes to do has for its purpose and object to protect British interests. His Excellency is aware that the colony is making great efforts to place the principal ports in a state of defence, and Ministers consider that it is only reasonable to expect that one or more of Her Majesty's ships of war on the Australian Station should be stationed in New Zealand. As regards the question on what information is the request preferred for the presence of "men-of-war permanently for defence of New Zealand when war has broken out," as the request was made conditionally on war breaking out, it cannot be said to be founded on special information. It was based on the fact that New Zealand is a large and important British colony, and is deserving of some protection from Her Majesty's naval forces. In former times ships of war used constantly to visit New Zealand; of late their presence has been much diminished: but it was considered and hoped that when the fleet was increased New Zealand would receive more attention, even in times of peace. But to leave it without a ship in case of war would be a cruelly exceptional course with regard to a colony of such importance.

Wellington, 15th April, 1885.

JULIUS VOGEL,
(in the absence of the Premier.)

No. 45.

(No. 63.)

MY LORD,—

Government House, Wellington, 8th May, 1885.

No. 42 *supra*.

With reference to my Despatch No. 57, dated the 25th ultimo, concerning George Townsend, a fraudulent bankrupt, I have the honour to transmit herewith the halves of the eleven hundred-pound notes therein referred to.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 46.

(No. 67.)

MY LORD,—

Government House, Wellington, 12th May, 1885.

No. 38 *supra*.

With reference to my Despatch No. 46, of the 28th March last, and former correspondence, concerning the proposed Federal Council of Australasia, I have the honour to transmit herewith a memorandum from my Ministers on the subject.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to the Governor, and have the honour to advise His Excellency to forward to the Secretary of State for the Colonies the memorandum sent herewith, "on the proposed Imperial Act for constituting an Australasian Federal Council."

Wellington, 30th April, 1885.

ROBERT STOUT.

Sub-Enclosure.

MEMORANDUM by NEW ZEALAND MINISTERS on the proposed Imperial Act for Constituting an Australasian Federal Council.

THE Government of New Zealand appeal to the Secretary of State for the Colonies, and to the Governments of the Australasian Colonies, to reconsider the question of the Federal Councils Bill, so far as to provide that no legislation of the Federal Council shall have effect within any colony until the Legislature of that colony shall have approved of such legislation. This Government consider it would be quite impossible, without the insertion of such a provision, to recommend its acceptance to the Parliament of New Zealand; and equally impossible, if any Government were to recommend it, that the Parliament of New Zealand would consent to such an utter abnegation of its powers as would be involved by its accepting the Federal Council under the Bill proposed. If the Bill become an Act of the Imperial Parliament, it will have no effect within any colony that does not elect through its Legislature to adopt it. But when once a colony has accepted the Act, it would place itself in the position

of allowing a number of laws relating to most important subjects to be passed without any larger share in the legislation than would be comprised in the presence of two of its representatives in the Council. In other words, the Legislature of a constitutional colony would be asked to name two persons who, in company with many persons from other colonies—Crown and constitutional—would have a final legislative power over a large number of questions of the utmost moment to the colony.

The Parliament of New Zealand is very jealous of the exercise of its legislative power, and it is quite certain that no Government would be able to obtain from it the right to finally legislate upon any subject that could be proposed. How, then, is it possible that it would be willing to confide to two representatives associated with many other persons (who for the purpose of discussion may be considered strangers to the colony), powers of final legislation on a number of subjects? There is no reason to believe that the Parliaments of other colonies are less disposed to guard their functions.

It appears to this Government that the proposal is altogether inconsistent with the autonomous powers which are vested in the Legislatures of the various colonies. Any Act by which it is proposed to bind a colony has now to pass through a number of well-considered stages, during any of which a revision of the proposed legislation may be accomplished, and public opinion brought to bear on the question. Not only has the measure to pass through one Chamber but it has to pass through both Chambers before it can become law. It is quite possible that many people may have the opinion that two Chambers are not a necessity, but it is clear that, as long as two Chambers are the established practice within the constitutional colonies as the medium for passing laws of any kind, it is quite inconsistent with that practice that the probably most important questions with which a colony can deal should be left to one Chamber or Representative Committee.

Ministers venture to express these opinions to the Secretary of State for the Colonies and to the Ministers of the other Australasian Colonies, in the hope that they may see fit to reconsider the question. This course is pursued with the more confidence because the Government of New Zealand are of opinion that if the Imperial Bill be enacted it will remain a dead-letter, that is to say, that the Legislatures of no four colonies within the Australasian group would agree to adopt the Act, and by so doing commit, as has already been described, some of the extensive powers of legislation which each Parliament now itself possesses to be finally dealt with by two representatives only, associated with a large number of representatives of other colonies.

The amendments proposed to be made in the Act by Her Majesty's Government do not affect the point to any extent. The clause allowing the withdrawal of a colony is not important, seeing that the laws which already have been passed will not be repealed by such withdrawal. Whenever the time shall arrive that a colony may wish to withdraw, the desire will have been occasioned because of some legislation to which it objects; and its withdrawal instead of cancelling the legislation may be the means of permanently sustaining it. If the views of this Government could be acceded to by the other colonies the establishment of a Federal Council thus sanctioned would still be an important step, and experience would show whether it sufficiently answered the purposes desired of it to enable the Legislatures of the colonies to dispense with the approval of Acts subsequent to their passing the Council, which is now asked for. This Government, however, feels that in holding out this hope they would be wanting in candour, and they must therefore say that, in their opinion, however well the Federal Council may work, the Parliaments of the various colonies will not agree to relinquish to a Council, such as is proposed by the Bill, powers of final legislation on any subject whatever.

If the powers of the Council were limited as suggested, the Government are of opinion it might be very useful in assisting to frame laws of common interest to all the colonies, whilst it would strengthen the bonds of union between them.

JULIUS VOGEL,

(on behalf of the Premier.)

Wellington, 23rd April, 1885.

No. 47.

(No. 68.)

MY LORD,—

Government House, Wellington, 12th May, 1885.

In accordance with the addition to No. 407 of the Colonial Regulations, I have the honour to report to your Lordship that I have recently commuted the sentence of death passed on one Robert Prendergast for the murder of his wife.

2. The convict was, no doubt, properly convicted; but the jury accompanied their verdict with a recommendation to mercy on the ground of the prisoner's insanity. It was clearly proved at the trial that the prisoner was at the time he committed the crime labouring under delusions, although not such as to render him legally irresponsible for his acts. Indeed, since his conviction he was obliged to be transferred to the lunatic asylum.

After taking the opinion of my Ministers, I decided that the sentence of death should be commuted to one of penal servitude for life.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 48.

(No. 69.)

MY LORD,—

Government House, Wellington, 12th May, 1885.

I have the honour herewith to transmit a copy of a memorandum from the Premier, Mr. Stout, with reference to the state of affairs in the Friendly Islands.

2. As your Lordship will perceive, my Ministers represent that it is desirable that, on account of the advanced age of the present King, and the recent death of the Prince who was his heir, no time should be lost in agreeing with other Powers as to who should succeed to the crown.

3. I am communicating with the Acting High Commissioner of the Western Pacific, who will, no doubt, report to your Lordship on the subject.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to the Governor, and beg to draw His Excellency's attention to the state of affairs in the Friendly Islands, with a view to representations being made to the Colonial Office, so as to induce the Imperial Government to consider the matter.

2. The King of Tonga is nearly ninety years old, and Prince George, who was the probable successor to the crown, has died.

3. From intelligence gathered by Sir Julius Vogel during a conversation at Dunedin with the British Consul for many years at Tonga, and from information derived from other sources, Ministers believe that there is imminent danger of great disturbances taking place on the death of the aged King.

4. Ministers would respectfully venture to suggest that it is expedient, in the interests of the Islands and of all persons concerned, that Her Majesty's Government should arrange in advance with the Governments of Germany and the United States the nature of the Government to be established on the death of the present King. It would, indeed, as Ministers believe, avoid difficulties if the three Governments named were at once to determine who they would recognize as the King's successor.

5. Ministers have received various communications from Tonga; but, as party feeling runs high there, and as probably some of the Imperial officers may be reporting on the subject to their Government, it has not been thought desirable to advise His Excellency to forward any of these communications to the Colonial Office.

Wellington, 4th May, 1885.

ROBERT STOUT.

No. 49.

(No. 70.)

MY LORD,—

Government House, Wellington, 23rd May, 1885.

With reference to your Lordship's Despatch No. 78, of the 6th December, 1884, relating to the question of the confirmation by the Governor of New Zealand of the reports of inquiries into wrecks held in the colony, I have the honour to state that a Bill for amending the law in the direction indicated by your Lordship has been prepared, and will be introduced during the ensuing session.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

No. 50.

(No. 72.)

MY LORD,—

Government House, Wellington, 23rd May, 1885.

I have the honour to transmit herewith a copy of a letter which I have received from Sir George Grey, enclosing correspondence which has passed between him and Malietoa, King of Samoa.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

SIR,—

Auckland, 14th May, 1885.

I have the honour to request that you will be pleased to transmit to the Earl of Derby, for his Lordship's information, the enclosed copies of letters which have passed between myself and Malietoa, King of Samoa.

I have, &c.,

His Excellency the Governor of New Zealand.

G. GREY.

Sub-Enclosure 1.

The KING of SAMOA to SIR GEORGE GREY.

SIR,—

Apia, Samoa, 10th February, 1885.

It is the wish of my Government and myself that you be good enough to act and advise my deputation to the Government of New Zealand, in accordance with the Bill my Parliament has just passed unanimously, a copy of which I forward with this letter.

The reason I and my Government have asked you to interfere in our troubles is because we are in trouble through the action of the Germans here, and that Mr. John Landon has told us that you take a great interest in the Pacific Islands people; that you made large reserves for their use in New Zealand when you were Governor there; that you got the Annexation Bill of the Pacific Islands passed by the New Zealand Parliament; and that your knowledge of forming Governments is greater than that of any other man in the Southern Hemisphere.

We also see your name in the newspapers as being a great chief, and that you have always been a kind father to the natives of the different islands.

I also ask you, in the name of myself, my Government, and my people, to be a father to my deputation, and to give them your advice and experience for the purpose of giving effect to your own and our Bill, with a view of making the Samoans and New Zealanders one people.

And may God preserve you to live long and see the good you have begun accomplished, is the prayer of your true friend,

Sir George Grey, K.C.B.

MALIETOA,

King of Samoa.

Sub-Enclosure 2.

SIR GEORGE GREY to the KING of SAMOA.

SIR,—

Kawau, New Zealand, 14th April, 1885.

I have had the honour of receiving your letter requesting me to advise and act with your deputation in reference to the business on which it was intended to send them to New Zealand.

Rest assured that I will advise and act with any deputation that you may send here, and, in compliance with your wishes, deal with them as a father with his children. If necessary, they shall be cared for in my own house.

In your letter you allude to some of the reasons which made you think it advisable to send a deputation to New Zealand, as also to the Confederation and Annexation Act which I introduced into the New Zealand House of Representatives in 1883.

I brought that measure forward because I found that some of the nations of Europe seemed suddenly actuated by an inordinate desire to grasp territory in all parts of the world.

It seemed desirable, therefore, that New Zealand, which had for many years held close relations, religious, friendly, and mercantile, with the inhabitants of various islands in the Pacific, should make an open declaration of the course it intended to pursue in reference to federation and annexation with any of those islands.

This was done in the Act to which you allude, which virtually affirmed that the people of all such islands were free men, who had the undoubted right of disposing of their own future.

It then created means by which any such islands, or parts thereof, might, at the desire of their inhabitants, federate with New Zealand, or become annexed to it, upon the assent of the New Zealand Parliament having been obtained.

But the machinery provided to accomplish this object plainly showed that New Zealand would not recognize the forcible seizure of any island or islands, or parts thereof, as a legitimate or just proceeding.

The principles embodied in the Act to which I am alluding were almost unanimously adopted by the Parliament and people of New Zealand. They have been rewarded for their righteous decision; for two groups of islands have already sought to be united to New Zealand under the provisions of that Act.

It has been recently stated by the New Zealand Government that very different principles are likely to be acted upon by European Powers—that proposals are to be made by Germany to surrender what she had taken of New Guinea if Samoa were given up to her.

I do not yet credit this. Who could venture to say that England or any other nation had such claims on or rights over Samoa as would entitle it to give up that country and its friendly people as a payment for territories to be yielded in some other place, over which no moral right of disposal of the land or people had been acquired?

To do this would be to treat you as mere chattels, without rights or feelings. I cannot believe that any British or German statesman would propose or carry out such a transaction. Nor do I think that either of those great and generous nations would give their assent to it.

In the printed telegrams on this subject which passed between the Governments of New Zealand and New South Wales I observe also that the only references are to trade interests and the control of the Central Pacific, and that there is not the slightest allusion to the cruelty and unrighteousness of dealing in such a manner as it is alleged is contemplated with a friendly and inoffensive nation.

The New Zealand Agent-General having reported that probably a proposal would be made by Germany to surrender what she had taken of New Guinea if Samoa were given up to her, I believe that if the opinion of the people of New Zealand could have been taken as to the nature of the reply which should be returned to him, that the great majority would have said, "Let him be instructed to inform the Secretary of State that the people of New Zealand would regard the abandoning of Samoa to Germany in exchange for a part of New Guinea as a wrong and cruel transaction; that they could not think that such an arrangement was really contemplated, but that if it was they would be no party to it."

Why great nations, each having many millions of subjects and vast possessions in many parts of the world, should prevent two groups of islands in the remote Pacific from uniting to work out in their own way their common welfare and happiness is difficult to understand. The mutual jealousies of those nations are the probable cause; but if they definitely refuse to allow the union of New Zealand and Samoa, then in their mutual jealousies lies Samoa's best hope of safety.

In the years 1847 and 1848 I was Governor of New Zealand, and had duties in other islands in the Pacific to attend to. It was thus necessary for me to pay great attention to the capabilities of the Polynesian race. I soon recognized in them many high qualities, and believed that amongst them were men who could soon be rendered capable of conducting, with the aid of some Europeans, the civilization of the islands of the Pacific, especially of those tropical islands which cannot be peopled by a European race. I thought that to save the Polynesians, to render them a blessing to the entire Pacific, and to open to their talents and energy scenes of constant activity and employment, was a task worthy of a great nation.

It was admitted at that time by all who knew the Polynesians well that they were a brave race, often of remarkable firmness in the midst of great danger. But great courage under physical danger is often incapable of confronting the dread of a fall from comparative wealth and comfort into poverty and long-continued penury. Amongst the Polynesians, however, substantial comfort and temporal welfare are often unhesitatingly given up, and the want of what custom had rendered necessities is cheerfully undergone for years, for the sake of maintaining what is believed to be a great principle.

Amongst one race of the Polynesians—that is, the Maoris—I have seen as great and noble characters as I have met with in any society in any part of the world. I have known Papuans also who exhibited all the traits of thoroughly devoted men. As a proof of the earnestness and greatness of mind of the Maori chiefs, I would state that some of them gave up considerable quantities of very valuable land as endowments to defray in part the cost of the efforts being made to spread knowledge and civilization throughout the Pacific.

I have also seen Samoans of high rank undergoing privations of the kind I have above alluded to with cheerfulness, enduring sickness with resignation in a climate to which they were not accustomed, in a remote island far separated from all relatives and friends, yet still conscientiously discharging their duties as Christian missionaries. The sight of their exertions in such a cause led me to hope great things from them in the civilization of the Pacific Islands.

The plans formed for that object were, however, always crushed in England, the reason generally assigned being the probable cost that it would entail. That, however, was a mistake; the cost would have been comparatively trifling. Probably there was a dread that the plans proposed might have led to an extension of the British Empire—an event which was at that time much feared by many English statesmen.

The late Lord Derby was a very eminent statesman. He was once Colonial Minister, and whilst in office distinguished himself by the energy and justice with which he maintained the rights of the Maoris, a branch of the Polynesian race. The present Lord Derby now holds the same office as his father then held. I believe that he will be equally careful of your rights.

On the 3rd of January last he telegraphed: "Within the last few days the German Government has given and received renewed assurances that the independence of these islands (Samoa) shall be respected. . . . Her Majesty's Government hope, therefore, that the New Zealand Government will not preclude the internationalization of these islands, which is obviously the best measure at this juncture for British interests."

Lord Derby does not say so, but I am sure he also felt that it was at this juncture the best measure for Samoan interests that he could secure, and it certainly presents great advantages for you.

We may now at any moment be engaged in a great war. In that case it might at this time be difficult to afford you protection. If a war does break out, and you were left unprotected, every vessel that entered your harbour would be a cause of apprehension to you. Justly enough you might fear that it was a hostile cruiser, and that great trouble might fall upon you.

If you are an independent nation, and a great war breaks out, every vessel of every country that enters your harbour will be in security there, and will to some degree increase your wealth and commerce. Such a war will bring more benefits than ills to you. Samoa will gradually increase in importance and prosperity. Europeans and natives resident in Samoa will alike feel that the best has been done for them at the present moment. If, from war breaking out or any other cause, New Zealand and Samoa cannot now unite, there is nothing to prevent such a union taking place at another time.

Your present want of importance will, if you remain independent, add to your safety, whilst the limited extent of Samoa and its small population will render the task of establishing and maintaining an efficient Government one of small cost and of no great difficulty.

Those good qualities in the Polynesian race which I have with so much pleasure recounted qualify the Samcans to perform such a task. The undertaking would be watched with interest, and all capable of aiding you would exert themselves to secure your success. When this was attained you would have gained a great benefit for the whole Polynesian race, and you would then, I am sure, exert yourselves, as in former days, to spread Christianity and civilization throughout the Pacific.

Let me venture to add a few words of advice to one whose letter and frankness touched me, who is placed in a position of exceeding difficulty, and whom I sincerely desire to aid and benefit.

Much of the future of your people depends on you. For their sake you must dare, bear, and suffer all things which your moral duty requires you to enter upon or endure.

Be in all things an open and sincere man. Never enter into secret negotiations or arrangements. If any come to you with proposals to do this, refuse: say that the mere fact of their coming in this guise is unfair to you, as it will inevitably cast suspicion on your conduct, and involve you in difficulties which may even risk the loss of the independence of Samoa.

If you act in this open manner, and at the same time give no just cause of complaint, I do not think that any statesman, however powerful, would venture to commit the great crime of seizing on or oppressing a weak and inoffensive nation such as Samoa is.

In this weakness, in this inoffensiveness, in your harbour, in the fertility of your soil, in the value of your position, your security consists. Mutual jealousies would make all the great nations look with displeasure on any Power that wrongfully seized Samoa; and, if this act was a cruel and inexcusable breach of international law, general indignation would be excited in all civilized countries.

If such a crime is about to be committed, or if it has been committed, and you are seeking redress, you had better rest your arguments against it on your natural rights, the freedom of the Samoan people from any wrong or hostile act, the sinfulness of the piratical act which is about to be committed, or which has been committed. All good men, learned or unlearned, can understand and feel these things, and sympathize with you. Do not rely on legal arguments or European precedents; there would be no likeness between such cases and that of Samoa. Your case is a very simple one, easily understood. Let it remain so. Embarrass it with nothing that may distract attention from the cruel selfishness of the act.

I have written to you in the same spirit of friendly frankness with which you addressed me. I will take care, when the question of Samoa comes before the New Zealand Parliament, as it shortly will do, that your interests are fairly represented. If England does not sanction our union, you may rest assured that New Zealand will long with pleasure remember the offer made by yourself, your Government, and Parliament to be annexed to this country. Some day it may have an opportunity of repaying an act which is the greatest proof that could be given of entire confidence.

If all goes well with yourself and the people of Samoa, let me know, as one who will rejoice to hear such good news; if Samoa is involved in any further difficulty, let me know, as one who may be useful, and who will aid you to the best of his ability in all right things.

Malietoa, King of Samoa.

I have, &c.,
G. GREY.

No. 51.

(No. 73.)

MY LORD,—

Government House, Wellington, 23rd May, 1885.

A.—2, No. 38.

With reference to your Lordship's Despatch No. 9, dated the 17th February last, respecting Samoan affairs, I have the honour to transmit herewith a memorandum from my Ministers on the subject.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

MINISTERS have the honour to acknowledge receipt of Despatch No. 9, of the 17th February last, from the Right Hon. the Secretary of State for the Colonies, concerning the recent proceedings of the German Consul at Samoa.

They would desire to point out that, from information received from Samoa, the German flag is still hoisted at Apia, in contravention of the understanding arrived at between Her Majesty's Government and the Imperial Government of Germany; and this though the action of the Consul is, as has been stated, disavowed by the German authorities at Berlin. Indeed, what the Government of France did at Raiatea has practically been done by the Germans at Samoa. In the former case it was understood the agreement between England and France would be preserved, and the unauthorized action of the French Consul annulled; but the French flag still flies at Raiatea, and negotiations regarding it have been pending for several years. At Samoa it would almost appear that a similar state of things is to exist there.

Ministers would venture again to urge that, if annexation is disapproved, the internationalization of Samoa will be strictly preserved.

Wellington, 22nd May, 1885.

ROBERT STOUT.

No. 52.

(No. 75.)

MY LORD,—

Government House, Wellington, 6th June, 1885.

A.—1, No. 8.

With reference to my Despatch No. 88, of the 8th November last, concerning Native affairs in New Zealand, I have the honour to transmit herewith a copy of a memorandum from the Premier, Mr. Stout, covering a memorandum from Sir J. Hall, late Premier of this colony, on the subject.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

[See G.—4A, 1885.]

No. 53.

(No. 77.)

MY LORD,—

Government House, Wellington, 6th June, 1885.

I have the honour to state that a mail service is being inaugurated between New Zealand and the Samoa, Tonga, and Tahiti groups of islands.

2. I have taken the opportunity of the departure of the first steamer to write to the Kings of Samoa and Tonga, and the Governor of Tahiti, congratulating them on the establishment of the service, and explaining to them that its object is commercial, and not political.

3. I have also written to the British Consuls at those places asking for their co-operation, and have informed the Acting High Commissioner for the Western Pacific. I transmit copies of these letters herewith.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure.

Sir W. F. D. JERVOIS to the ACTING HIGH COMMISSIONER for the WESTERN PACIFIC.

SIR,—

Government House, Wellington, 29th May, 1885.

I have the honour to inform you that a mail service is being inaugurated between this colony and the Samoa, Tonga, and Tahiti groups of islands.

It is most desirable that it should be clearly understood that the object is purely commercial, and that the movement has no political significance whatever. I trust, however, that it may be useful in promoting friendly relations. I have therefore addressed letters—of which I enclose copies herewith—to the Kings of Samoa and Tonga, and the Governor of Tahiti, congratulating them on the establishment of the mail service and explaining its object. I have also written to the British Consuls at those places asking for their co-operation.

I have, &c.,

WM. F. D. JERVOIS.

His Excellency the Acting High Commissioner for the Western Pacific.

Sub-Enclosure 1.

Sir W. F. D. JERVOIS to the BRITISH CONSUL, Samoa.

SIR,—

Government House, Wellington, 29th May, 1885.

I have the honour to transmit herewith a copy of a letter which I am addressing to the King of Samoa (copies of which I am also sending to the King of Tonga and the Governor of Tahiti) on the occasion of the inauguration of a mail service from New Zealand to those Islands.

I trust that you will do anything that may be in your power to make the service a commercial success.

I have, &c.,

WM. F. D. JERVOIS.

W. B. Churchward, Esq., H.B.M. Consul at Samoa.

[Similar letters addressed also to the British Consuls at Tonga and Tahiti.]

Sub-Enclosure 2.

Sir W. JERVOIS to the KING of SAMOA.

SIR,—

Government House, Wellington, 27th May, 1885.

I take the opportunity of the departure of the first of the steamers which are to run between New Zealand and the Samoa, Tonga, and Tahiti groups of islands to offer to your Majesty my congratulations on the establishment of this mail service. Although inaugurated on an unpretending scale, I trust that your Majesty will view it as a means of cementing and increasing friendly and commercial relations between your Islands and the Colony of New Zealand.

I need scarcely add that there is no political intention in connection with the establishment of the service, and that the benefits which it will confer will be open on equal terms to all races and nationalities alike.

I have, &c.,

WM. F. D. JERVOIS.

King Malietoa.

[Similar letters addressed also to King George of Tonga and the Governor of Tahiti.]

No. 54.

(No. 78.)

MY LORD,

Government House, Wellington, 6th June, 1885.

With reference to my Despatch No. 62, of the 25th April last, concerning the defences of New Zealand, I have the honour to transmit herewith copies of further telegrams and letters which have passed between Admiral Tryon and myself on the subject.

2. As your Lordship will perceive, I took exception to one passage in Admiral Tryon's second telegram of the 25th April (Enclosure 1), and sent to him, through Lord Augustus Loftus, my letter dated the 30th April (Enclosure 5). Wishing to avoid entering into what appeared to me might be a profitless controversy, I at the same time requested Lord Augustus Loftus to suggest to him to modify the passage to which I objected, and only to hand to him my letter of the 30th April in the event of his declining to do so.

3. The Admiral, though unwilling to withdraw the expressions, has, in his letter of the 22nd May, explained that in the conversation to which the passage referred he and I must have misunderstood the terms used by each other; and I trust that the matter may now drop.

4. I have exchanged several other telegrams with the Admiral with reference to the assistance he has kindly rendered in the way of men and materials for the defences of Auckland; but I did not propose to trouble your Lordship with these.

5. Concerning the infrequency of the visits of Her Majesty's ships to this colony, to which reference was made in my former despatch and elsewhere, I transmit herewith a copy of a memorandum from my Ministers covering a return on the subject.

I have, &c.,

WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

Enclosure A.

Rear-Admiral TRYON, C.B., to GOVERNOR of NEW ZEALAND.

(Telegram.)

25th April.

TRUST your Excellency will accept without further question the assurance I gave on two occasions in my cabin, when by chance we met at Sydney with the charts and plans of New Zealand before us, and at Melbourne when you were on your way to South Australia, I trusted that New Zealand, of all places, was not forgotten, would have been fully brought home to your Excellency.

I have broken up the armament of two cruisers in order to enable me to send the 64-pounder guns I offered to New Zealand. I offered you every mine I was supplied with for naval service. I personally requested the Government of New South Wales to let me have two miles of cable. I have bought another mile, making three, as your Excellency has been already informed, for New Zealand. Besides, I am sending from my ship certain stores to complete the mine service. Such an arrangement, your Excellency must be aware, was only made after grave consideration. I can only regret that the naval establishment on this station, while sufficient for the purpose for which it was created, is not on a scale sufficient to provide you with any more. I deprecate the delay from the 13th April till now. I fully expected you, as with Queensland, would overcome the legal difficulty, and would send a ship or would freight one hence; "Zealandia" refused to take them. I have already informed your Excellency I had no ship to send with them at my disposal. I beg to thank you for assurance as to coal and financial arrangements. The intended employment of Her Majesty's ships during a period of war is necessarily of a secret nature, but they probably will not be kept in ports.

B.

Sir WILLIAM JERVOIS to Admiral TRYON, Sydney.

(Telegram.)

27th April, 1885.

RECEIVED your second telegram of 25th April. Answer by post.

C.

Sir WILLIAM JERVOIS to Admiral TRYON.

SIR,—

Government House, Wellington, 1st May, 1885.

With reference to your second telegram of the 25th ultimo, I have the honour to transmit herewith a copy of a memorandum from my Ministers on the subject.

I have, &c.,

Rear-Admiral Tryon, C.B., &c.

WM. F. DRUMMOND JERVOIS.

D.

MINISTERS return herewith the telegram from Admiral Tryon to His Excellency dated the 25th instant.

2. They desire that their thanks be conveyed to the Admiral for the exertions he has made to supply them with armaments, and are sorry to learn that these exertions have entailed such sacrifice.

3. They concur with the Admiral in deprecating the delay that has taken place with reference to the despatch of armaments. This, however, has not been through any fault of theirs. The Admiral did not draw their attention to the legal difficulty that arose at Sydney until his telegram to His Excellency of the 16th instant (received 17th instant); and immediately on receipt of that they took steps to arrange with the Union Steamship Company. The case of New Zealand is not analogous to that of Queensland: it is not easy to command shipping at a distance of 1,200 miles. Ministers had made all arrangements for the carriage of the explosives by the "Hauroro" within three days from the receipt of the Admiral's telegram definitely promising the armament.

4. Ministers greatly regret that the Admiral is still of opinion that the naval establishment on this station is not on a scale sufficient to enable him to adopt the course which they consider to be essential for the protection of New Zealand, and can only hope that the arrangements to which he refers in the last paragraph of his message will include some provision of an analogous character.

JULIUS VOGEL,

(in absence of Premier.)

25th April, 1885.

E.

Sir W. JERVOIS to Rear-Admiral TRYON.

SIR,—

Government House, Wellington, 30th April, 1885.

Since you have referred, in your telegram to me of the 25th instant, to conversations I had with you when I was recently at Sydney and Melbourne, I feel bound to state that on the occasions

you refer to, you entirely failed to bring home to me the assurances you now mention. On the contrary, I then distinctly understood that you regarded the naval defence of New Zealand as a matter of secondary consideration.

You will, no doubt, remember my mentioning to you, when in conference at Government House, Melbourne, on the 18th ult., that you would probably be reminded by the New Zealand Government as to the necessity for regarding New Zealand in your naval arrangements for defence. Your reply was, "No doubt I shall when you get back there," or words to that effect.

It is scarcely necessary, however, for me to remark that my observation referred entirely to views which I felt would be—and, as a matter of fact, have been—entertained, quite independently, by the Government of New Zealand.

You will, I trust, pardon me if I venture to bring to your notice that New Zealand is a constitutionally governed country, and that it is not in my power to dictate to my Responsible Ministers the views which they should hold.

Rear-Admiral Tryon, C.B.

I have, &c.,

WM. F. D. JERVOIS.

F.

SIR,—

H.M.S. "Nelson," at Sydney, 22nd May, 1885.

With reference to your letter of the 30th April, which Lord Augustus Loftus handed to me last evening on his return to Sydney, I confess, had your Excellency not pointed out in a letter to him the exception you took to my telegram of the 20th ultimo, and had also suggested certain alterations in it, I should not have found myself in a position to reply to your letter.

2. While I am unable to accept the wording you suggest for my telegram, because, in the first place, it was very carefully considered before it was sent, and because, after eliminating the words you propose should be omitted and inserting those you suggest should be added, and reading it as a whole, it no longer conveys what I intended.

3. The words you suggest, however, seem to indicate that it is possible we have attached different meanings to the term "naval defence."

4. I considered naval defence was the subject of consideration when we together at Sydney had before us the chart of the Western Pacific and of New Zealand, when the plans, especially of Lyttelton, Dunedin, Wellington, and Auckland, were before us, on some of which you were good enough to point out the proposed positions for batteries to meet a naval attack; and when I referred briefly to the lines of trade and commerce, I did not understand you differed from my observations.

5. I then noted some of the points to which you drew attention, and referred to the matter again when at Melbourne. I also considered that naval defence was being considered when you visited my flagship at Melbourne with the view of seeing some torpedo appliances which I recommended for adoption; also when you showed me a draft telegram which you proposed to send to your Ministers, inviting my observations.

6. I considered defence against naval attack was alone the subject of my memorandum dated the 17th March last, which was written at your urgency to have something from me to take back. It was written during the brief time that elapsed between your request and your leaving Melbourne.

7. At each interview I gathered that it would give you and those in New Zealand much satisfaction if I detached one or two ships there. On each occasion I was asked, "But what am I to tell my Ministers, or what am I to say when I get back?" My reply, now oft repeated, was, "Tell them New Zealand will not be forgotten." On one occasion I explained that ships might not even be in sight, yet might be best fulfilling the object I had at heart quite as much as any man; and I only regretted I could not meet your wishes, because I considered it would be wrong to do what you suggested at that time.

8. With reference to the second paragraph of your letter, the Conference at Government House, Melbourne, was called for the purpose of considering what Victoria was providing for local defence. A reference to the *précis* of the proceedings will show that the Conference confined itself to the subject for which it was called.

9. Personally you consulted me in the room as to a telegram you proposed to send your Ministers on what I call naval defence. Subsequently you made some casual remarks as to New Zealand of a tenor similar to what had been discussed between us before. I naturally made some observation to turn the conversation, as it could only have been attended with inconvenience to have discussed New Zealand matters before whoever happened to be near, and there was no one present acquainted with the subject.

10. I will now but briefly refer to the second sentence in the first paragraph of your letter of the 30th, and I will only do so so far as to say that the impression on my mind is that the first and primary object of the visit you made to my flagship was with a view to discuss the naval defence of New Zealand, and, with few incidental exceptions, the conversation we held was limited to that subject, which necessarily had to, and did, absorb so much of my attention.

11. For my part I rejoiced at the accidents which enabled me to learn, on the occasions referred to, something from your Excellency of your views and of the resources of New Zealand; and so soon as I was able to do so I gave practical proof of the importance I attached to what I gathered from you, by offering that assistance which I learnt from you was required.

12. Your Excellency will, I am sure, understand that I considered your telegram of the 24th April to be in its entirety from yourself alone: it was very specially indorsed by your Excellency. I considered, when I received it, that it was a remarkable telegram, and, knowing it would be confirmed by cipher as sent, I sent a copy of it in writing, requesting to be informed whether it was correctly rendered, and I have been so informed.

13. While there is apparently a wide difference between our letters, your Excellency will perceive that I think it is possibly due to a different interpretation being put by us on a phrase.

14. My letter of the 28th April, my notes of the 18th March and the 5th and 12th April bear on the subject, besides many telegrams, which at one time were almost of daily occurrence.

I have, &c.,

G. TRYON,

Rear-Admiral and Commander-in-Chief.

His Excellency Lieut.-General Sir W. F. Drummond Jervois,
R.E., G.C.M.G., C.B., &c., Governor and Commander-in-
Chief, New Zealand.

G.

Sir W. JERVOIS to Admiral TRYON.

SIR,—

Government House, Wellington, 4th June, 1885.

I have the honour to acknowledge, with thanks, the receipt of your letter of the 22nd ultimo.

2. The fact of your having referred in an official communication to a suggestion made by me in a private letter to Lord Augustus Loftus that you should alter a sentence in your telegram of the 25th April, renders it necessary that I should record the circumstances which led me to make that proposal.

3. In the telegram referred to, the account you gave with reference to our conversations at Sydney and Melbourne differed in important particulars from my recollection of what took place; and it occurred to me that when you found that I dissented from your statements and facts, and that if they were unaltered it would be necessary for me to send you a letter indicating that a decided misunderstanding between us had taken place, you would probably deem it desirable to omit any reference to those conversations.

4. Accordingly I wrote to Lord Augustus Loftus as a mutual friend, asking him to suggest to you to make such an alteration in your telegram, and enclosing at the same time my letter to you of the 30th April, which was only to be delivered in the event of your objecting to adopt the modifications.

5. I am glad to find from your reply to that letter that, though you decline to withdraw the expressions to which I took exception, you consider the misunderstanding may be attributed to your having used the term "naval defence" in a different sense to that in which I regarded it; and you will no doubt agree with me that no useful purpose can be served by prolonging a correspondence with reference to a conversation held under such circumstances.

6. In another letter of this date I have enclosed memoranda from my Ministers relating to the question of naval defence.

I have, &c.,

Rear-Admiral Tryon, C.B., &c.

WM. F. D. JERVOIS.

Enclosure 2A.

SIR,—

H.M.S. "Nelson," at Sydney, 28th April, 1885.

With reference to your letter of the 17th April, and to the memorandum by your Ministers with which you are good enough to furnish me with a copy, it is most satisfactory to the Commander-in-Chief on this station to learn from your Excellency, though he did not require the assurance, for it was to him certain, that New Zealand would in the day of need put forth great efforts to place the principal ports in a state of defence. It was in consequence of my learning from your Excellency when we chanced to meet, when you were journeying to South Australia and I happened to be at Sydney—when the charts of New Zealand were before us, as well as the plans, &c., of the different ports—and subsequently at Melbourne, in my cabin, that the defences of New Zealand had progressed but little beyond the field of discussion, and that the means of arming local defensive works were very small. After much consideration, I felt it necessary to help if I could, even although it entailed the lessening of my squadron. I had no armoured wire at that time, but, eventually, by breaking up the armament of two cruisers, by obtaining two miles of cable from the New South Wales Government, by purchasing another mile for your Government, by supplying stores and appliances from my ship, by offering you all the mines I had, I was enabled to offer something substantial. I can only regret it was not in my power to do more.

2. The naval establishment here, while sufficient for the purpose for which it exists, is not calculated to supply stores for local defence such as are usually obtained from military arsenals; but I felt it was not only due to New Zealand to show that it was not forgotten, but that it was absolutely necessary, considering the geographical position New Zealand occupies, that there should be some port made sufficiently strong to hold secure a deposit of coal for my ships, without which they could do little for New Zealand trade and commerce; besides, their movements will depend on those of others.

3. As your Excellency will realize, I much wish there were at least three such ports—none too many when we recall that the distance from Auckland to Otago is 850 miles, and that the coast-line of New Zealand is computed as being near 3,000 miles.

4. I was aware of the existence of local corps, from which doubtless much can be expected. Men cannot land from boats in the presence of riflemen in pits; and I am confident history will repeat itself, if needs be, to show how much a few resolute men can do against any ordinary naval force that endeavours to throw men on shore.

5. However, while I am confident on this score, certain it is that every effort made to complete a local defence renders attack less probable, and it also releases vessels of war to perform their mission, which, while assisting everywhere, is rather on the wide sea, out of sight of land, than locking themselves up in any particular port to aid local defences, with the idea that the port they select may also be selected for attack. At the same time, it may be best at times to remain in port, for the range of their eyes may possibly be then only limited by the limits of the telegraphic system, on the development of which much depends.

6. I must be excused if I cannot follow your Excellency in your remarks as to a difficulty in employing and arming the fast steamers that frequent our ports. There is no greater difficulty or responsibility here or in New Zealand than elsewhere in the matter, unless it be the want of armament and means at command. And, as to the proposition for an armed cruiser made a few weeks ago for New Zealand, on terms following to some extent the lines of the proposals at Melbourne, made when you were there, I regret that it will hardly serve us at this moment; but I most earnestly hope some such plan will be carried into effect, and I trust to be permitted to aid in solving the questions involved.

7. I have read much that has been printed that points in this direction; but years have rolled on, and I ask, Where is the man that has given practical effect to what has been said and written? and by none more ably than is set forth by your Excellency in the paragraph to which you refer me in your address to the New Zealand Institute.

8. The infrequent visits of Her Majesty's ships to New Zealand of late years is a fact. I much regret it.

9. Your Excellency draws my attention to the fact that the question of naval defence was referred to in the Intercolonial Conference held in 1881. I observe that it was very briefly referred to, and in general terms, on pages 3 and 4, and that the question affecting the Pacific Islands occupied from pages 22 to 46 inclusive, and the questions that have arisen in the Pacific Islands have much occupied the attention of the squadron of late years.

10. Your Excellency says, "Meanwhile I deem it my duty to represent to you the views that are entertained by my Government with regard to the necessity for an Imperial vessel of war being sent here immediately." Your Excellency made a request of a similar nature at Sydney some time back, and again at Melbourne. I regret that now, as then, I can give no further reply than that which I have already given.

11. Meanwhile I must claim from your Excellency—while not desiring to share that responsibility which is mine alone—a little more patience than is at present shown.

12. It appears to me that all that is desired in the memorandum you were so good as to furnish me with is the assurance you have already received, and which I venture to think could have been given by your Excellency without asking for it—that New Zealand is not forgotten either at Home or by the Naval Commander-in-Chief on this station.

13. While the strategy that dictates the duties assigned to the naval force of the country is of wide-world extent, and is directed from Home, that part of it which is assigned to me will be carried out with blind confidence that the arrangement of the fleet as made at Home is for the best. In my turn, nothing will cause me to deviate from that course which I consider it to be my duty to follow.

I have, &c.,

G. TRYON,

Rear-Admiral and Commander-in-Chief.

His Excellency Lieut.-General Sir William F. D. Jervois, R.E., K.C.M.G., &c.,
Governor and Commander-in-Chief, New Zealand.

B.

Sir W. JERVOIS to Rear-Admiral TRYON.

SIR,—

Government House, Wellington, 4th June, 1885.

It occurs to me that I should observe, in reference to paragraph 3 of your letter of the 28th April, written in answer to my letter to you of the 17th of the same month, that, besides the batteries and other defensive arrangements which with your valuable assistance are being provided at Auckland, defences are in course of construction at Wellington, Port Lyttelton, and Port Chalmers; and these, when completed, will afford additional bases for naval defence.

I have, &c.,

Rear-Admiral Tryon, &c.

WM. F. D. JERVOIS.

Enclosure 3.

MEMORANDUM for His EXCELLENCY.

THE accompanying copy of a statement, prepared by the Customs Department, showing the number of visits made to New Zealand ports, during the last five years, by British and by foreign men-of-war, is respectfully submitted for His Excellency's information, as bearing upon recent correspondence with the Colonial Office and with the Admiral commanding on the station.

JULIUS VOGEL,

Wellington, 8th May, 1885.

(in the absence of the Premier.)

Sub-Enclosure.

MEN of WAR visiting New Zealand since 1st January, 1880.

Name.	Nationality.	Tons.	Guns.	Men.	Commander.	Whence.	Date of Arrival.	Port of Arrival.	Destination.	Date of De- parture.
Cormorant ..	British ..	1,130	6	..	Bruce ..	Sydney ..	1879. .. 1880.	Auckland..	Samoa ..	1880. 4 Mar.
Bismarck ..	German ..	2,090	16	349	Deinhardt ..	" ..	10 April	" ..	Valparaiso	25 April.
Nautilus ..	" ..	700	4	105	Chüden ..	Melbourne	26 "	" ..	Samoa ..	31 Mar.
Wolverine ..	British ..	1,753	17	..	Wilson ..	Sydney ..	26 "	" ..	Sydney ..	6 May
Gychen ..	French ..	800	3	100	De Jironde ..	Tahiti ..	27 July	" ..	Tahiti ..	4 Aug.
Danaë ..	British ..	1,750	12	200	Purvis ..	Samoa ..	29 "	" ..	Levuka ..	19 Oct.
Raleigh ..	" ..	5,200	20	661	Jago ..	Sydney ..	28 "	Wellington	Plymouth	12 Aug.
Dayot ..	French ..	1,300	6	155	Parrayin ..	Noumea ..	15 Oct.	Auckland..	Valparaiso	26 Oct.
Hyæne ..	German ..	480	6	80	Von Gloeden	Samoa ..	20 "	" ..	Samoa ..	17 Nov. 1881.
Habeicht ..	" ..	..	5	120	..	Melbourne	5 April	" ..	" ..	9 April
Mœve ..	" ..	..	5	120	Von Kyke- busch	" ..	5 "	" ..	" ..	6 "
Wolverine ..	British ..	1,753	17	..	Wilson ..	Sydney ..	3 May	Wellington	Sydney ..	11 May
Emerald ..	" ..	1,864	12	..	Maxwell ..	" ..	7 Sept.	Auckland..	Fiji ..	13 Sept.
" ..	" ..	1,864	12	..	" ..	Fiji ..	19 Oct.	Wellington	Sydney ..	14 Nov.
Africa ..	Russian ..	..	16	300	Alexeiff ..	..	12 Dec.	Auckland..	" ..	20 Dec. 1882.
Habeicht ..	German ..	..	5	120	..	South Sea Islands	23 " 1882.	" ..	" ..	26 Feb.
Mœve ..	" ..	..	5	120	Von Kyke- busch	Sydney ..	2 Feb.	" ..	Samoa ..	8 "
Miranda ..	British ..	1,130	6	..	Watson ..	Hobart ..	4 April	Lyttelton..	Fiji ..	23 May
Emerald ..	" ..	1,864	12	..	Maxwell ..	Sydney ..	2 May	Wellington	Portsmouth	4 "
Comorant ..	" ..	1,130	6	..	Bruce ..	" ..	25 "	" ..	" ..	28 "
Nelson ..	" ..	7,320	12	670	Erskine ..	" ..	29 "	" ..	Sydney ..	1 Aug.
Carola ..	German ..	..	10	240	Karcher ..	Tongatabu	4 July 1883.	Auckland..	Society Islands	17 July 1883.
Rinjio ..	Japan ..	1,459	10	..	Ito ..	Japan ..	9 Feb.	Wellington	Peru ..	24 Feb.
Diamond ..	British ..	1,970	12	..	Dale ..	Hobart ..	6 Mar.	Lyttelton..	Fiji ..	27 April
Espiègle ..	" ..	1,130	6	138	Bridge ..	" ..	8 "	Wellington	Sydney ..	19 Mar.
Carola ..	German ..	..	10	240	Karcher ..	Sydney ..	31 "	Auckland..	Society Islands	18 April
Hyæne ..	" ..	480	6	80	Von Gloeden	Brisbane ..	23 "	" ..	Apia ..	30 "
Eclaireur ..	French ..	..	8	..	Ponjin de la Maison Neuve	Society Islands	12 Nov.	" ..	New Cal- donia	16 Nov. 1884.
Espiègle ..	British ..	1,130	6	138	Bridge ..	Sydney ..	10 Dec. 1884.	" ..	Levuka ..	21 Mar.
Tsukuba ..	Japan ..	1,344	..	280	Arigi ..	..	22 Mar.	" ..	Chili ..	17 April
Albatross ..	German ..	800	6	115	Pluddeman..	Apia ..	30 Nov.	" ..	Samoa ..	15 Dec. 1885.
Iroquois ..	American..	1,575	7	182	Yates Sterling	Hobart ..	26 Dec.	" ..	Valparaiso	16 Jan.

Department of Trade and Customs,
Wellington, 20th April, 1885.H. S. McKELLAR,
(for Secretary.)

By Authority: GEORGE DIDSBURY, Government Printer, Wellington.—1885.