

and all he could do, when he was informed, was to desire the captain to take the necessary steps in this respect.

That, excepting your Petitioner's wearing apparel in his actual use, together with his watch, which was and still is in use on your Petitioner's person, all his property on board was thus secured in the hold for importation, to be only landed at Wellington, and without any concealment or attempt to conceal.

That, on or about the 1st of January, 1855, your Petitioner thus left Melbourne, on board the "Onkaparinga," for Wellington.

That your Petitioner was not aware, for some time after having set sail, of the vessel being to call in at Nelson.

That, a few days after leaving Melbourne, some of the passengers, especially Mr. and Mrs. Moody, by some means ascertained the necessity of all goods on board being duly reported by the captain in his manifest, on penalty of forfeiture of them; which, creating some consternation amongst them, caused the passengers, one day after dinner hour, all (including your Petitioner, Mr. and Mrs. Moody, and others,) to speak to the captain on the subject, whom they desired to do what was necessary, by mentioning the goods in the manifest, and which he promised all of them to do. And your Petitioner is most strenuous in the truth, that he, amongst the rest, desired the captain to put his goods in the manifest, and that the captain promised to make it all right, from the fact that the captain also at the same time cautioned your Petitioner on the necessity of all goods being entered, Montague Carn, and also Hares Fanslow, and others, being present, and hearing the same. That Mr. Moody having also repeatedly reminded and cautioned your Petitioner as to the necessity of having the goods in the captain's manifest, he was the more zealous in asking and begging of the captain to do what was needful in that respect, and which the captain said he would do; in proof whereof your Petitioner is prepared to produce evidence.

That it was perfectly well known by all the people on board, by the captain, by his mate, by Mr. Georgeson, Mr. Roberts, Mrs. Combes, Mr. Fanslow, Mr. and Mrs. Moody, Mr. Carter, Mr. Waterhouse, Mr. Thompson, Montague Carns, Richard Williams, Mr. Robinson, Mr. Marshall, and other passengers, that your Petitioner was a watchmaker and jeweller, and that he had watches and jewellery on board, in boxes marked for "Wellington;" that, in particular, your Petitioner is sure the captain knew of it, for that he frequently during the voyage joked your Petitioner about his watches, and used to say he'd charge him for victuals on board the vessel, and thereby get his watches; that "he'd come in for his jewellery;" and indeed one of the passengers was wishful to buy something of them; but it is perfectly true, as they proved, that your Petitioner said that, except his watch (which he still has in use), he had no article but those which were packed for "Wellington," in the hold of the vessel, and that they were not for sale; nor would he sell anything to any one, not even his watch.

That on Friday, the 19th of February, 1855, the vessel, having several passengers to land at Nelson, cast anchor there, and an officer was placed in charge of the vessel at about 11 in the morning, being the first time your Petitioner ever was in New Zealand.

That your Petitioner was quite unaware when, or at what time, previous to the vessel reaching Wellington, the captain intended, as he said, to "make it all right;" and was ignorant, on being about to sail from Nelson, that the captain had neglected entering in his report the goods of your Petitioner, as also (as the captain admits) the goods of some other passengers; nor had he the slightest idea or intention of landing, nor did he ever attempt to land, any of his property at Nelson, or in any way to defraud the Customs revenue, but, on the contrary, placed every reliance on the captain's promise in regard to his report, to "make it all right."

That your Petitioner hath heard the captain say that he reported his ship and goods, that he entered in and cleared out on the same day at Nelson, at about 8 or 9 o'clock in the evening.

That about 12 o'clock in the same night, the Nelson Custom-house officers, with a writing clerk in the police office and a police officer, came alongside the vessel, then being still in charge of the tidewater, when they proceeded to the hold, under a Justice's warrant against your Petitioner, as he was afterwards informed and understood, for having stolen property on board, and they found two boxes of your Petitioner, locked and secured, with his name and address at "Wellington" lettered thereon. The lateness of the hour, the bustle and confusion, and noise of the scene, and his imperfectly understanding the language, or what it was all about, greatly alarmed your Petitioner, who was in a sick bed at the time: your Petitioner saith he (in truth) thought that, being on sea water, he had set sail and fallen into the hands of pirates, and that they alleged his having stolen property merely as a pretext for stealing his property from him; and, therefore, on being asked for the keys, and not having the captain or a friend to explain the circumstance, he endeavoured to divert the men's