

by him. The Superintendent of Wellington, in a letter dated 29th May, 1861, commenting on Commodore Seymour's complaints of that date, says, "The custom of Commodore Seymour and his Officers is not to give notice of the absence of seamen until some time after their leave of liberty has expired, and not to denounce them as deserters until there is a certainty that they have absconded. His practice of course gives men intending to desert a clear start of several days before any one can be dispatched in pursuit of them, and affords them an opportunity of escaping by vessels leaving the harbour, long before any notice whatever has been given to the Police,—and yet, in no instance that I am aware of, have vessels leaving the harbour while these desertions were taking place, been boarded and searched by Officers of Her Majesty's Ships.

Another difficulty under which the Police labour, arises from the fact that there are certain deserters of whom no description is given, and whose apprehension the Police very naturally conclude, is not desired. My own instructions to the Police, to use their best exertions, and to spare no expense in recovering deserters from Her Majesty's Ships, have been most imperative, and I have every reason to believe that they have been honestly and diligently carried out." (Appndx. to Jnl. of H. of R. 1861, D—9). A long list of deserters lately supplied by Captain Cator to His Excellency, which was laid before Ministers, afforded scarcely any clue to the identity of the men, and will, probably be of little or no use in securing their detection.

That the Colonial authorities have done their best to aid in the capture of deserters is proved, not only in the case of Wellington by the letter of the Superintendent referred to, but also by the course pursued lately in Auckland, where, immediately on complaint being made to His Excellency, Ministers communicated with the Provincial authorities, and themselves, on the part of the General Government, appointed 12 paid special constables to assist the local police in the matter. Very little success will probably attend these efforts, for the reasons stated in the letter of the Superintendent of Wellington before cited, and which exist equally in all cases.

Ministers cannot close this Memorandum without protesting against the want of candour which distinguishes some of the statements made by Commodore Seymour in his various communications on this subject, and which, they respectfully submit, ought to weigh with Her Majesty's Government before it supports him in the course which he threatens, of removing Her Majesty's ships from New Zealand waters at a time when their presence is peculiarly needed. For instance, in his letter of the 19th February, 1861, he states "that 18 seamen deserted from the 'Fawn,' at Wellington, during the past month, not one of whom, in all probability, will be recovered." Now it appears from the letter of the Superintendent of that Province, before quoted that 9 out of those 18, and 3 "Pelorus" men were taken by the police of that Province. Commodore Seymour, however, makes no acknowledgment of this fact, but continues to reiterate his unproved charge of want of coöperation on the part of the Provincial authorities. Again Commodore Seymour says "No attempt has been made to regulate the entries and discharges of seamen, either in the coasting or the long sea trade of that port (Wellington). There is no such official as a shipping master, and every seaman entering Port Nicholson is apparently free to come and go as he pleases." The Collector of Customs of that port writes in direct contradiction of all these allegations. "The engagement and discharge of seamen is properly conducted at this port by myself, and regular returns furnished to the proper office of Great Britain. I do not know of a single instance of the discharge or engagement of a seaman since the passing of the 'Merchant Seamen's Act, 1854,' except before myself or the next superior officer of Customs at this port. The information which Commodore Seymour has received on this point is utterly untrustworthy, and without foundation." It may be added, in corroboration of this, that the Colonial Secretary, within the last two months, inspected the register referred to by the Collector, and found it had been kept with the greatest apparent precision and regularity. Yet Commodore Seymour appears never to have corrected this misstatement, but attempts, in a letter to Governor Browne, by putting a construction of his own upon the account of Collector Carkeek which it does not properly bear, to evade the force of it, and has, no doubt, left it to produce its effect on the mind of Her Majesty's Government.

WILLIAM FOX.

No. 5.

MR. FOX TO THE SUPERINTENDENT, AUCKLAND.

480.

Colonial Secretary's Office,
Auckland, 19th May, 1862.

SIR,—

I have the honor to enclose copies of the papers in the margin relative to the desertion of Seamen in New Zealand from Her Majesty's Navy.

As the statements made by Commodore Seymour imply a charge of neglect against the Police at Auckland, I shall feel obliged if your Honor will furnish me with any explanations which you may think it right to record on this subject, in order that it may accompany the papers referred to which will be laid before the General Assembly next Session.

I have, &c.,

WILLIAM FOX.

His Honor the Superintendent,
Auckland.

Secretary of State to His
Excellency the Govern-
nor, 4th Dec., 1861.

Secretary of State to His
Excellency the Governor,
January 30th, 1862