

1885.  
NEW ZEALAND.

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# FEDERATION AND ANNEXATION

A FEDERAL COUNCIL AND NEW GUINEA PROTECTORATE.

(FURTHER CORRESPONDENCE RELATING THERETO.)

*Presented to both Houses of the General Assembly by Command of His Excellency.*

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## No. 1.

The PREMIER, Victoria, to the PREMIER, New Zealand.

SOUTH AUSTRALIAN Assembly has passed address for Federal Council by majority of twenty-two.  
5th September, 1884.

JAMES SERVICE.

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## No. 2.

The PREMIER, Victoria, to the PREMIER, New Zealand.

INVITE your attention to the still unsettled and unsatisfactory condition of the Islands question. We have gained something as regards Guinea; but even that is imperfect, leaving out, as I understand, north-west portion. As regards other islands, the policy of delay adopted by Lord Derby simply increases the difficulties. Twelve months ago the Islands might have been ours without difficulty; now at any moment another Power may appear upon the scene. All considerations induce me to submit at the present juncture that we make unitedly one more effort to prevail upon England to make a complete work by establishing protectorate over unappropriated islands, respecting, of course, international obligations. If you concur in this, the course I should suggest is that colonies having an Agent-General should instruct by telegram their Agents to consult and make one more united effort with Lord Derby, or even the Premier. Colonies not having an Agent, but concurring, to authorize one of the other colonies to speak for them in this matter. To leave matter where it is would be an impotent conclusion to our efforts; but, more than that, we should be letting slip an opportunity that may never recur.

Melbourne, 17th September, 1884.

JAMES SERVICE,  
Chairman of Convention Committee.

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## No. 3.

The PREMIER, New Zealand, to the PREMIER, Victoria.

PACIFIC ISLANDS.—Quite concur. Will instruct Agent-General as you suggest. Telegraph me terms your cablegram to Agent-General and we will send one in accordance.  
18th September, 1884.

ROBERT STOUT.

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## No. 4.

The PREMIER, Victoria, to the PREMIER, New Zealand.

PACIFIC ISLANDS.—Form of telegram to our Agent-General will be simply instructing him to consult and zealously co-operate with Agents-General of other colonies in making one more effort with Lord Derby, or even Mr. Gladstone, if necessary, to establish as speedily as possible a protectorate over these Islands and New Guinea.

Melbourne, 23rd September, 1884.

JAMES SERVICE.

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## No. 5.

The PREMIER to the AGENT-GENERAL.

PACIFIC ISLANDS.—Co-operate zealously with Agents-General induce Imperial Government establish speedily protectorate Islands generally and New Guinea. Victoria desires representation be made direct to Ministers. We concur.

25th September, 1884.

ROBERT STOUT.

1—A. 4c.

## No. 6.

The AGENT-GENERAL to the PREMIER.

YOURS yesterday. Position requires extreme care, because Sydney Agent-General been directed not to press Colonial Office. Advise your urging Sydney allow concerted action here.  
26th September, 1884.

F. D. BELL.

## No. 7.

The PREMIER, New Zealand, to the PREMIER, Victoria.

AFTER considering telegram from New Zealand Agent-General (copy subjoined) cable whether you think we can be of use in inducing Sydney take concerted action; also whether Sydney's defection will not prevent concerted action being of use. This Government desires act other Governments unitedly. Copy Agent-General's telegram: "Yours yesterday. Position requires extreme care, because Sydney Agent-General been directed not press Colonial Office. Advise your urging Sydney allow concerted action here."  
27th September, 1884.

ROBERT STOUT.

## No. 8.

The PREMIER, Victoria, to the PREMIER, New Zealand.

THE attitude of New South Wales greatly to be regretted, and I thank you much for offering to assist in inducing Stuart to co-operate. Kindly do so in the way you think best, and inform of result. All the other colonies are heartily united, and should persevere even if we cannot have the assistance of Sydney.  
Melbourne, 29th September, 1884.

JAMES SERVICE.

## No. 9.

The AGENT-GENERAL to the PREMIER.

PACIFIC ISLANDS.—Necessary know following before concerted action possible: Firstly, whether co-operate Victorian Agent-General federation; secondly, whether you contribute share of £15,000. Obviously cannot press Colonial Office take action without sharing.  
29th September, 1884.

F. D. BELL.

## No. 10.

The PREMIER, New Zealand, to the PREMIER, New South Wales.

WISH you could see your way to instructing your Agent-General co-operate with others in pressing Lord Derby *re* protectorate Guinea and other islands. We have agreed to join, but are very reluctant to appear in disunion with New South Wales. Hope you will excuse my urging you, in memory of long amity with this colony, to join in the representation. Delay very dangerous. Several countries undoubtedly disposed place difficulties in way, and these will increase the longer decision delayed.

30th September, 1884.

ROBERT STOUT.

## No. 11.

The PREMIER, Victoria, to the PREMIER, New Zealand.

URGENT newspaper telegram this morning says that Bell has declined to co-operate with other Agents-General unless Samuel, for New South Wales, also joins. I presume there is some error here, and shall be glad to be in a position to contradict. Kindly reply promptly. Tasmania has now joined in the movement, and asks our Agent-General to act for her. The Australian concert is thus complete, only except New South Wales.

Melbourne, 2nd October, 1884.

JAMES SERVICE.

## No. 12.

The PREMIER, New South Wales, to the PREMIER, New Zealand.

THIS Government's desire is to carry out Convention's resolutions, which were annexation or protectorate of New Guinea, and leaving Imperial Government entirely free to take its own course with regard to the other islands, with only the expression of our opinion that their annexation by foreign Powers would be inimical to welfare of these colonies.

Sydney, 3rd October, 1884.

ALEX. STUART.

## No. 13.

The PREMIER to the AGENT-GENERAL.

GUINEA, Pacific Islands.—Instruct you immediate co-operate heartily vigorously Agent-General Victoria. May state, supposing necessary, Federal Council Bill remains undecided. Fifteen thousand, will recommend Parliament, New Zealand pay proportion.

3rd October, 1884.

ROBERT STOUT.

## No. 14.

The PREMIER, New Zealand, to the PREMIER, Victoria.

AGENT-GENERAL positively instructed immediately co-operate vigorously heartily with your Agent-General.

3rd October, 1884.

ROBERT STOUT.

## No. 15.

The PREMIER, Victoria, to the PREMIER, New Zealand.

HEARTY thanks for your cordial co-operation. It is a thousand pities Sydney is not with us, the future is so wrapped up in the present. Have you communicated with Stuart? If Sydney won't act, the more reason for the other colonies closing their ranks firmly.

Melbourne, 3rd October, 1884.

JAMES SERVICE.

## No. 16.

The AGENT-GENERAL to the PREMIER.

PACIFIC ISLANDS.—Am utterly unable imagine cause for message such peremptory terms. Victoria Agent-General and myself have throughout acted perfect concert, and had already devised course, supposing Sydney still refused join.

3rd October, 1884.

F. D. BELL.

## No. 17.

The PREMIER to the AGENT-GENERAL.

PLEASED acting with Victorian Agent-General. Induced sent positive telegram through Premier Victoria representing Melbourne newspapers stated declined act without Samuel.

4th October, 1884.

ROBERT STOUT.

## No. 18.

The AGENT-GENERAL to the PREMIER.

ALL right.

4th October, 1884.

F. D. BELL.

## No. 19.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 7th October, 1884.

I received on the 26th September your telegram instructing me to co-operate zealously with the other Agents-General in order to induce the Imperial Government to establish speedily the promised protectorate over New Guinea, and to induce them, if possible, to include in it the other Pacific Islands; also stating that you concurred with Mr. Service in the expediency of making a renewed representation direct to Her Majesty's Ministers. I replied at once that the position on this side was one requiring the greatest care, because Mr. Stuart had, only two days before, telegraphed to Sir S. Samuel not to press the Government at all; and I advised you to urge Mr. Stuart not to break the concert that existed between all the Agents-General. A few days afterwards, having meanwhile had repeated consultations with Sir Saul Samuel and Mr. Murray-Smith, I again telegraphed to you that before the Agents-General could all act in concert, it was necessary I should be able to tell them whether I was to co-operate with Victoria on the question of federation as well as the protectorate, and also whether New Zealand would pay her quota of the £15,000; since obviously she could not press Lord Derby to take action if she did not share in that contribution. You replied that, while I might, if necessity arose, say that the question of the Federal Council Bill was still undecided, Parliament would be asked to grant the contribution; but you further directed me "immediately to co-operate heartily and vigorously with the Agent-General of Victoria." Being at a loss to imagine what could have caused an order to be sent to me in so peremptory a tone, I replied that Mr. Murray-Smith and I had been acting together throughout in perfect concert, and had, in fact, already decided upon the course we ought to take if New South Wales finally refused to act with us. You were thereupon considerate enough to explain that you had sent me so positive a message because the Prime Minister of Victoria had told you of Press telegrams having appeared in the Melbourne papers that I had refused to do anything without Sir Saul Samuel.

Copies of all these messages between us are, for convenience of reference, enclosed herewith. See Nos. 13,

I ascertained at once that the telegrams to which Mr. Service referred had not been sent to the *Argus*, but to the *Age*; and I have taken good care that my name is not used in that way again. It may, however, be as well to put on record what really happened, because I still think the position is one requiring great caution, and one which cannot be made to depend on any silly story that a reporter may choose to telegraph to Australia.

When the great step of the Convention had been taken, and Australasia seemed for a moment to be united, all the Agents-General had hoped that they too might be allowed to speak with one voice here. It is true that as to federation I was not myself an enthusiast, because I had all my life believed that New Zealand's destiny in relation to the Pacific Islands was a higher one than Australia's, and our interests there not entirely the same as hers. But it was for the Government,

and not the Agent-General, to determine the policy of New Zealand; and when all the colonies had spoken, it was my duty to give that policy the utmost help I could. But hardly had the Convention separated before the inextinguishable feuds of Victoria and New South Wales broke out afresh; nor were there wanting here those who, animated above all things by a hatred of any new responsibilities in the Pacific, perceived to what advantage these feuds could be turned by adding them to the many other influences which made for procrastination and delay. A crowd of troubles were happening simultaneously in every part of the world. The *récidiviste* question alone was threatening serious complications with France, averted only by the consummate tact with which Lord Lyons has brought it to its present stage. Everywhere events seemed as adverse to a protectorate as to an annexation. The single point on which Lord Derby was entirely with us was resistance to the crime of flooding the Pacific with the malefactors of France. At last, on the 25th of April, I had a long interview with Lord Derby, who had sent for me on another matter, and I entreated him not to wait for the acceptance of the Convention resolutions by the Colonial Parliaments, but to decide at once what he would do about the Islands. On the 9th of May he sent out his circular despatch offering the protectorate if Australasia would give the £15,000. As soon as that despatch was received in the colonies, the Agents-General were directed to ascertain the real intentions of Her Majesty's Ministers. We answered to our Governments that unless Lord Derby's offer were closed with at once there would be serious danger of a collapse. Armed with power to promise the money, we met Lord Derby on the 2nd July; and once more I was asked by my colleagues to open the discussion. No sooner did we tell Lord Derby that he might have the money than we found that, so far from an extension of the protectorate over any island but New Guinea having ever been intended, it was not even certain that there would be a protectorate over New Guinea itself. The only promise we could get was that the whole question should be brought before the Cabinet without delay. Not getting any answer up to the end of July, we sent in a formal request for one, but we got none; and the last days of the session were passing away when (at the instance of Sir Saul Samuel) a question was asked by Sir William McArthur, in the House of Commons, on the 11th of August, to which Mr. Gladstone replied that the protectorate would be established over New Guinea, with a "jurisdiction sufficient to afford protection to the natives against lawless action, by whomsoever taken, whether by British subjects or by foreigners;" but that it would not extend over any other islands. Two days afterwards Parliament was prorogued, and Cabinet Ministers, politicians, and heads of departments dispersed.

Meanwhile the Legislatures of all the Australias except New South Wales were accepting the Convention resolutions; but, unhappily, at the very moment when unanimity among them was most needed if any good was to be done by ourselves, the two great colonies once more fell out. For a time we hoped their differences would be confined to the question of the Federal Bill, because New South Wales had more than once declared that so far as New Guinea and the *récidivistes* were concerned she was at one with Victoria. But on the 24th September the order I have mentioned came from Mr. Stuart to Sir Saul Samuel not to press Lord Derby for an answer even about the protectorate. Immediately upon this, Mr. Murray-Smith having been meanwhile armed with authority to represent Tasmania, and Sir Arthur Blyth having been instructed by South Australia to co-operate, renewed consultations took place between us all. Mr. Murray-Smith proposed that we should send in at once a joint letter to Lord Derby, asking for a reply to our letter of the 23rd July. But every Cabinet Minister was out of town, and it was certain that such a letter would only be put into a pigeon-hole. An answer of any kind was quite out of the question before Ministers reassembled, and I felt sure that it was wisest to exhaust every effort before separating myself from the representative of New South Wales. I had nothing whatever to guide me as to whether New Zealand would even pay her share of the £15,000, much less whether she would support the Federal Council Bill. Notwithstanding Mr. Gladstone's announcement on the 11th August, I knew enough of what had been going on to make me very doubtful whether, without New South Wales, Lord Derby would give us a written answer at all. It seemed to me far wiser and more prudent to wait till the Ministers reassembled, to try up to the very last moment for the co-operation of New South Wales, and, if this were finally refused, then to have another interview with Lord Derby, at which we could ask for a decision much more effectually than by seeking for an answer to a letter which had become *effete* from the moment of Mr. Gladstone's announcement in the House of Commons. After many conferences Mr. Murray-Smith and I agreed to adopt that course. In the meantime a meeting of the Agents-General took place, at which I entreated Sir Saul Samuel to telegraph to his Government for leave to act with us, so that the concert of the Agents-General, which had already done so much, might not be broken. The result has happily been that he has been left free to act with us, and for the first time a united request from all the colonies goes in to Lord Derby to-night for an interview, at which we have good reason to hope for a final decision. A copy of our letter is enclosed.

The course which I have striven for throughout, of not separating ourselves from New South Wales if it could possibly be avoided, has therefore been at last successful, and I make no apology for having unswervingly pursued it; for there is no disguising that there is very much yet to do before the protectorate is established. The Cabinet decision of August excluded any other islands; and even as to New Guinea the exact meaning of Mr. Gladstone's announcement in the House has yet to be defined. It was strictly limited by its terms to protection for the natives; there was nothing said about protection for English settlers. I know for certain that, having regard to the interdicts in the existing Imperial Acts, and other legal difficulties, it is not thought to be so easy a thing to create a jurisdiction that would be acceptable to Australasia: and you may depend upon it that without a perfectly united front in all the colonies, we never shall move Lord Derby a single inch about the other islands, whose fate is at least as interesting to New Zealand as that of New Guinea is to the Australian continent.



And this brings me to the last word I have to say. I should be wanting in candour if I did not avow how much I had been stung by an order suddenly conveyed to me in so peremptory a tone. However great and manifold have been the imperfections (and no one could possibly be more sensible of them than I) of the part I have taken in the cause of extending the power of England in the Pacific, it was at least inspired by a sincere devotion, and guided by an unsparing toil. In it I was helped by the confiding generosity of all my colleagues. We strove to create an interest in the story we had to tell; to enlist a friendly public opinion on our side; to engage the sympathy of many statesmen of the two great parties; to present our case in a spirit of patience, dignity and moderation; and, while firmly maintaining the rights of Australasia, to be not unmindful of the immense cares that were weighing upon Her Majesty's Ministers. For the times were and are certainly critical. We stand at the parting of the ways. If the destiny is manifest which assures to Australasia the dominion of the Pacific, the chief care of us all must be that this destiny be not marred by any quarrel between the Imperial and Colonial Governments, or by small dissensions among ourselves. A vast amount of work has yet to be done, some of which must unavoidably be left to the persons who represent the colonies in England; but the humble share that may yet be left in it to me must be an utterly useless one if the trust of my own Government is not reposed in me. I have striven to keep for New Zealand that foremost place in every question relating to the Pacific Islands which nearly forty years ago was first assigned to her by the patriotic insight of Sir George Grey; and if that place is to be yielded now, I am not willing that in our future history its surrender should have to be ascribed to me.

I have, &c.,

F. D. BELL.

The Hon. the Premier, Wellington.

### Enclosure.

The AGENTS-GENERAL to the Right Hon. the SECRETARY of STATE for the COLONIES.

MY LORD,—

8th October, 1884.

With reference to the request made by the Agents-General for New South Wales, New Zealand, Victoria, and Queensland, in a letter dated the 23rd July, that they might be favoured with a reply to the proposals in regard to the Western Pacific discussed at their previous interview with your Lordship, and upon which they understood you then intended to take the immediate decision of the Cabinet, we have the honour to request that you will favour us with an interview at as early a date as may be convenient.

During the time since elapsed some of us have been pressed by our Governments to ascertain the decision of Her Majesty's Ministers, as they have been unable to give any information on the subject to their respective Parliaments, which are still in session.

Your Lordship will not fail to observe that, for the first time, the whole of the Australasian Colonies join in this request.

We have, &c.,

ARTHUR BLYTH,

Agent-General for South Australia.

SAUL SAMUEL,

Agent-General for New South Wales.

F. D. BELL,

Agent-General for New Zealand.

ROBERT MURRAY-SMITH,

Agent-General for Victoria.

JAMES F. GARRICK,

Agent-General for Queensland.

By authority and on behalf of the Colony of Tasmania,  
ROBERT MURRAY-SMITH.

### No. 20.

The AGENT-GENERAL to the PREMIER.

GUINEA.—Instructions are being sent to Commodore at Sydney to proclaim British protectorate on southern shores of Guinea and immediately-adjacent islands, in accordance with Mr. Gladstone's statement in House of Commons eleventh August. Probably official letter will come from Colonial Office to all Agents-General to-morrow or Saturday.

9th October, 1884.

F. D. BELL.

### No. 21.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 10th October, 1884.

I was able to send you yesterday the cablegram of which copy is annexed, containing the information that the Commodore had been ordered to proclaim the promised protectorate over the south coast of New Guinea. See No. 20.

The first step has therefore been taken at last by Her Majesty's Government; but it stops far short of the point where, sooner or later, it will have to be extended. The Agents-General may, perhaps, be able to make some impression on Lord Derby in that direction if he gives us the interview we have asked for; but, for my own part, and for reasons which I am unable to disclose, I enter-

tain very little hope of moving his Lordship unless a broader view is taken than I have as yet seen any indication of in Australia upon our future relations with France and Germany on the whole Pacific question.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

No. 22.

The PREMIER to the AGENT-GENERAL.

CONFEDERATION BILL, number fifty, eighty-three. Endeavour impress Colonial Office importance promptly assenting.

14th October, 1884.

ROBERT STOUT.

No. 23.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 15th October, 1884.

I transmit to you herewith an extract from the *Times* of yesterday, from which it seems that it is supposed in Berlin that some private arrangement has been come to between Her Majesty's Government and the German Government respecting New Guinea and other unoccupied places.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

Enclosure.

[The *Times*, Tuesday, October 14, 1884.]

NEW GUINEA.

Berlin, October 13.

RICHER than usual in semi-official *communiqués*, the *North German Gazette* of this evening has the following: "We learn that, in view of the endeavours (of the British colonial authorities) to take possession of all territories still unoccupied in the South Sea, the Imperial Government some time ago took steps in London for the purpose of assuring German commercial interests in the western portion of the South Sea; and we now hear that the friendly exchange of ideas on this subject, with primary reference to New Guinea, has resulted in a resolution of the English Government only to place under British protection the south coast of New Guinea and the islands in the immediate neighbourhood of this coast. A further agreement also may be hoped for with respect to other points where English and German interests might clash." The short and the long of this is that Mr. Gladstone's Government has already come to a private agreement with Germany about New Guinea, and that negotiations are now pending between these two parties with respect to other still unoccupied tracts.

No. 24.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 16th October, 1884.

I have the honour to transmit herewith copy of a letter from the Colonial Office, covering a communication addressed to the Admiralty on the 8th instant respecting the first steps to be taken for proclaiming the protectorate over the south coast of New Guinea.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

Enclosure.

The COLONIAL OFFICE to the AGENT-GENERAL.

SIR,—

Downing Street, 15th October, 1884.

I am directed by the Earl of Derby to transmit to you a copy of a letter which has been addressed from this department to the Admiralty respecting the steps to be taken in regard to the proclamation of the protectorate which, as was announced in the House of Commons in August last, it has been decided to establish over the southern coast of New Guinea.

2. His Lordship will also shortly transmit to you a copy of a despatch which he is about to address to the Governors of the Australasian Colonies.

3. I am to add, in reply to your joint letter of the 8th instant, that Lord Derby will be happy to see you, with the other Agents-General of the Australasian Colonies, on his return to town.

The Agent-General for New Zealand.

I have, &c.,

JOHN BRAMSTON.

No. 25.

The AGENT-GENERAL to the PREMIER.

NUMBER FIFTY.—From what passed yesterday, think Colonial Office will continue suspend assent until you decide respecting Convention Bill.

15th October, 1884.

F. D. BELL.

## No. 26.

The PREMIER to the AGENT-GENERAL.

RUMOURED England arranging with Germany respecting Pacific Islands. Hope interests colonies be amply protected. Please strongly represent this Colonial Office.  
17th October, 1884.

ROBERT STOUT.

## No. 27.

The AGENT-GENERAL to the PREMIER.

NUMEROUS political events coming oblige England arrange both Germany France probably. Agents-General send joint telegram presently.  
17th October, 1884.

F. D. BELL.

## No. 28.

The AGENT-GENERAL to the PREMIER.

SIR,— 7, Westminster Chambers, London, S.W., 17th October, 1884.  
I have just received and replied to your telegram of to-day about the rumours which had reached you of an arrangement between England and Germany.

I have only time by this mail to say this: Watching incessantly, as I have long done, every movement in politics which seemed to affect the Pacific question, I have now become certain in my own mind, not only that events are tending more and more surely every day towards an arrangement with Germany, but that England must inevitably also make one with France. These events, moreover, are now moving with such increasing speed that you will hardly have time to consider their effect before you will find that decisions respecting them have been forced upon Her Majesty's Government—decisions which must be of momentous importance to all Australasia.

In these circumstances, and having no doubt in my own mind that what I am speaking of will happen, I have felt a kind of stupor come over me at the prospect of the approaching interview of the Agents-General with Lord Derby. Our Governments do not seem to have made up their minds on any clear and united policy, and we are paralyzed ourselves because we do not know what our Governments specifically want. But the time is coming, or, rather, I ought to say, has come, when, if Lord Derby cannot take counsel with the Agents-General on some definite lines, he will simply have to dismiss them with courteous platitudes; and therefore I believe it to be a matter of paramount necessity at this moment that we should receive instructions for our guidance on some broad principles which the events of the last fifteen months have at last invested with an immediately pressing importance.

A meeting of the Agents-General has been summoned for next Monday, when I propose to lay before my colleagues the view I take of the present state of the Pacific question, and shall induce them, if possible, to send a joint cablegram thereon to our Governments.

The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

## No. 29.

The PREMIER, Victoria, to the PREMIER, New Zealand.

I HAVE much pleasure in communicating to you the following telegram received from the Colonial Secretary, Western Australia, viz.: "His Excellency the Governor wishes me to convey to you, and through you to the other members of the Committee appointed at the recent Intercolonial Convention to watch over Australian interests, his congratulations on the establishment of a British colony in New Guinea, a step which may be regarded as the first really substantial result of the unremitting zeal and energy with which you and your colleagues have for many months been advocating measures for securing the integrity of Australia."

Melbourne, 21st October, 1884.

JAMES SERVICE,  
Chairman of Convention Committee.

## No. 30.

The AGENT-GENERAL to the PREMIER.

SIR,— 7, Westminster Chambers, London, S.W., 23rd October, 1884.  
Major-General Scratchley, R.E., has been appointed to be Her Majesty's special Commissioner for New Guinea. The Imperial Government is now considering the nature and scope of the instructions he is to receive, and I hope to be soon in a position to give you confidential information thereon. One of the points already settled, however, is the formation of a Board of Advice, upon which the colonies contributing to the £15,000 will be represented, to consult with the Commissioner.

General Scratchley will most likely leave England in the course of November.

The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

## No. 31.

The PREMIER, New Zealand, to the PREMIER, Victoria.

HAVE received following from Agent-General: "General Scratchley Special Commissioner Guinea. No further protectorate Islands. Agents-General paralyzed conflicting orders Australia yesterday. —London, 21."

22nd October, 1884.

ROBERT STOUT.

## No. 32.

The PREMIER to the AGENT-GENERAL.

TRY arrange New Zealand may have option annexing or confederating Samoa under Bill last year. Our instructions your actions wired colonial newspapers. Consider this undesirable. Endeavour arrange keep strictly private matters under negotiation.

22nd October, 1884.

ROBERT STOUT.

## No. 33.

The AGENT-GENERAL to the PREMIER.

SAMOA.—Could represent privately; but official inevitably entail refusal. Anyhow, Colonial Office do absolutely nothing until Sydney decides Convention. Those spurious Press telegrams endless mischief. Invariably keep strictly confidential myself.

22nd October, 1884.

F. D. BELL.

## No. 34.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 24th October, 1884.

I transmit herewith a report of what took place in the House of Lords last night upon the reassembling of Parliament in relation to the Enabling Bill proposed by the Convention. I look upon it, for my own part, as absolutely certain that the crisis of affairs in connection with the Franchise Bill, Egypt, and other questions will prevent any Enabling Bill being passed during the "autumn session;" but that session might be prolonged by adjournment instead of prorogation, in which case no one can say what might happen.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

## Enclosure.

[The *Times*, Friday, 24th October, 1884.]

PARLIAMENTARY INTELLIGENCE.—HOUSE OF LORDS, Thursday, October 23.

*The Federation of Australian Colonies.*

IN reply to Lord CARNARVON, the Earl of DERBY said the Government had not yet received the reply of the Government of New South Wales, but they had reason to believe that they would receive it in about a week or ten days. He should have no objection to introduce a Bill in that House, and no doubt there would be time to discuss it; but whether it would be discussed in another place he could not undertake to say.

## No. 35.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 24th October, 1884.

The meeting of the Agents-General to which I referred in my letter of the 17th instant, No. 451, took place on the 20th.

On the morning of that day the Agents of Victoria and New South Wales received telegrams from their Governments which made it clear to me that for any concerted action between us we were really paralyzed; while other events were happening to make it uncertain whether there would be any use in our seeing Lord Derby at all.

Our request for the interview had been sent in before the announcement of the protectorate over New Guinea was made. Immediately on that announcement, fresh difficulties arose. Victoria was dissatisfied at the protectorate not extending to the Islands, or in any way meeting the deficiency in jurisdiction there; New South Wales forbade any pressure whatever upon, or embarrassment of, the Imperial Government; New Zealand desired her own Confederation Bill, and power to arrange separately with the Islands. Any unity of purpose to which the Agents-General might help to give effect seemed farther off than ever. But in the meantime new complications were happening: negotiations were going on between England, Germany, and France on colonial questions, which would assuredly involve the Pacific; but this was at that time a secret, and no Agent-General could possibly refer to it even to his Government except in a vague way, such as the one in my letter No. 451. It was no secret, however, that the Cabinet had determined against any further protectorate at present, and that Lord Derby would do nothing until New South Wales had decided one way or the other about the Convention resolutions. To make matters worse, foolish and spurious telegrams were appearing in colonial papers about what was going on, to the great annoyance of every Australasian Government. The Agents-General, seeing no way clear before them, decided to

ask their Governments, through the Chairman of the Convention Committee (Mr. Service), for instructions. I annex a copy of the telegram that was sent through Mr. Murray-Smith, and of the other messages, which have passed between yourself and me.

This morning I have had the great satisfaction of receiving the cablegram containing your instructions for my private guidance. I shall not be able to address you thereon by the present mail, but I wish not to lose a day in saying that, if I correctly gather from the terms of that message the general principles by which you direct me to be guided, these are in absolute accord with what I have from the very first desired and hoped; and you will thus be assured, not only of the co-operation which it would have been my official duty in any case to give for the policy which my Government might lay down, but of that thorough concert of opinion and aim which, if it is not an impertinence in me to say so, may perhaps be of advantage to the colony at this moment.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

### No. 36.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 25th October, 1884.

In the House of Commons last night, answering a question by Sir Michael Hicks-Beach, Mr. Evelyn Ashley made a statement of the steps taken about the protectorate over New Guinea, and I enclose you the *Times* report of it.

You will notice that a contradiction was given to the rumour that an "understanding" had been come to with Germany about the north coast of the island, which, as you are aware, is excluded from the protectorate. You will not, however, understand this as meaning that nothing whatever had passed between the two Governments on the question of the Pacific Islands.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

### Enclosure.

[The *Times*, Saturday, 25th October, 1884.]

PARLIAMENTARY INTELLIGENCE.—HOUSE OF COMMONS, Friday October 24.

#### *New Guinea.*

SIR M. HICKS-BEACH asked the Under-Secretary of State for the Colonies whether he could inform the House of the precise extent and situation of the coast-line and of the territory comprised in the British protectorate of New Guinea; whether the British authorities would have jurisdiction over the subjects of foreign Powers as well as over the natives within the protectorate; and whether all settlement within the protectorate was for the present prohibited, and, if so, whether there was any precedent for such prohibition within British territory, and for how long it was to continue.

The LORD MAYOR asked the Under-Secretary of State for the Colonies whether he would inform the House what arrangements the Government had made in connection with the proposed establishment of a British protectorate in New Guinea; what amount of territory in the interior would be brought within British jurisdiction; and whether the Government had come to an understanding with Germany as to the occupation by the latter Power of the northern part of the island.

Mr. ASHLEY.—The instructions to the Commodore on the Australian station are to proclaim the Queen's protectorate over the whole of the southern coast of New Guinea from the 141st meridian east longitude to East Cape in Goschen's Straits, and over the adjacent islands. It is not possible at present to define the inland limits of the British protectorate, as the country is unexplored and unknown; but it will extend as far as local circumstances may demand. British authority will have jurisdiction over the subjects of foreign Powers as well as over natives. Settlement within the protectorate is at present forbidden, but it is intended that as soon as Her Majesty's Commissioner assumes charge he shall, after consulting the Colonial Governments, make such provision for the occupation of land as may sufficiently protect the interests of the natives and prevent collisions with them. I may remind the right honourable gentleman that at the colonial Convention held at Sydney last year it was unanimously resolved that after the establishment of British jurisdiction in New Guinea no acquisition of land should be permitted except through the Crown, and then only for missionary or trading purposes. As to the question of precedents, I am not sure that experience would not assist us more than precedent; but there are, no doubt, cases in which the occupation of land in countries under British sovereignty and jurisdiction has been restricted, but I have not had time, owing to shortness of notice, to hunt them up. It is, however, quite obvious that there would be collisions and outrages if land were taken over from the natives of New Guinea without the control of a British officer. As to the question of an understanding with Germany as to her occupation of the northern part of the island, the answer is in the negative.

### No. 37.

The AGENT-GENERAL to the PREMIER.

PACIFIC ISLANDS.—Instruct whether you wish me not acquaint Agents-General substance your views. Advise allowing, because sure transpire at Colonial Office.

25th October, 1884.

F. D. BELL.

2—A. 4c.

## No. 38.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 25th October, 1884.

In my letter of yesterday, No. 465, I took the liberty of expressing my own concurrence in the policy upon the Pacific question which you had laid down for my guidance in your telegram of the 23rd instant. I ought not, however, to have omitted a warning at the same time that such a policy was one that would of necessity encounter opposition from one or more of the Australian Governments, and that any success in it must be exceptionally hard to achieve.

This morning Mr. Murray-Smith acquainted me verbally with the tenor of Mr. Service's reply to the joint telegram which the Agents-General had sent to him on the 21st instant; and that tenor is precisely what I had expected it would be. Mr. Service says that New South Wales, Queensland, and South Australia accept the protectorate over New Guinea as proclaimed, and desire no further representations to be made, even (as I understand) on the *récidiviste* question, to Her Majesty's Government; while Victoria and New Zealand are not so satisfied, and wish both the questions of the Islands and the *récidivistes* to be still pressed upon Lord Derby.

The concert which has hitherto existed between the Agents-General is therefore sharply cut; and my impression is that as soon as we meet to discuss the position we shall be obliged to give up altogether the proposed interview with Lord Derby, which I had already begun to think would now be of no use.

If this were all, it would, no doubt, be immaterial, because, even if three of the colonies were satisfied about New Guinea, there need be nothing to prevent the other two from continuing to urge their own views about other islands and the convict question. But presently there will be a wider divergence between Victoria and New Zealand on another subject than there is between them and the rest of the group on these: Victoria will certainly continue to press strongly for the passing of the Enabling Bill, a measure which must give to the colonies of the Australian continent the preponderance of power over the whole future of the Pacific; whereas New Zealand, if I rightly understand your telegram of the 23rd, following the policy of Sir George Grey's Confederation Bill of last year, seeks to fulfil her own destiny by a federation of the Islands in which she must herself be one day the dominant power. This divergence is alone a formidable difficulty; but, in addition to it, a separate policy on the part of New Zealand will have to encounter many other obstacles, arising not so much from your own intercolonial relations or your relations to the Imperial Government as from the international relations of England herself with Germany and France.

In the meanwhile the immediate question before the Agents-General is whether they can go on working together at all; and here the first point I have to make sure of is whether I am to take the intimation contained in your telegram of the 23rd (that it was for my "private guidance") as prohibiting me from communicating your views to the other Agents-General. I have accordingly sent you a telegram to-day in which I have taken the liberty of advising you to let me communicate your views to them, not only because (as I told you in my letter of the 22nd instant, No. 461) it has always been a point of honour with the Agents-General to have no concealments among themselves, but because the Colonial Office would certainly not hold any communication with me which had to be kept secret from the other colonies, and therefore whatever I said on the part of New Zealand must in any case transpire very soon.

Copy of my telegram is annexed.  
The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

See No. 87.

## No. 39.

The PREMIER to the AGENT-GENERAL.

PACIFIC.—Acquaint Agents-General.  
27th October, 1884.

ROBERT STOUT.

## No. 40.

The AGENT-GENERAL to the PREMIER.

GUINEA.—Telegram gone from Colonial Office to Governor Loftus, proposing that contributing colonies should appoint Council of Advice Scratchley; also suggesting purchase steamer, cost £18,000; and asking whether colonies will double contribution.

31st October, 1884.

F. D. BELL.

## No. 41.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 1st November, 1884.

I transmit to you herewith copy of a letter I have received from the Colonial Office, containing copy of a telegram sent by Lord Derby to the Governor of New South Wales respecting the New Guinea protectorate. On receiving that letter I sent you a telegram, of which copy is also annexed.

I am very anxiously waiting to know what Parliament has decided respecting any contribution on the part of New Zealand to the cost of the protectorate, as until this information reaches me it is impossible for me to advance a step at the Colonial Office on any question relating to the Pacific Islands.

The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

## Enclosure.

The COLONIAL OFFICE to the AGENT-GENERAL.

SIR,—

Downing Street, 30th October, 1884.

With reference to previous correspondence, I am directed by the Earl of Derby to transmit to you a copy of a telegram which has been despatched to-day to the Governor of New South Wales respecting the appointment of General Scratchley as Special Commissioner to control the Queen's protectorate in New Guinea, and the steps which it is desirable should be taken to make the protectorate efficient.

The Agent-General for New Zealand.

I have, &amp;c.,

EDWARD WINGFIELD.

## Sub-Enclosure.

COPY TELEGRAM from Lord DERBY to Lord A. LOFTUS, dated 31st October, 1884.

THE Queen has approved of General Scratchley as Special Commissioner to control protectorate in New Guinea. He will sail about 20th November. Her Majesty's Government think it desirable that the colonies contributing to the cost of the protectorate should appoint members of a Council of Advice in Australia to assist him. Please ascertain, and inform me by telegraph, whether your Government and other contributing Governments agree to be represented in this Council. It is intended that the Special Commissioner, who will be independent of High Commissioner, shall have jurisdiction over all persons within the protectorate, and that no land shall be acquired there except through him. He will also be Deputy Commissioner for portion of New Guinea outside protectorate. Admiralty recommend purchase in England of steamer for Special Commissioner; estimated cost, arrived in Sydney, sixteen or eighteen thousand pounds. To make him efficient, the £15,000 guaranteed must apparently be considerably increased. Telegraph whether contributing colonies will double their contributions for this purpose. If not, Scratchley must make best practical arrangements he can after arrival in Australia.

## No. 42.

The PREMIER, New Zealand, to the PREMIER, Victoria.

NEW GUINEA.—What do you think of request to double contribution? It is great blow to us to find that the contribution is to be devoted entirely to Guinea, and no thought of other islands entertained.

1st November, 1884.

ROBERT STOUT.

## No. 43.

The PREMIER, New Zealand, to the PREMIER, New South Wales.

DOES New South Wales intend contribute New Guinea protectorate? What are your views as to request for doubling contribution? We feel much dissatisfied that other islands ignored; only New Guinea thought of.

1st November, 1884.

ROBERT STOUT.

## No. 44.

The ACTING COLONIAL SECRETARY, New South Wales, to the PREMIER, New Zealand.

OUR intention is to contribute according to agreement. We are unable to enter into any undertaking for doubling contribution.

Colonial Secretary's Office, Sydney, 3rd November, 1884.

WILLIAM BEDE DALLEY.

## No. 45.

The PREMIER, Victoria, to the PREMIER, New Zealand.

YESTERDAY close holiday here: excuse delay. We think better delay question of doubling contribution till Scratchley's arrival. Information at present insufficient. We feel, with you, disappointment that contribution should be devoted solely to New Guinea. The southern colonies quite as much interested in other islands. At same time we think proposal for Consulting Council a great concession, and have little doubt, if foreign Powers stay their hands for awhile, protectorate will be greatly extended. Every new development shows necessity for some federal body to give expression to common sentiment. Without some form of union we are helpless.

Melbourne, 5th November, 1884.

JAMES SERVICE.

## No. 46.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 6th November, 1884.

Since writing to you on the 25th ultimo, No. 472, I received your permission by telegram (copy of which is annexed) to communicate the substance of your views respecting the Pacific question to the other Agents-General.

At a meeting which thereupon took place between us we requested Sir Saul Samuel to ask his Government whether he was to understand his instructions as meaning that he was not even to join in any further representation to Lord Derby on the *récidiviste* scheme; and I am glad to say that, in answer to his message, he received permission to join in such a representation. South Australia and Queensland will do the same. On that single subject, therefore, though only on that one, the Agents-General can still act together in the same concert as before; and whereas at one time, as I said to you in my letter of the 24th October, No. 465, it was a question with us whether it would be of any use to have the proposed interview with Lord Derby, we are now prepared to meet his Lordship whenever he shall be pleased to appoint a day.

The refusal of the Legislative Assembly of New South Wales to consider the Convention resolutions was received here on the 31st October. Although I think this decision will go far to prevent the introduction of any "Enabling Bill" in the Imperial Parliament this session; it will not affect our interview with Lord Derby in any sense prejudicial to the policy which New Zealand desires to see adopted in regard to the Pacific question; on the contrary, it really clears the ground and enables the Agents-General to see more clearly than before the line which each ought to take at that interview. I am anxiously waiting, nevertheless, to know the decision of New Zealand about the Convention resolutions, as Mr. Service has telegraphed to Mr. Murray-Smith that it was probable they would be adopted by you in some modified form.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

### No. 47.

The PREMIER to the AGENT-GENERAL.

PARLIAMENT passed resolutions favourable annexation New Guinea and other islands, agreeing contribute share fifteen thousand for New Guinea, postponing consideration Federal Council Bill until next session. Oppose Federal Council Bill at present far as concerns New Zealand. Governor cabling Colonial Office.

13th November, 1884.

ROBERT STOUT.

### No. 48.

The PREMIER to the AGENT-GENERAL.

SIR,—

Government Office, Wellington, 29th November, 1884.

I have to acknowledge the receipt of your letter of the 7th October (No. 429), and to thank you for the interesting details you have given of the negotiations between the Agents-General and the Colonial Office.

2. In the concluding paragraph of that letter you say, with reference to a telegram sent to you by me on 3rd October, "I should be wanting in candour if I did not avow how much I had been stung by an order suddenly conveyed to me in so peremptory a tone."

3. As to this, I have to remark that no one can in a telegraphic message be expected to use the customary epistolary amenities, and I do not see why you should imagine that any Government, in directing its Agent-General to take a certain course, means the slightest affront to him. We are most desirous—and I feel sure every Ministry in New Zealand acquainted with your zeal and discretion would be the same—to give you the fullest latitude in dealing with the many complex and delicate questions you have, as Agent-General, to handle. As Ministers, however, we have a higher responsibility than even you have; and occasions must arise when it is our duty to inform an Agent-General in London how to act. When we heard, therefore, that you were acting with Sir Saul Samuel as representing the Colony of New South Wales, and not acting heartily with the Agent-General of Victoria, we—feeling that Victoria's action, rather than the inaction of New South Wales, should be supported—directed you by telegraph what to do. There was no question of trust or mistrust. We wished one course taken; and for so directing that course we were responsible to Parliament. When you requested an explanation of what you called the "peremptory terms" of the telegram, an explanation was at once afforded you. This you accepted as satisfactory. What need, then, was there of your complaint in the letter?

4. I have to express my regret that the concluding sentences of your letter are so couched as to lead to the belief that we are not desirous to keep New Zealand in a foremost position "on every question relating to the Pacific Islands." I do not for one moment suppose that such was your intention. It shows, however, how careful, even in letter-writing, the writers should be to express themselves. You must, moreover, see that to contrast your own action and that of Sir George Grey with the instructions sent by us to you, and to write of surrendering any position of New Zealand on the Pacific question, was alike uncalled-for and unnecessary.

5. I can assure you that we are sensible of your efforts to bring about a proper understanding as to the future of the Pacific Islands; that we feel grateful to you for the great labour to which you have voluntarily subjected yourself in writing your numerous memoranda, letters, &c.; and that we shall always be most anxious to loyally support you in every way possible. I must, however, reserve to myself and my colleagues our undoubted right to direct our Agent-General, in this as in other matters, as we think necessary for the benefit of the colony whose affairs, as Ministers, we have to manage.

I have, &c.,

ROBERT STOUT.

Sir F. Dillon Bell, K.C.M.G., Agent-General for New Zealand, London.



## No. 49.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 3rd December, 1884.

I transmit to you herewith *Times* reports of questions put in the House of Commons to Mr. Gladstone and to Mr. Ashley, and to Lord Derby in the House of Lords, respecting the introduction of the Enabling Bill proposed by the Sydney Convention.

You will see from the replies to those questions that Her Majesty's Government think that the Bill requires amendment in several respects; and the amendments they propose will presently be sent out to the colonial Governments, in order that the same may be considered in concert with the colonies before any Bill is introduced in the Imperial Parliament next year.

I have, &amp;c.,

The Hon. the Premier, Wellington.

F. D. BELL.

## Enclosure 1.

[The *Times*, Tuesday, 25th November, 1884.]

PARLIAMENTARY INTELLIGENCE.—HOUSE OF COMMONS, Monday, November 24.

*The Australian Colonies.*

Mr. T. O'CONNOR asked the First Lord of the Treasury whether, as five of the Australian Colonies were willing to confederate, he would now propose the Enabling Bill, which, in reply to the then member for Waterford County, he expressed his readiness to introduce in the closing days of the last session.

Mr. GLADSTONE.—I will not say that the expressions used in the questions are incorrect, but they might mislead. The draft Bill which was under consideration is not what is commonly understood by a Bill to enable the Australasian colonies to confederate. The word "confederate" is too wide. It is a Bill to enable them to establish simply a Federal Council for the purpose of dealing with certain questions of common interest, leaving colonial institutions intact. It is more limited, then, than what is commonly understood by confederation. There is, however, such a Bill; and the opinion of the Government about it is this: it is tolerably clear that if it were introduced it would require amendment in certain respects: that being so, the Government consider it would be the much more convenient course to have these amendments considered in concert with the colonies before they produce the Bill in the Imperial Parliament.

## Enclosure 2.

[The *Times*, Tuesday, 2nd December, 1884.]

PARLIAMENTARY INTELLIGENCE.—HOUSE OF LORDS, Monday, December 1.

*Federation of the Australasian Colonies.*

THE EARL OF CARNARVON asked the Secretary of State for the Colonies whether it was the intention of Her Majesty's Government to introduce during the present session a Bill to enable the Australasian Colonies to carry out the scheme of federation lately agreed to by the Intercolonial Conference in Australia.

THE EARL OF DERBY.—My Lords, I am glad that the question which has been put to me by my noble friend gives me an opportunity which I very much desire to have of explaining how this matter really stands. I have seen suggestions in various quarters that the Government have not made up their minds about this Australian Bill, that they are hesitating, and that that is the cause of the delay in bringing it in. For that statement there is no shadow of foundation. We are pledged to bring in the Bill, and we have not the least wish to withdraw from our pledge; and I am sanguine enough to believe that it will meet with very little opposition either here or elsewhere. It is, in fact, the carrying into effect of the policy which, on the part of the Colonial Office, I suggested last year, and I am therefore the last person likely to be indifferent to its success. The reasons which have prevented me from bringing it in during this autumn session have been various. There was the inevitable uncertainty until within the last few days as to the duration of our sittings and the business that would come before us; and on examining the draft of the Bill we have found various points of detail on which amendments seem desirable; but before introducing these amendments we have thought it well to consult the Governments of the various colonies. We shall have their answer early in the spring, and practically no time will be lost. It will be an additional advantage if the Legislatures of New South Wales and New Zealand should so far reconsider their present view as to be willing to join; but as the Bill does not create any compulsory union, but only empowers colonies to act together for certain purposes if they choose to unite, unanimity among the colonies is not necessary.

## Enclosure 3.

[The *Times*, Wednesday, 3rd December, 1884.]

PARLIAMENTARY INTELLIGENCE.—HOUSE OF COMMONS, Tuesday, December 2.

*The Australian Colonies.*

IN reply to Sir H. Holland, Mr. ASHLEY said,—The Government never contemplated the introduction of any other Bill than that adopted by the Sydney Convention, and if the Bill had been

introduced at the time mentioned in the question the proposed amendments would have been embodied. The draft Bill, with the amendments, will be sent for the consideration of the colonial Governments either this week or the next, and I hope to be able to lay without delay on the table of the House the circular despatch showing the amendments to be inserted.

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No. 50.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 12th December, 1884.

I transmit to you herewith copy of a letter I have received from the Colonial Office, enclosing a circular despatch from Lord Derby to the Governors of the Australasian Colonies, with the amendments proposed by Her Majesty's Government in the Federal Council Bill.

You will observe that there are not many of these amendments which are important. I should have liked to see a permissive clause, allowing New Zealand to carry out her traditional idea of a federation with Fiji, Samoa, and the Friendly Isles; but Lord Derby's wish has been to adhere as closely as possible to the lines laid down by the Sydney Convention. I do not, however, anticipate that, if the colonies would agree to the insertion of such a clause, there would be any difficulty in the way of adding it during the passage of the Bill through the Imperial Parliament.

I was able to send you, two nights ago, a cablegram, copy of which is annexed, giving you information of the chief amendments proposed in the Bill.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

P.S.—I herewith also enclose copy of joint cablegram which has been sent to South Australia for circulation amongst the Australasian Governments.

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Enclosure 1.

The COLONIAL OFFICE to the AGENT-GENERAL.

SIR,—

Downing Street, 11th December, 1884.

I am directed by the Earl of Derby to transmit to you six copies of a despatch which his Lordship will address by to-morrow's mail to the Governors of the Australasian Colonies respecting the proposed Bill for constituting a Federal Council of Australasia.

I am also to enclose six copies of the Bill, showing the amendments proposed by Her Majesty's Government and referred to in the despatch, and to suggest that, if the Agents-General intend to communicate the substance of the proposed amendments to their Governments by telegraph, it may prevent mistake if they do so in the same terms.

The Agent-General for New Zealand.

I have, &c.,

JOHN BRAMSTON.

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Enclosure 2.

COPY of TELEGRAM forwarded by the AGENT-GENERAL for SOUTH AUSTRALIA to the GOVERNMENT of SOUTH AUSTRALIA.

JOINT telegram from the Agents-General for all the Australasian Colonies: A revised draft of the Federal Council Enabling Bill has been posted this afternoon. The Colonial Office seems to expect the Agents-General to telegraph a summary. I am waiting for instructions. Circulate the above amongst the Governments of the Australian Colonies, New Zealand, and Tasmania.

12th December, 1884.

ARTHUR BLYTH.

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No. 51.

The PREMIER to the AGENT-GENERAL.

SIR,—

Premier's Office, Wellington, 19th December, 1884.

I have the honour to inform you that your letters of the 17th, 24th, and 25th October, relating to the confederation and intercolonial question, have been considered by the Premier and other Ministers.

2. The memorandum written by me, and which was sent by His Excellency the Governor to the Secretary of State for the Colonies, embodies the views of the Government; and the *Hansard* report of the debates in Parliament will inform you as to the general feeling of the Legislature on the subject.

3. Your telegram stating how the Imperial Government propose to modify the Federal Council Bill prepared by the recent Intercolonial Convention has been received; but, until fuller information on the subject reaches us, we shall forbear to comment upon it.

4. We trust that you will continue your efforts to secure that the French Government shall drop the Récidiviste Bill; and we would suggest that you might press the point that, even from a French point of view, such a measure would be injurious, as almost certainly tending to destroy New Caledonia's prospects of becoming a flourishing colony.

5. Respecting Sir George Grey's Annexation and Confederation Bill of 1883, the Government still desire to see it assented to.

6. We hope that you will be enabled, by continued exercise of the ability you have hitherto shown, to induce the Agents-General to co-operate cordially on all colonial questions.

I have, &c.,

JULIUS VOGEL,

(in the absence of Premier.)

Sir F. Dillon Bell, K.C.M.G., Agent-General, &c.

A.-2, No. 31.

A.-2, No. 31.

A.-1, No. 13.

## No. 52.

The PREMIER, Victoria, to the PREMIER, New Zealand.

TELEGRAM just received from Agent-General stating that it is officially announced by Germany that she has annexed north coast New Guinea and the other islands. Are you prepared to unite in joint protest to Her Majesty's Government against the recognition of Germany's claims, especially on New Guinea?

Melbourne, 23rd December, 1884.

JAMES SERVICE.

## No. 53.

The PREMIER, New Zealand, to the PREMIER, Victoria.

WE doubt if expedient to protest against recognition of German annexation. One of two things must be the case—either England must have agreed to it, or, failing to take advantage of her own ample opportunity, cannot object to Germany's action. We have good grounds for expressing regret at the action or inaction of the English Government, either for entering into an agreement allowing German annexation, or for supinely leaving the field open to Germany after ample warning of what would happen. If it is deemed desirable to express regret we will join in the above sense. It is open to the objection of seeming political action, but, on the other hand, it may save further probable foreign annexation.

24th December, 1884.

ROBERT STOUT.

## No. 54.

The ACTING COLONIAL SECRETARY, New South Wales, to the PREMIER, New Zealand.

By to-day's post a copy of a minute approved by this Government, concerning the German annexation of a part of the Island of New Guinea, will be forwarded for your perusal and information as to the course which this colony will take in connection with the other Australian Colonies in this matter.

Sydney, 29th December, 1884.

WILLIAM BEDE DALLEY.

## No. 55.

The COLONIAL SECRETARY, New South Wales, to the PREMIER, New Zealand.

SIR,—

New South Wales, 29th December, 1884.

Referring to my telegram of this day's date, I have the honour to forward herewith a copy of a minute approved by this Government concerning the German annexation of a part of the Island of New Guinea.

I have, &c.,

CRITCHETT WALKER,  
Principal Under-Secretary.

The Hon. the Colonial Secretary of New Zealand, Wellington.

## Enclosure.

*Minute Paper.*

TELEGRAM of the PREMIER of VICTORIA requesting the Government of this Colony to unite in protest to the Imperial Government against the German Occupation of a part of New Guinea.

THE Cabinet has had under its consideration the invitation addressed to the Colonial Secretary by the Premier of Victoria requesting the co-operation of this Government with those of the other Australasian Colonies in protesting against the German annexation of any portion of the Island of New Guinea, the intelligence of such action on the part of Germany having been telegraphed here a few days since. Owing to the fact that Mr. Service's telegram was received late on the evening of the last day before the Christmas holidays, since which day, without much personal inconvenience, no meeting of the Cabinet could be convened, it has been found impossible to consider this question at an earlier period. An answer to Mr. Service was despatched within a few moments of the receipt of his telegram in these words: "Shall have no objection to consider in Cabinet the form of your proposal; but would suggest to you the expediency of some slight delay, as we have reason to believe that steps may be shortly taken by the Imperial Government which will either render remonstrance on our part unnecessary, or, if we now make it, will occasion embarrassment without any advantage to the colonies. At all events, no inconvenience will result from a delay of a few days; and as my colleagues will not in all probability be in town after to-night till Monday next, I should be unable to inform you of our determination at an earlier period.—WILLIAM BEDE DALLEY."

As the action of this Government in advising delay has been in some quarters misunderstood, it is deemed expedient to submit for the perusal of His Excellency, and, in order that the views of this Government may be clearly and fully communicated to Her Majesty's Imperial Government, to place upon record, the opinions of the Cabinet. For many years, as is well known to all who are familiar with the subject from a perusal of the official correspondence which has taken place, and the various State papers which have been published, the successive Governments of this colony

have been in perfect agreement as to the extreme desirableness, if not the absolute necessity, of the annexation by the Imperial Government of the Island of New Guinea. Both in the maintenance of Imperial and in the guardianship of colonial interests—in upholding the maritime supremacy of England and in guaranteeing the future peace of these colonies—it has been always regarded, since first the question was discussed, almost as indispensable that this step should be taken. It is well known that nearly ten years ago a much more ambitious and extended scheme of annexation was urged upon the Imperial Government by the then administration of Sir John Robertson, in which two members of this Government, including the Premier, held office. That scheme not merely comprehended the necessity of an entire possession of New Guinea, but included the islands of New Britain, New Ireland, and the chain of islands to the north-east and east of New Guinea from Bougainville Island to San Christoval, the south-easternmost of the Solomon Group, the group of the New Hebrides, including Espiritu Santo, Malicolo, and Sandwich, with smaller adjoining islands, and the Marshall, Gilbert, and Ellice Islands. At the time this representation was forwarded to the Imperial Government, and perhaps for some years afterwards, the realization of the scheme was not only possible, but would in all probability have provoked no antagonism on the part of foreign Governments, and aroused no feeling of jealousy whatever. Of late years, however, although from the colonial point of view the question is precisely in the same state as it was, and the feeling as to the necessity of this annexation is unaltered, the European aspect of the situation is entirely changed. That which could then have been effected without disturbance or opposition is now either altogether impossible or surrounded with grave international difficulties. The reluctance of England to attempt fresh colonial enterprises, even though they were, as in this case, shown to be essential to the freedom from peril to our lines of ocean communication with the mother-country, and, as was pointed out by Sir John Robertson in his minute, to the protection of a coast-line, 1,700 miles in extent, stretching from this capital northwards to within sight of New Guinea, has resulted in the present condition of things. And this disposition on the part of the Imperial Government, which, as is well understood, is a cardinal principle of the political faith of a great party in the mother-country, which strongly resists any extension of the colonial responsibilities of the Empire, has naturally inspired foreign Governments proposing to establish or extend colonial possessions with the idea that in exercising their unquestionable right to pursue this policy they are not by such exercise doing anything to justify the least dissatisfaction on the part of England. It is essential to bear this in mind when this Government is invited to adopt a course of action which may involve serious consequences in its relations with the Imperial Government, and perhaps not less serious embarrassments in the relations of the latter with the Governments of foreign countries. From the date of the sittings of the Convention up to the present time this Government has been profoundly sensible of these difficulties, a statement of which it placed clearly before the Convention, and a consideration of which has guided the whole of its correspondence on the subject. This Government has in no way changed its views in the matter, and is fully prepared to join with the Governments of all the other Australasian Colonies in any effective representations as to the necessity of largely increasing the area of the protectorate already established in New Guinea. But in order to render these representations in any way effective, or even intelligible, and to prevent useless correspondence and the misunderstanding which would almost certainly flow from the present entirely defective information on the subject, it is essential that this Government should know precisely—firstly, whether the recent action of Germany is the result of an arrangement with the Imperial Government; secondly, what are the terms of this arrangement; thirdly, whether, as one of the conditions of this agreement, the English protectorate of New Guinea has been enlarged so as to include the shores of the island from East Cape to the German line of occupation; fourthly, whether, as seems not improbable from the recent inclusion, by an amendment of the Schedule of the Proclamation, of the islands of the D'Entrecasteaux Group in the Protectorate of New Guinea, the Imperial Government has determined to include various other islands, as, for example, the Louisiade Group, Rook Island, the Woodlark Group, and others, the possession of which would strategically command the whole of that portion of the Pacific. It is impossible, in the absence of information on these subjects, not merely to prepare, but even to consider, the terms of any remonstrance to the Imperial Government. If England is acting in concert with the great European Powers who are about to undertake or extend colonization in the Pacific, it is essential that this fact should be known before any representations on the subject are made by any of her colonies. Deeply and peculiarly as they are interested in this question, it would be simply indefensible that they should, without any information, address vague and meaningless protests, which would be certainly valueless, and probably embarrassing. If the Imperial Government is free from international obligations, and has given no countenance to the recent annexation, it may be desirable, by strong and unanimous representations, to urge, with regard to the occupation of New Guinea by a foreign Power, those arguments which have already been so frequently and so forcibly addressed to successive Secretaries of State. And, finally, if the German occupation of a part of New Guinea has been the subject of international arrangement, and the Imperial Government has taken care to provide for a largely-increased area of its own protectorate over the shores of New Guinea and adjacent islands up to the boundary of Germany, any such representations may be wholly unnecessary. This Government has thus, it will be seen, been guarded in its course of action by a determination to uphold the views on this subject to which it has consistently given expression, and at the same time to abstain from anything which would have the appearance of either questioning the undoubted rights of European nations in friendly alliance with our own Imperial Government, or presuming to dictate to the latter on questions of Imperial policy, and, moreover, to take no steps in questions of such gravity and complexity without the fullest information concerning the whole situation. This will involve a brief, but, however, absolutely necessary delay. Having regard to all these circumstances, this Government will be fully prepared, immediately on

the receipt of authoritative information, to cordially co-operate with the other Australian colonies in taking such steps as it may deem necessary to secure the object which they are all equally interested in achieving. The Cabinet desires that a copy of this minute be presented to His Excellency, for the information of the Secretary of State for the Colonies, and that copies be also forwarded to the heads of the various Australian Governments.

Colonial Secretary's Office, 26th December, 1884.

WILLIAM BEDE DALLEY,  
Acting Colonial Secretary.

No. 56.

The PREMIER, Victoria, to the PREMIER, New Zealand.

*Re* New Guinea, &c., I give you a copy of telegram which I have despatched to the Agent-General for Victoria to-day—viz., "All the colonies deplore the inaction which has resulted in the present fiasco as regards New Guinea; but some of them differ as to the best mode of expressing their dissatisfaction. Each will communicate with its own Agent-General. Queensland has already done so. Protest emphatically on behalf of Victoria and Tasmania against the recognition of the German claims in New Guinea. The state of facts forces us to one or other of the following conclusions: viz., either that Lord Derby has been deceived or that he has deceived us. His supineness or neglect is simply lamentable. If New Guinea be not reclaimed and the New Hebrides preserved the feeling of estrangement will inevitably increase. We feel very bitterly on the subject."

Melbourne, 31st December, 1884.

JAMES SERVICE.

No. 57.

The PREMIER to the AGENT-GENERAL.

BEHALF New Zealand please express extreme regret that Imperial Government should allow Germany make such large annexations in Pacific. Also strongly object France annexing New Hebrides. Keep need of annexing Samoa, Tonga, Hervey Group prominently before Lord Derby.

1st January, 1885.

ROBERT STOUT.

No. 58.

[Copy of above to Premier, Melbourne.]

No. 59.

The PREMIER to the AGENT-GENERAL.

SIR,—

Premier's Office, Wellington, 3rd January, 1885.

I have to convey to you our warmest thanks for the trouble you have taken and are taking regarding the Pacific Islands question, as to which your letter marked "Confidential," and numbered 511, gave us very interesting details.

2. In order that you may know what is passing here, I note down some details. You have heard by telegraph of the feelings of surprise and regret that were evoked in all the Australasian Colonies by the annexation of the northern part of New Guinea, with New Ireland, &c., by Germany. It is much to be regretted that the Imperial Government did not, when part of New Guinea was annexed, take the whole island. From Earl Granville's speech at the Mansion House—an extract from which you forwarded—it seems plain that German annexation was effected with the tacit assent of the Foreign Office; and if, as you state, the intention to annex was unknown to the Colonial Office, the Foreign Office can hardly be said to have been ignorant of it. The telegram sent to you explains our views.

3. We are in hopes that Samoa, Tonga, and the Hervey Group may be obtained for New Zealand. If you look at the map you will see that Fiji, Samoa, and Tonga necessarily go together, and that the control of those groups will not interfere with the possessions of any of the European Powers.

4. You are aware of the fact that a petition from the king (Malietao), the vice-king, and the leading chiefs and people of Samoa has been forwarded, through His Excellency the Governor, to the Secretary of State for the Colonies. Throughout the Samoan Group the feeling for annexation to England or New Zealand is exceedingly strong.

5. After the petition had been forwarded two German men-of-war visited Apia, and the king was induced—I believe he says forced—to enter into a treaty with Germany for five years, and to appoint a Government in which German influence will be paramount. This treaty was made recently, without the sanction of the Samoan Parliament, which is, as you are aware, copied from the English, and comprises two Houses. The Parliament and the leading chiefs and people declined to recognize the treaty, and there is considerable ill-feeling against the king.

6. The New Zealand papers forwarded by this mail (see the *New Zealand Times* of yesterday and to-day) contain telegrams from Auckland relating to this affair.

7. The Government propose sending the "Hinemoa," with the Colonial Secretary, to Samoa, so as to ascertain what the feeling of the people really is, and His Excellency has telegraphed to the Secretary of State for the Colonies, explaining what we intend, so that we may learn whether the Imperial Government have any objection. The steamer will not start before the 8th instant, and thus ample time will be given to the Earl of Derby to stop her going should he consider the proposed visit to the group inadvisable.

8. If any question should arise regarding the expense of governing Samoa, Tonga, and the Hervey Group, you may state that should they be annexed to New Zealand we will propose to Parliament to undertake their government, and I have no doubt our proposal would be heartily concurred in. Indeed, if Fiji were annexed to New Zealand, I believe we could govern it well and economically, and give every satisfaction to both races there.

Sir F. Dillon Bell, K.C.M.G., Agent-General, &c.

I have, &c.,

ROBERT STOUT.

### No. 60.

The PREMIER to the AGENT-GENERAL.

REPORTED here Germany forced King Samoa treaty, under which sole control Government will rest with Germany. Chiefs, people, Parliament protest against treaty. Supposing negotiations occur, keep Samoa in view. Strong irritation here respecting Germany's action. We protest against Agents-General's suggestion giving New Hebrides to France provided she foregoes sending *récidivistes* New Caledonia. Compact seventy-eight respecting independence Hebrides must be observed.

5th January, 1885.

ROBERT STOUT.

### No. 61.

The PREMIER, New Zealand, to the PREMIER, Victoria.

PRESUME newspapers have published report respecting German treaty with Samoan King. Agents-General seem to have offered New Hebrides to France on condition no *récidivistes* are sent to New Caledonia. We protest against this arrangement.

5th January, 1885.

ROBERT STOUT.

### No. 62.

The AGENT-GENERAL to the PREMIER.

SAMOA—Colonial Office knows nothing about treaty. Your orders respecting Hebrides noted.

5th January, 1885.

F. D. BELL.

### No. 63.

The PREMIER, Victoria, to the PREMIER, New Zealand.

WE have seen nothing of German treaty with Samoa, and know of no offer such as you mention respecting New Hebrides. We objected to such arrangement long ago, and certainly our Agent-General cannot be a party to it.

Melbourne, 6th January, 1885.

JAMES SERVICE.

### No. 64.

The PREMIER, Victoria, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Melbourne, 6th January, 1885.

I have the honour to transmit herewith for your information some copies of a memorandum which I addressed to His Excellency the Governor of this colony on receiving intelligence of the recent action of Germany in New Guinea and the Western Pacific.

I have, &c.,

The Hon. the Premier, Wellington.

JAMES SERVICE.

### Enclosure.

GERMAN OCCUPATION IN NEW GUINEA AND THE WESTERN PACIFIC.

*Memorandum for His Excellency the Governor.*

Premier's Office, Melbourne, 20th December, 1884.

MR. SERVICE begs to draw your Excellency's serious attention to the attached clipping from a second edition of the *Age* newspaper of the 19th instant, headed "German Annexation in the Pacific;" also to a clipping from the *Argus* of the 20th idem on the same subject. The intelligence therein conveyed of definite steps being taken by Germany to annex or establish a protectorate, not only over the more important islands of the Western Pacific, but even in the northern portion of New Guinea, has already created consternation in this community.

2. The surprise thus created is based upon the following facts: Your Excellency is aware that the Convention which met in Sydney last year representing the Governments of all the British colonies of Australasia passed as the first of its resolutions the following, viz.: "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." The Right Hon. the Secretary of State for the Colonies, writing subsequently to this—namely, on the 9th May, 1884—gave this assurance, viz.: "Her Majesty's Government are confident that no foreign Power contemplates interference with New Guinea." Again, in the House of Commons, on the 24th October, 1884, the Lord Mayor asked whether the Government had come to an understanding with Germany as to the occupation by the latter Power of the northern portion of New Guinea, to which the Hon. Evelyn Ashley replied,

“The answer is in the negative.” Prior to this, on the 2nd of July, 1883, the Earl of Derby had publicly announced in the House of Lords that it would be regarded as an “unfriendly act” if any other country attempted to make a settlement on the coast of New Guinea. Further, in the telegram announcing General Scratchley’s appointment as High Commissioner to control the New Guinea Protectorate, it was stated that he would also be Deputy Commissioner for portions of New Guinea outside the protectorate.

3. In view of all these assurances, Mr. Service submits that Australian colonists were entitled to rest in perfect confidence that their interest in the neighbouring island of New Guinea was secured by Her Majesty’s Imperial Government; and it must be supposed that the reported action of a foreign Power, if it be a fact, is without the knowledge or consent of Her Majesty’s Government. Yet the reports are so detailed and circumstantial, and, further, so entirely in accord with the published utterances of the German Chancellor, that it seems vain to doubt them.

4. Mr. Service must, in duty to this colony, represent to your Excellency that not only surprise, but indignation, will be the feeling here if the reports referred to should prove to be true. That feeling will, no doubt, be intensified by the recollection that, when colonists acted in their own interests, and hoisted in Her Majesty’s name the Union Jack in New Guinea, Her Majesty’s Government thought fit to repudiate and cancel that proceeding, alleging (to quote from Lord Derby’s despatch of 11th July, 1883) that “the apprehension entertained in Australia that some foreign Power was about to establish itself on the shores of New Guinea appears to have been altogether indefinite and unfounded.”

5. In Mr. Service’s communication of 18th June, 1883, to His Excellency the Governor, Mr. Service, in referring to this, and urging action by the Imperial Government, represented that—“Australia is in this respect fettered in her action by her forming part of the British Empire. She cannot take the course which her truest interest dictates without the authority of the Crown.

A strong feeling of dissatisfaction will spread throughout these colonies if England, while holding Australia back from acting in her own interests, at the same time neglects to take a step which Australia deems essential to her future security and welfare.” The present position of matters is this: that Australia is not allowed to act for herself, neither will the Imperial Government act for her; and meanwhile she has to stand by and see territories the possession of which she regards as essential to her safety and well-being pass to another Power. As one who strongly cherishes the connection of the colonies with the Empire, Mr. Service cannot adequately express the feeling of disappointment which he entertains at the want of response by Her Majesty’s Government to the aspirations of the colonies. Whether this report should prove to be true, or whether exaggerated, in either case it illustrates the extreme unwisdom of slighting the perpetual and strong representations which have unceasingly been addressed to the Imperial Government on this subject for the last eighteen months.

6. But in the present situation it becomes necessary to consider what is yet practicable. In Lord Derby’s despatch of 11th July, 1883, before referred to, it is stated that “If there had been any evidence of the intention, which is said to have been apprehended, of a foreign Power to take possession of any part of New Guinea, the views and proposals of the Colonial Government could have been placed before Her Majesty’s Government by telegraph, and if the circumstances had justified immediate action it could have been taken without a delay of more than a very few hours.” Mr. Service now submits to your Excellency the evidence of the accompanying reports, which can be confirmed or disproved by the Commodore on the Australian station. Mr. Service now records the request, already verbally made, that your Excellency will be pleased to telegraph the intelligence to the Secretary of State, with a request that steps may be at once authorized by telegraph to save to Australasia such of the neighbouring islands as are yet available.

7. Mr. Service further asks your Excellency to convey his strong protest, on behalf of the Colony of Victoria, against the inaction which gives an open invitation to foreign Powers to come and take possession of lands in which no Power can be so much interested as the neighbouring and important communities of Australasia.

I have, &c.,

JAMES SERVICE.

### Sub-Enclosure 1.

[From the *Age* newspaper of 19th December, 1884.—Second Edition, *Age* Office, Friday, 3.25 a.m.]

#### GERMAN ANNEXATION IN THE PACIFIC.

(By Electric Telegraph. From our own Correspondent.) Sydney, Friday Morning.

THE special correspondent of the *Daily Telegraph* at New Britain wires as follows: “The German war vessels ‘Elizabeth’ and ‘Hyaere’ have arrived here under instructions from the German Imperial authorities to establish a protectorate over all the islands in this part of the Pacific occupied by German citizens or held by German capitalists. The Imperial protectorate has been established over the north coast of New Britain, and the German flag formally hoisted and saluted. The same ceremony of hoisting the German flag over all German property has been performed by these vessels at New Britain, New Ireland, and the Admiralty Islands. A steamer from Samoa, supposed to be in the service of the German Government, has been visiting various portions of the north coast of New Guinea and the adjoining islands for the purpose of concluding treaties with the native inhabitants for the transfer of land to the German Government. So far as I have been able to learn, the object of these purchases is to establish German claims to the territory in Northern New Guinea and the neighbouring islands in preference to any other nation. Already large tracts of territory have been acquired in this way, and wherever this has been done the German flag has been hoisted. The German authorities here have also notified that they will not acknowledge the interests of the citizens of any other nationality than Germany in connection with territory on the northern shores of New Guinea, or in New Britain, New Ireland, or the Admiralty Islands.”

## Sub-Enclosure 2.

[From the *Argus* newspaper of 20th December, 1884.]

## GERMANY IN THE PACIFIC—REPORTED ANNEXATIONS.

(By Telegraph. From our Correspondent.)

Brisbane, Friday.

THE following telegram was received from Cooktown to-night: "H.M.S. 'Raven' arrived on Tuesday afternoon from New Guinea, bringing a number of sealed telegrams for the Home and colonial authorities, also two for Berlin, and one for the German Consulate at Sydney, from Hensheim and Co., Matupi, the latter having been brought to New Guinea by H.M.S. 'Swinger' from New Britain. Information relative to German annexation is held back until the Home and other authorities have been communicated with, but yesterday rumours were current here that the German warship 'Elizabeth,' after leaving Sydney, proceeded to Singapore or some other Eastern port, where she was joined by four other vessels, and then proceeded to New Guinea and annexed that portion of the island not previously annexed by England, and also New Britain, New Ireland, and the Duke of York, the Admiralty, and the D'Entrecasteaux Islands. This is all the information obtainable here at present. The 'Raven,' having coaled, will return to New Guinea probably to-morrow." The Government has received no intelligence confirmatory of the above.

## No. 65.

The PREMIER, New Zealand, to the PREMIER, Victoria.

SIR,—

Government Offices, Wellington, 19th January, 1885.

I have the honour to inform you that your circular of the 6th instant, addressed to the Premier, and covering copies of a memorandum for His Excellency the Governor of Victoria respecting "the recent action of Germany in New Guinea and the Western Pacific," was received here during Mr. Stout's absence from Wellington.

Copies of the memorandum have been sent to Mr. Stout in Dunedin, and I am sure he will be glad to know that I have, on his behalf, congratulated you upon your able review of an important branch of the annexation question, and thanked you for so promptly communicating it to this Government.

The Hon. the Premier, Melbourne.

I have, &amp;c.,

J. BALLANCE.

## No. 66.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 26th January, 1885.

I beg to acknowledge the receipt of your letter of the 29th November last, relating to the one I had the honour to address to you on the 7th October.

Greatly as I should have desired to ask your consideration to one or two points in which I cannot but think I have been quite misunderstood, I feel that the most respectful course for me is to refrain from saying anything beyond the acknowledgment I gladly make of the generous spirit towards myself which your letter evidences. I can only continue in the future, as I have wished in the past, to do what may be in my power to help in giving effect to the policy which, no one more completely than I can recognize, it is the province of the Government, and not of the Agent-General, to lay down.

The Hon. the Premier, Wellington.

I have, &amp;c.,

F. D. BELL.

## No. 67.

The ACTING COLONIAL SECRETARY, New South Wales, to the PREMIER, New Zealand.

HAVE just despatched copy of telegram, now forwarded, to Agent-General of this Government, as follows: "Have seen and conferred with General Scratchley, whose position is much embarrassed, first, by misconception on part of Imperial Government that the cost of his establishment is to be exclusively borne by Australian Colonies; and, second, by no provision having been made for his transport to the scene of his government. We have informed him that our share of the fifteen thousand pounds provided by the colonies for this year can be had by him at once, and that we are prepared to submit a proposal for increased contribution, if such a course is acceptable to other Australian Colonies, and if fair share of such contribution, is paid by Imperial Government. To surmount by temporary arrangement difficulty of transport, we have to-day offered General Scratchley the use of the 'Wolverine' for a period of six months, this colony maintaining the ship in her present condition. This offer has been gratefully accepted, and the vessel will be shortly placed at General Scratchley's disposal."

Sydney, 28th January, 1885.

WILLIAM BEDE DALLEY.

## No. 68.

The PREMIER, Victoria, to the PREMIER, New Zealand.

FEDERAL Council Bill. *Re* amendments proposed by Imperial Government, have had long conversations with Mr. Griffiths, Premier, Queensland, who is now here, and are thoroughly agreed as follows: Amendments—clause one, merely verbal, agree. Clause three should not be struck out, but proviso added as follows: "subject to provisions herein contained in respect of the operation of



this Act." Clause five, disagree: question fully considered at Convention. Clause fifteen, agree to omit line three; disagree with new subsection after (g), as substantially provided for under subsection (h); agree to new subsection after (h). Clause twenty, agree with amendments. Clause twenty-six, agree amendments first line; disagree the other: matter fully discussed at Convention. Clause thirty-one, new clause, disagree with power to withdraw, as objectionable and unnecessary—objectionable because suggestive of disintegration, and unnecessary because object in view—namely, the non-concurrence of minority with majority—amply provided for under subsection (h), clause fifteen. Would be glad to have your views on whole matter. Mr. Douglas, Tasmania, likely to concur these views. I expect see Mr. Colton here next week.

Melbourne, 29th January, 1885.

JAMES SERVICE.

### No. 69.

The PREMIER, Queensland, to the PREMIER, New Zealand.

THE Governor has, at the request of Ministers, transmitted the following cable messages to the Secretary of State: "Scratchley's instructions have been received and carefully considered. My Government learn with surprise, only now, and indirectly, that it is expected that the whole of the expenditure in connection with New Guinea should be paid by the Australian Colonies. The Australian Colonies undertook to defray the expenses in the proportion required, on the understanding that Her Majesty's Government completed arrangements for the exercise of jurisdiction; and Queensland most probably would have been willing to contribute towards the full amount if required. It was expected, on Scratchley's appointment, that full instructions would have been given us as to what was intended by Her Majesty's Government, what arrangements had been made for the exercise of jurisdiction, in what manner, and to what extent territorial, and by what law. The announcement of the proposed annexation has been received with much satisfaction. Fuller information is urgently required; and it will be essential that which is intended by Her Majesty's Government be fully given before any decision is arrived at as to the increase or continuance of the contribution. Despatch follows by mail."

Brisbane, 3rd February, 1885.

J. A. DICKSON.

### No. 70.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 3rd February, 1885.

I transmit to you herewith copy of a letter I have received from the Honorary Secretary of the Royal Colonial Institute, enclosing certain resolutions passed by the Council of the Institute on the subject of New Guinea.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

### Enclosure.

The ROYAL COLONIAL INSTITUTE to the AGENT-GENERAL.

SIR,—

Royal Colonial Institute, 15, Strand, W.C., 29th January, 1885.

I have the honour to enclose copies of resolutions on the subject of the annexation of New Guinea which were adopted by the Council of the Royal Colonial Institute at a meeting held on the 27th January, 1885, and request that you will be so good as to transmit them to your Government for their information.

Sir Francis Dillon Bell, K.C.M.G.,  
Agent-General for New Zealand.

I have, &c.,

FREDERICK YOUNG,  
Honorary Secretary.

### Sub-Enclosure.

ANNEXATION OF NEW GUINEA.

At a meeting of the Council of the Royal Colonial Institute, held on Tuesday, 27th January, 1885, the following resolutions were adopted:—

1. That the present unsatisfactory position of the New Guinea annexation question prompts the Council of the Royal Colonial Institute to consider and review their past action in this important matter. It appears that on April 29th, 1875, a deputation of the Council and Fellows waited on the Earl of Carnarvon, Secretary of State for the Colonies. The memorial presented on that occasion, praying that the shores of eastern New Guinea "should be added to the Empire without delay," pointed out that "it would be most prejudicial to our interests that any position on the shores of eastern New Guinea, or of the islands situated off its coasts . . . should belong to any other Power;" that "disputes respecting rights of fishing would inevitably arise;" that "it is impossible to estimate the extent of insecurity to the Australian portion of the Empire, and to British interests generally," should the territory fall "into the possession of a foreign State." The memorial further urged that "the secret of our strength and security in that quarter of the Empire lies in the fact that we have no one to interfere with us, and the only remaining extensive territory in which any other nation could take up a position of undesirable proximity is eastern New Guinea. Were such a Power established there, however amicable our relations with it might be, its presence would at once and for ever entail upon the Imperial and the Australian Governments an increased expenditure for defences in time of peace which would far exceed whatever might be the cost of our establishing our authority in the island. And should war

ever occur between us and the Power in possession of New Guinea we should enter into it having an outpost of our enemy established in a very strong position at our very doors." The memorial did not omit to point out that "the formation also by any other Power of a penal settlement in New Guinea similar to that established by the French in New Caledonia would be a constant source of injury and annoyance to the Australian Colonies." In the following year, in a letter dated June 30th, 1876, the Council again urged the annexation upon the Colonial Office. On July 9th, 1878, the Council addressed a letter to the Colonial Minister, in which it remarked: "The rights asserted on behalf of the British Crown when formal possession of eastern Papua was taken by the discoverers of its coast cannot but be impaired by the lapse of time, during which no occupation of any part of the territory has been effected with a view to make good by actual possession such formal claim. The Council would therefore submit that Great Britain would now have less right of complaint, were any other Power to annex the territory, than at the period referred to." Mr. Frederick Young, Honorary Secretary, wrote, on behalf of the Council, on December 9th, 1882, to the Secretary of State for Foreign Affairs, drawing attention to an article in the *Allgemeine Zeitung* of November 27th, 1882, recommending the German Government to annex and colonize New Guinea. The communication having been transmitted by the Foreign Office to the Colonial Office, Mr. Bramston replied, on January 4th, 1883, that Lord Derby desired him to state "that the proposal that a portion of 'New Guinea' should be annexed to Great Britain is one which Her Majesty's Government are not prepared to entertain, and that his Lordship has no reason for supposing that the German Government contemplate any scheme of colonization in the direction indicated by the *Allgemeine Zeitung* of the 27th November." A deputation of the Council waited upon the present Secretary of State for the Colonies on June 1st, 1883, and presented a memorial setting forth a great number of reasons in favour of annexation, and especially laying stress upon the importance of keeping any foreign Power from establishing itself in New Guinea, which, it was urged, "would, even in time of peace, cause many inconveniences and expenses to England and her Australasian possessions, and in time of war would be a standing danger to Australasia and a menace to British interests in the East generally." At the annual meeting of the Fellows held on June 29th, 1883, a resolution was adopted approving of the action of the Council in presenting the above memorial to the Secretary of State, to whom a copy of the resolution was forwarded by his Grace the Chairman of the Council on the following day. Besides the annexation of eastern New Guinea having been thus directly advocated by the Council of the Institute, it has been the special subject of three papers read at the ordinary meetings, and has been urged by many speakers in various discussions. Papers advocating it were read, March 16th, 1875, by Sir Archibald Michie, on "Great Britain and New Guinea;" December 17th, 1878, by Signor D'Albertis, on "New Guinea: its Fitness for Colonization;" and November 13th, 1883, by Mr. Wilfred Powell, on "New Guinea and the Western Pacific."

2. That, under these circumstances, the Council cannot but feel deeply concerned at the report that a foreign protectorate over a large portion of eastern New Guinea is likely to be permitted by Her Majesty's Government, and respectfully urge that steps may be taken to avert so great an injury to British interests.

3. That copies of the foregoing resolutions be forwarded to the Right Hon. the Secretary of State for the Colonies, and to each of the Agents-General for the colonies, for transmission to their respective Governments.

## No. 71.

[Extract from the *Times*, Saturday, 7th February, 1885.]

### THE NEW GUINEA QUESTION.

(From our Correspondents.)

(By Telegraph.)

Berlin, 6th February.

"THE cry is still, 'They come.' Yet another White Book has appeared, more interesting and significant than any of its predecessors. The new publication is entitled 'German Interests in the South Seas, No. 2,' and consists of eighty-two folio pages of closely-printed matter, comprising the period between November, 1880, and the end of last January; and the best, or, rather, the worst, of it is that the weighty correspondence between the English and German Governments now revealed refers to a matter which is still, so to speak, *pendente lite*. Whether such procedure is in strict accordance with the rules of diplomatic courtesy may well be doubted, but the following summary of the new White Book speaks for itself:—

The White Book opens with a communication (11th November, 1880) to the Chancellor from Herr von Hansemann (chairman of the administrative board of the German South Sea Company, in liquidation), proposing the selection of Mioko, a German naval station on the Duke of York's Island, as the central and crystallizing point for colonial expansion in the South Sea.

"From Mioko," he says, "the society would occupy with trading settlements the north coast of New Guinea at all suitable points from the East Cape to 141° east longitude, while, at the same time, other harbours must be acquired as coaling stations for the German navy."

To this proposal the Chancellor replied, on the 15th February, 1881, that he could only support such colonial aims if the nation were at his back; but that the rejection of the Samoa Subsidy Bill had convinced him that this was not the case. At the same time, the Government would extend consular and naval protection to private enterprise.

The narrative, which is now interrupted by a gap of two years, is then taken up by the German Consul at Sydney, who, in February and March, 1883, wrote to call the attention of his Government to the comments of the Australian Press on an article on the German annexation of New Guinea quoted by the *Sydney Morning Herald* from the *Augsburger Allgemeine Zeitung*. The general drift of these comments, especially by the Queensland Press, was one of energetic protest against the

rumoured plans of German annexation, while they had the effect of at once inducing the Queenslanders to petition the Home Government to annex New Guinea. On the 16th of April the German Consul further reported that on the 4th of that month New Guinea had been formally annexed on behalf of Queensland by Mr. Chester, Police Magistrate on Thursday Island. But Lord Derby disavowed this act, as will be remembered.

Meanwhile, on the 29th of May, 1883, the German Consul for the Marshall Islands wrote home to complain of the high-handed proceedings of the captain and crew of the Queensland schooner "Stanley" (of Maryborough), which had come to the Laughlan group to hire labourers, and of outrages committed by the said crew on the property of a German firm (Hernsheim and Co.) which had thrown difficulties in the way of the natives being thus hired.

Hereupon Baron von Plessen, of the German Embassy in London, wrote a note (4th September, 1883) to Lord Granville. This was nothing more than an essay, *more Germanico*, on the enormities of the Polynesian traffic in labourers, which, as conducted by vessels sailing under the British flag, seemed to differ very little from sheer slave-trading and kidnapping. The note further called his Lordship's attention to several cases of alleged downright outrages, in the above sense, committed by English colonial labour vessels; asked whether the British Government was aware of the evils of the labour-hiring system, as practised in the islands of New Britain and New Ireland, as well as whether it had taken steps to inquire into and obviate a repetition of the recounted excesses; and intimated that the Imperial Government, on its part, would keep a ship of war permanently stationed at the above-mentioned island groups during the labour-hiring season, from May to September, to "protect German trading interests, and to repel with force any acts of violence against German life and property." And thus the plot began to thicken.

On the 8th of August, 1883, the German Consul at Apia communicated to the Chancellor the apprehensions of the German firms in that part of the world as to an annexation of the South Sea Islands by the Australian Colonies. On the 5th of January, 1884, Count Münster was instructed from Berlin to press Lord Granville to back up the steps taken by the lately-appointed Deputy High Commissioner (for the New Guinea Archipelago), Mr. Romilly, in order to obtain compensation from the Queensland Government for the loss sustained, as before recorded, by the firm of Hernsheim and Co. On the 6th of February following his Lordship replied that a Commission had been already appointed to inquire into the whole question of the labour traffic in the South Sea.

On the 5th of April Count Hatzfeldt informed Count Münster of new acts of depredation committed by South Sea natives against German settlers, which an Imperial gunboat had been obliged to avenge by burning down some villages and shooting the chief malefactors, and begged his Excellency to press anew for a settlement of the Hernsheim incident, and to inquire how the British Government really proposed to act on the results of the Commission of Inquiry. The charges brought against the schooner "Stanley," answered Lord Granville in June, 1884, were being energetically sifted, but the Governor of Queensland had not yet given any sign. At last, however, on the 8th of September, it was reported Home by the German Consul at Sydney that, while the Hernsheim firm had been awarded as compensation a sum of £500 by the Queensland Government, Captain Davis, of the "Stanley," and Mr. Murdo, the statutory Government Agent who accompanied him, had been found guilty of the charges laid to their account by the High Commissioner for the Western Pacific, and, on the plea of extenuating circumstances, sentenced to three months' imprisonment—being both set free in less than a week by the special favour of the High Commissioner.

Another act in the drama begins on the 27th of June, 1884, when the Chancellor, who had just enunciated the principles of his colonial policy in the Reichstag, was petitioned anew by Herr Hansemann and Herr von Bleichörder (the latter Her Britannic Majesty's Consul-General here) to extend the necessary assistance to the plans of the South Sea Company, of which they were the directing spirits. The execution of these secret plans had been mainly intrusted to a Dr. Finsch and a sea captain named Dallmann, who had been instructed to select Mioko, as before, as their headquarters, and to turn their attention especially to "the southern portion of New Britain and the opposite north-east coast of New Guinea as far as the 141st degree of longitude; while the south-east coast of New Guinea, on the Torres Straits, is expressly excluded from the field of their operations." In consequence of this petition, Count Münster, on the 2nd of August, was asked to try to come to some agreement with Lord Granville as to the respective spheres of interest of England and Germany in the South Sea.

Here the English Government, wrote Count Hatzfeldt, was playing the same game as before—treating the communications of Germany in a dilatory manner, with the object of thus, with the help of its colonies, piling up accomplished facts. To Germany it was not a matter of indifference that the possible and contemplated field of her commercial and colonial expansion was suddenly declared to be the "natural domain" of Australia. At the same time the Chancellor complained that Baron von Plessen's note to Lord Granville of the 4th September, 1883, had really never been answered, and sent to London a long historical *pro memoria* on the subject. Germany, it was stated, had no intention to found penal colonies in the South Sea; but at the same time, as in the case of Angra Pequena, she would undertake no obligation in the matter.

On the 9th August Lord Granville replied by asserting the honest goodwill of his Government towards Germany with respect to all her colonial aims, by admitting that German influence predominated on some of the South Sea Islands, and by declaring that the "extension of British supremacy in New Guinea will only apply to that portion of the island (the south coast) which has a special interest for the Australian Colonies, but without prejudice to any territorial questions beyond these limits."

Following hard on this a telegram was sent, on the 19th August, 1884, to the German Consul at Sydney, with instructions to tell the Imperial Commissary in New Britain that it was intended

to hoist the German flag in the Archipelago of New Britain and on the north coast of New Guinea, outside the sphere of Dutch and English interests, wherever German settlements exist or are in course of establishment. At the same time, Herren von Hansemann and Von Bleichröder were informed that their petition would be complied with whenever they could show that their territorial claims did not conflict with the well-acquired rights of other nations.

On the 31st August the Chancellor accepted Lord Granville's proposal to appoint Commissioners for settling and defining the respective spheres of interests of England and Germany in the South Sea, and suggested Levuka as the place of meeting; but Mr. Lister, who was not well informed in the question, could make no answer as to this. Meanwhile, on the 19th September, Mr. Scott, Chargé d'Affaires here, intimated to the German Government that the negotiations which had meanwhile taken place between the British Government and its colonies had resulted in a resolution of the latter to "proclaim and exercise the Queen's protection on all the coasts of New Guinea not occupied by Holland, with the exception of that portion of the north coast lying between 145° east longitude and the eastern frontier of the Dutch possessions. The British protectorate will also apply to the small islands immediately adjacent to that part of the coast placed under British protection. The British western frontier on the north coast has been fixed at longitude 145°, in order to include the Malay coast natives, whose request for British protection has been one of the chief reasons for inducing the Government to assume the protectorate of that part of New Guinea."

To this Dr. Busch replied (to Baron von Plessen) that the above communication had been received with surprise by his Government, which reserved its opinion. Meanwhile, on the 9th of October, Mr. Scott was again instructed by Lord Granville to declare that, in consequence of the representation of Baron von Plessen, Her Majesty's Government had resolved to restrict the British protectorate in New Guinea to the southern coast, including the adjacent islands, instead of proclaiming it as at first intended, but always without prejudice to any territorial questions outside of these limits. At the same time Mr. Scott expressed the satisfaction of his Government at now being in complete and friendly accord with Germany on the subject of New Guinea. A day or two later Dr. Busch agreed to the proposal of Lord Granville that London, instead of Levuka, should be selected as the meeting-place of the Commissaries appointed to define the other fields of English and German interests in the South Sea; and that they should submit their decisions to their respective Governments for further and final consideration.

Meanwhile the German Consul at Sydney reported the proclamation on the 18th November at Port Moresby of a British protectorate over that portion of the south coast of New Guinea extending from 141° east longitude to East Cape, with all the contiguous islands; while on the 17th December the German flag was hoisted on the north coast, as well as on the Island of New Britain. In announcing this fact to Lord Granville, Count Münster was told to say that both these acts of annexation on the part of England and Germany would not prejudice the deliberations of the South Sea Delimitation Commission.

The next stage in all this "strange, eventful history" is denoted by a despatch of the 29th December last from Prince Bismarck to Count Münster, detailing an interview which he had had with Mr. Meade, who, on the part of the Colonial Office, came here in connection with the West African Conference, and who took advantage of his presence in Berlin to confer with Dr. Busch on the subject of the various colonial questions pending between England and Germany. Professing to be acting on his own private initiative, but assuring both Dr. Busch and the Chancellor of the probability that any agreements which he might make would receive the assent of his Government, Mr. Meade made the following proposal:—

England to have the exclusive protectorate over all New Guinea, apart from the Dutch portion of it, but including the Louisiades and all other islands situated from twenty to twenty-five nautical miles from the coast. In return, England would recognize German sovereignty over New Britain, New Ireland, the Duke of York's, and other adjacent islands. All other islands of the South Sea, especially Samoa and Tonga, at present under no recognized rule, to be neutralized by international agreement. The New Hebrides to be handed over to France—note that. In West Africa England would cede to Germany the islands lying around Angra Pequena, but without Walfisch Bay, subject to the satisfaction of private English interests. Germany, on the other hand, to undertake to give England the first offer of Bageidah, and other tracts under the protection of the Empire on the Gold Coast, in the event of Germany ever wishing to get rid of these possessions.

But Prince Bismarck could not be induced to accept these conditions, nor would he admit the justice of Mr. Meade's reproach of inconsistency in that the Imperial Government had annexed the north coast of New Guinea, although it had promised England not to alter the territorial *status quo* in the South Sea until the Commission of Delimitation (of the sphere of national interests) had finished its labours. As the result of his conversation with Mr. Meade, the Chancellor gathered the conviction that the aims of the Colonial Office were at variance with the repeated assurance of good will towards the colonial aspirations of Germany on the part of Lord Granville.

His Lordship, however, according to Count Münster, writing on the 5th January, regretted that the Chancellor had found Mr. Meade's proposals unacceptable—a proof that Mr. Meade had made them on more than his own private initiative. Lord Granville told the German Ambassador that the question of New Guinea had been discussed by the Cabinet, saying that the excitement on the subject in Australia was great, and that in consequence the relations between the colonies and the Mother-country had lately become very strained. In reply to questions from Australia, Lord Derby had been authorized to say that the German occupation had been effected without the previous knowledge of the British Government, but that the whole question was now the subject of negotiations between the two Cabinets.

Five days afterwards, on the 5th January last, Prince Bismarck began a despatch to Count Münster with a scornful sneer at Lord Granville. The regret of his Lordship that the Chancellor

had found Mr. Meade's proposals unacceptable he, the Chancellor, could only regard as a polite *façon de parler*, for the Prince could not believe it possible that these proposals could appear acceptable in the eyes of the English Foreign Minister; and as for the much-disputed meaning of Mr. Scott's note of 9th October (before referred to), the Chancellor simply beheld in it a distinct promise on the part of England to restrict the extension of her sovereignty to the southern coast of New Guinea, with the implied assurance that the annexation of the north coast by Germany would not conflict with any English interest. So convinced was the Chancellor that this was the meaning of Mr. Scott's note that he caused a *communiqué* in this sense to be inserted in the newspapers (which I remember quite well, I may remark). "And if the English Cabinet," continued the Prince, "from reasons of internal policy, has now authorized Lord Derby to answer questions from Australia to this effect, that the German occupation (of the north coast) had been effected without previous intimation of our intention from us, we cannot any the more on this account admit that facts are in any way altered to our disadvantage; for the communication made to the British Government by your Excellency, in consequence of my despatch of 2nd August last, most distinctly gave warning of our intention to place under our protection all the north coast of New Guinea not under Dutch supremacy. We then expressly declared that we could not admit the Australian title to this coast, and that we looked on this territory as a proper colonial field for Germans and others. And we even made no secret of the fact that an expedition was on its way thither."

And now comes the climax of the drama. On the 17th January last Sir Edward Malet wrote to Count Hatzfeldt, conveying the surprise of his Government at hearing that the German flag had been hoisted, in sign of annexation, on the north coast of New Guinea and on the islands of the New Britain Archipelago. "Her Majesty's Government," wrote the Ambassador, "was wholly unprepared for such an announcement, seeing that its late negotiations with the Imperial Government had led it to believe that a friendly understanding had been come to by the two Governments, in virtue of which neither of them should seek to make new acquisitions in the South Sea until after the contemplated meeting of the Anglo-German Commission, before referred to."

Sir Edward Malet then proceeds to recapitulate the negotiations above mentioned, of which the essential points have been interwoven in the foregoing summary of the White Book, and then comes the main object of his communication: "Lord Granville has informed His Excellency (Count Münster) that Her Majesty's Government cannot content itself with the interpretation which the Imperial Government attaches to the negotiations that have taken place between the two Governments with respect to New Guinea. Considering, therefore, the proceedings of the Imperial Government, instructions have been sent to the Commodore on the Australian station authorizing him to proclaim the protectorate of the Queen in New Guinea from East Cape to the Gulf of Huon, which may be regarded as the limit of the German annexations, as well as over the Louisiade and Woodlark Island groups. The D'Entrecasteaux Islands were included in the previous proclamation."

After referring to the reasons which had induced Her Majesty's Government to take this step, and expressing its perfect readiness to proceed with the proposed Commission of Inquiry into the respective spheres of interest of England and Germany in the South Sea, Sir Edward concludes: "And, finally, I am authorized to say that Her Majesty's Government have lately received reports to the effect that a treaty has been signed between representatives of Germany and the King of Samoa; and with respect to this I have to inform the Government of the Emperor that Her Majesty's Government places full confidence in the assurances exchanged between the two Governments with reference to the independence of Samoa and Tonga, and presumes that any treaty which may be signed will not be ratified in so far as it is not in harmony with those assurances."

Two days after receipt of this note from Sir Edward Malet, Prince Bismarck telegraphed to Count Münster that "English and German interests would come into collision if the measure thus announced were carried out," and that it was in flat contradiction of Lord Granville's repeated promise to restrict the English protectorate to the south coast of New Guinea and the neighbouring islands. Lord Granville replied to this that he was unaware of any design on the part of Germany to extend her possessions in New Guinea. To leave unoccupied ground not taken by Holland, Germany, and England would have been questionable policy, seeing that freebooters would come and settle on this free land. Hereupon Prince Bismarck made answer to Count Münster that, "if the British Government was unaware that Germany meant to make fresh annexations eastward of Huon Gulf, that could only be ascribed to the circumstance that our communications on this subject had not received that degree of attention from the British Government which was to be looked for from the friendly relations of the two countries."

Accompanying the Chancellor's despatch was the draft of a note, in the sense of which Count Münster was directed to reply to Lord Granville, and in which occurs the passage, "The Imperial Government was therefore more painfully surprised by the contents of Sir Edward Malet's note of the 17th January than the British Government could possibly have been by any conduct on our part."

This draft-note, too, recapitulates from the German point of view the course of the New Guinea question, and winds up with the following clause: "The undersigned is therefore authorized to protest against the proclamation of the protectorate of Her Majesty the Queen of Great Britain and Ireland over the north coast of New Guinea between East Cape and Huon Bay, as well as over the D'Entrecasteaux, Woodlark, and other adjacent islands, as announced in Sir Edward Malet's note of the 17th instant, and to all appearance, according to a telegram from Melbourne, already carried out, as being in contradiction to the promise of the English Government made to us in official documents."

As for the observations of Sir Edward Malet in regard to a German treaty with the King of Samoa, Count Münster was instructed by the Chancellor to reply to Lord Granville in a separate note, which I cannot do better than subjoin: "The Emperor's Government supposes that the

communication regarding the conclusion of a German-Samoan treaty refers to the agreement signed at Apia on the 10th November last by the Imperial representative in Samoa, Consul-General Dr. Stübel, and the Samoan Government in execution of the seventh article of the German-Samoan treaty of friendship of the 24th January, 1879. The undersigned has the honour to send the enclosed German translation of this agreement for perusal, and begs to express the hope of his Government that the British Government will therefrom convince itself that the agreements come to are confined within the frame of the German treaty with Samoa, and impair neither the independence of this group of islands nor the rights acquired by other nations there. The benefits of a greater legal security and of an improved administration of penal justice, the establishment of which is aimed at by the agreement in question, will be shared by the subjects of other treaty-Powers resident there; while by Article 7 only the Germans interested are burdened with the expenses of the arrangements made. The Imperial Government intends to ratify this agreement, subject to closer examination of details, and to take care that its provisions be exactly carried out on the part of Samoa also. It counts upon not having its effort to establish order in that group of islands crossed from any other quarter. The undersigned is charged to refer once more in this connection to these petitions addressed on the 5th November last by the King and chiefs of Samoa to Her Majesty the Queen of England and to the Governor and Ministers of the Colony of New Zealand. The text of these petitions is now before the Imperial Government, and confirms the conjecture already expressed that they are written by English subjects, and signed under the influence of false representations regarding an act of violence planned by Germans against the independence of Samoa. From these documents it further appears that so early as the beginning of last year King Malietoa had, by means of a similar petition, secretly offered the sovereignty over his country to the British Government. The circumstance that no disapproval had been expressed of the conduct of those who had seduced the King into this step has evidently contributed to encourage further attempts in this direction. The Imperial Government confidently expects that the instructions of the British Government, of the despatch of which a prospect is now held out, will also succeed in putting an end to the similar agitation carried on from New Zealand."

To the foregoing summary of the new White Book I have little to add. How the English Government means to dispose of the German protest against its annexation of a portion of the coast of New Guinea does not appear; but the two Governments at least are at a perfect deadlock on the question. Will Lord Granville strike his colours once more, in homage to the will of the Chancellor? It only remains to be said that the above-quoted note on the Samoan treaty fairly reflects the spirit of irritation which has been excited in Prince Bismarck by the belief that the English Government is hostile to his colonial schemes.

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## No. 72.

*Memoranda of Conversations between Mr. Meade and Prince Bismarck and Dr. Busch.*

### No. 1.

MEMORANDUM by Mr. MEADE.

Hôtel Royal, Berlin, 10th February, 1885.

I OBSERVE that the White Book on the subject of New Guinea and the Western Pacific, just issued, contains some portion of the confidential memorandum which I handed to Dr. Busch after my conversation with him of the 7th December.

As this has given rise to misconceptions, it may perhaps be thought right to present to Parliament the whole of that memorandum, as well as my further reports, including that of the interview which His Serene Highness Prince Bismarck was good enough to give me on the 24th December.

The conversation with Dr. Busch, in which I developed to him a suggestion of my own for the general arrangement of questions pending between us in New Guinea and the South Seas, was purely personal and unofficial. I took every possible precaution that this should be clear, and it was so accepted by Dr. Busch.

He called on me a week later to tell me that Prince Bismarck wished to discuss the matter with me himself. If I had anticipated that the confidential character of my proposal would thereby be removed, and that it would be published, I should have either refrained from carrying on the discussion or gone into much greater detail.

Finding in Berlin a strong impression as to our supposed antagonism to German colonization, I thought it would be well to endeavour to define some general policy which might place our colonial relations with Germany on a better footing. Hence my conversation with Dr. Busch of the 7th December.

Had I been given any hint at the time of this conversation that Germany, in contravention of what every one of us at home believed to be the understanding between the two Governments, had assumed a protectorate over any part of New Guinea, I should never have broached the subject; but it was discussed between us as if no such step had ever been contemplated.

There seems to be some not unnatural misapprehension in England, and, consequently, I fear, in the colonies, as to my observations in regard to the New Hebrides, and I should like to explain that my reference to those islands was solely intended to show that Germany and England are not the only powers interested in the South Seas. The questions between England and France respecting this particular group were our own concern, and I therefore merely mentioned the subject, without going into the details of what we should require from France as an equivalent for the withdrawal of the understanding as to the independence of the New Hebrides.

It is, of course, obvious that I never intended to propose to give the New Hebrides to France as part of a bargain with Germany, or to surrender any British claims there, except upon terms which

would be thoroughly satisfactory to the Australasian Colonies, and this was fully understood at the Foreign Office and the Colonial Office when my memorandum was received.

R. H. MEADE.

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No. 2.

EXTRACT from a Private Letter from Mr. MEADE to Earl GRANVILLE. (Received 15th December.)

(Private.)

Hôtel Royal, Berlin, 13th December, 1884.

I HAVE had a long talk with Dr. Busch, the Under-Secretary, and I said all that I wanted to say. As we got friendly and confidential, I developed a scheme I had been considering for a general settlement of all the colonial questions affecting the two countries.

I need scarcely say that it was a purely unofficial communication, but I had no hesitation in broaching the subject when I found Dr. Busch willing to entertain it.

I enclose you a copy of the memorandum recording what passed at our interview, and also of the letter to Dr. Busch in which I sent it to him, asking him to be good enough to say if in any respect I had not done justice to what he said.

On the only occasion on which I saw the lessee of the Angra Pequena Islands, he told me that he was quite prepared to make terms with the Germans, and only desired to be placed in communication with the German Government; so I do not anticipate difficulty in that quarter. If he is satisfied, and we secure promise of fair treatment for any others of our countrymen established within the new German protectorate, I do not think that the Cape would object to the cession of these islands and rocks to Germany.

I have not had time to make another copy of my memorandum or of the letter to Busch to send to Herbert. Perhaps you would send this on to him to see, and his copying department can take a copy for the Colonial Office.

I was careful to explain that I only spoke for myself, and I need not say that I shall be very anxious to hear whether you and Lord Derby approve what I have done.

If it has not already been done, I think that it would be a very good thing if Governor Young, on the Gold Coast, and Consul Hewett were both told that, as all our disputes on the West Coast may now be considered as having been settled by our respective annexations and protectorates, he should be careful to cultivate the most friendly relations with the German authorities—Mr. Young with those of Bageidah, and Mr. Hewitt with the Cameroons, and that, as regards the latter, Mr. Hewitt should do what he can to smoothe matters down, using whatever influence he may possess with the natives to accept their new masters, and with the English traders to keep quiet, and not raise difficulties.

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Enclosure 1 in No. 2.

MEMORANDUM.

I HAD yesterday a long and interesting conversation, which by mutual agreement was to be of a purely unofficial and private character, with Dr. Busch, at the Foreign Office.

I told him that it would be very useful to me if he would let me frankly put before him what I had to say, looking at the recent discussions between our two Governments, from the Colonial Office point of view. I assured him that we at the Colonial Office had no jealousy whatever of the recent development of German colonial enterprise, that we felt that the world was large enough for all, and that since I had been in Berlin I had taken every opportunity to use this language, speaking more especially on the subject with Herr Woermann. I said it would be mere affectation on my part to pretend that there is not a very strong feeling of suspicion on the part of Germany of English policy in this respect, and that in the last week I had noticed three proofs of it, which gave me great pain, and which I feared showed that all I had said had fallen on barren ground; for I had learned that suspicions had been entertained of our intentions at the Cameroons, the Island of Samoa, and Bechuanaland.

As regards the first, I said that we were doing and contemplating nothing which could militate in any way against their free action at the Cameroons, or hamper their development and communication with the interior; that we wish the Germans all success; that no intrigues were or would be tolerated by us; that there was, no doubt, some natural feeling of irritation on the part of the English residents when the German protectorate was announced, but that this was all past; we certainly had intended to take the Cameroons, but they had forestalled us, and we had no other wish now than for their success; that at this moment Mr. Baynes, the secretary of the Baptist Missionary Society, was in Berlin, anxious to explain to the Foreign Office that, though he would have preferred the sovereignty of our own country, he was quite prepared loyally to accept the new order of things at the Cameroons, and to express his readiness to offer the co-operation of his society in facilitating the establishment of German rule. I said that we could not control the intrigues of rival traders, but they would not be countenanced by us; and that, from what I had heard, the English houses were prepared to work with the new rulers of the country in a friendly manner.

As regards Samoa, I said that we were perfectly guiltless in the matter; that Prince Bismarck's inquiry was the first intimation we received that the king had taken recent steps to obtain definitive protection from us. It is quite true that New Zealand has long been anxious to acquire Samoa, and it is possible that colonial Ministers may have said things which might alarm the German Consul; but the German Government should receive with great caution statements as to the intentions of Her Majesty's Government received from their consuls in British colonies. A colonial Government could not undertake annexations, and I believed that much misapprehension had been caused by too great readiness to accept the views expressed by a colonial Ministry as those of the Imperial Government. I added that it would have been especially mean on the part of my



Government if they had really done anything of the kind imputed to them, when the two Governments had agreed to examine the whole question together so soon as the German Consul at Sydney reaches Europe.

With regard to Bechuanaland, I said that we were engaged in clearing out certain freebooters from the British protectorate, whose conduct was condemned by all the respectable community, Dutch and English alike, throughout South Africa; that the Transvaal had not observed the provisions of the treaty in this respect signed in London so lately as February in this year: that it was necessary to enforce those provisions, and that I had every hope there would be no fighting at all, but that we could not afford to risk another Majuba Hill, and that it was necessary to send a force before which resistance would be unavailing. To send a weak force would, on the contrary, invite resistance, and that I did not think the 3,500 men of all ranks, including commissariat, was in excess of the requirements of the service by a single man.

I pointed out that Angra Pequeña, the inland limits of which are stated by Germany to be twenty miles, is separated from Bechuanaland by over seven hundred miles, of which the greater part is desert, and that there could be no possible connection between our expedition and the interests of the German colony, and the German Government might rest assured that we had no ulterior designs on it whatever.

I reminded Dr. Busch that on a recent occasion Prince Bismarck had said that it was all very well dealing with the English Foreign Office, but that when the matter in discussion went to the Colonial Office we were in the habit of looking at things from a purely "British interest" point of view. I said that it was our duty to do so, and it was a compliment which is not often paid to the Colonial Office by colonial Governments, who generally accuse us of sacrificing their interests to the exigencies of European diplomacy. But that, while standing up, of course, for our own actually acquired rights, we had no jealousy whatever of German colonial extension. In proof of this I told him that as soon as we at the Colonial Office realized that Germany wished to found a colony at Angra Pequena, we at once acquiesced, and had no wish to enter into a quarrel with Germany on such a point. Further, I said that when we learned that the Germans had definitively taken the Cameroons, it was the Colonial Office that suggested to the Foreign Office that it should be proposed to Germany, having taken the Cameroon rivers, that she would do well in annexing the remaining rivers,—the Lungassi, Qua Qua, &c.—between them and the French. The German Government had replied that they had already done so. We were not aware of this at the time; and the proposal, coming from the Colonial Office, shows that that department is not as hostile to Germany as Prince Bismarck would appear to suppose. I expressed a hope that as they learn that we have no feeling of this kind they will attach less importance to the numberless rumours that busybodies all over the world are ready to invent. I said that whenever we heard some rumour of hostile designs on the part of Germany, we did not found upon them complaints. For instance, I said, we sometimes heard rumours that Germany had designs on the strip of coast between Natal and Delagoa Bay. We knew that this was impossible, as we had rights there founded on treaties, and that Zululand was especially under our influence and protection. Yet we do not at once write and ask for explanations. We know that the story is but an idle rumour, and treat it as such. We send 3,500 men into the interior of South Africa on a matter which in no way concerns any other European Power, and the Germans ask us what we are doing. It never occurred to us to attribute dark designs to the German Government when they sent an unusually powerful squadron of five ships to visit their new acquisitions on the West Coast of Africa. We did not express any uneasiness, and imagine that a *coup de main* was intended by Germany against any of our colonial possessions.

Dr. Busch replied by thanking me for this frank statement, and said that he was very glad to hear it, and would repeat what I had said to Prince Bismarck, and he hoped it would bear good fruit. I interrupted him for a moment by saying that I trusted he would till the ground and cultivate the seed I had sown, which he laughingly promised to do. He went on to say that, as regards the Cameroons, he certainly had heard that considerable opposition had been offered to German proceedings by Consul Hewett, and that he hoped that he and our other subordinate officers would receive instructions to co-operate with the German officers, so that mutually they might assist each other.

I assured him that this was the wish of our Government; that I thought instructions had been already given to this effect; that any soreness of feeling at being forestalled, which some of our subordinate officers on the spot might have felt, is now a thing of the past.

As regards Bechuanaland, he said that Prince Bismarck feared we were about to use the large force we had collected forcibly to annex further territories, cutting the Germans off from any extension inland beyond their general limit of twenty miles; but that he was very glad to hear that we had no ulterior objects in sending the force into the protectorate than those I had mentioned. He went on to say that, as regards the five ships, there was a strong feeling in Germany in favour of adequately protecting their new acquisitions; and it was thought wise to send a large force in case there should be any difficulty with the natives.

I begged him to understand that I did not mean to imply that the fact that they sent five ships required any explanation—I had only referred to the subject as an illustration in my argument; but he insisted on explaining it.

On the general subject he said that he looked on this step taken by Germany as an experiment. It might succeed or it might fail. If it succeeded, in all probability England would reap a large share of the reward by the opening up of fresh trade routes. If, as was possible, it should fail, then at least something would have been done by Germany, and whatever fruit there might be would then certainly be gathered by England.

I then discussed with him a subject which, I said, seemed to me very desirable: whether we could not come to some general arrangement embracing all the questions which affect the two



countries in South Africa and the Pacific. I told him that I had no overture to make, that I was not authorized in any way to discuss the subject, a portion of which, relating to the islands in the Pacific, indeed, it is proposed to examine by means of a Commission; that I thought that when two Commissioners meet to discuss each separate subject, necessarily going into great detail, there is almost inevitably a tendency towards a spirit of rivalry which renders difficult a satisfactory settlement; that I had been turning the subject over in my mind, and that I thought I could sketch out a scheme which would meet the wishes of both countries, and satisfy their respective aspirations; and on his assurance that he would receive it in the same spirit, as a perfectly unofficial and confidential communication between us as two friends, and not in our official capacities, I proceeded in the following manner:—

I said that they—the Germans—were much hampered at Angra Pequena by our possession of the islands; that those islands were as much British territory as the Isle of Wight, or as Berlin is German soil, and it would be impossible for us to submit a question of this kind to a Commission. We, on the other hand, were hampered by our desire to meet Prince Bismarck's wishes by taking as little of New Guinea as possible; and that, in consequence, we found great inconvenience in having for the moment limited our protectorate to the south shore, with the islands.

The lower part of New Guinea is very narrow, and at the lowest part it is only nineteen miles broad. Therefore the establishment of another Power, or of filibusters and escaped convicts from New Caledonia, would be especially dangerous to the British protectorate. Half way up the coast is the Maclay territory, the natives of which have specially asked for British protection; and if any portion of the north end (on which it is believed there are no German traders established) is left unoccupied, the result will be that it will become an Alsatia, in which all the crimes will be committed which the protectorate is designed to prevent. The establishment of our protectorate on the southern shore was only just in time to stop a scheme, possessing exceptionally objectionable features, which was to be carried out under the protection of a foreign flag. Any arrangement which embraced the Pacific would have to be in some degree of a tripartite nature, as France has claims and would have to be considered. I thought that we should be free to extend our protectorate to the whole, or to as much as we thought proper, of New Guinea eastward of the 141st degree of east longitude, including Rock Island, Long Island, the Louisiade Group as far as Rossel Island, and Woodlark Island, with whatever contiguous islands may belong to New Guinea and are within, say, twenty or twenty-five miles of the coast. Germany to take the sole charge, including, of course, sovereignty, of New Britain, New Ireland, Duke of York's Island, and the other contiguous islands forming that group, and where there are some German trading ports already established; Germany, of course, recognizing and protecting any English traders who may be there. It would be necessary, to soothe the susceptibilities of Australia and New Zealand, that an assurance should be given that convicts would not be sent to the South Seas.

Dr. Busch explained that, as regards Germany, she could not send any, there being no Imperial German convicts, each State in the Empire disposing of their own convicts.

I said that, this being so, it would be easy to set their minds at rest by giving such an undertaking. There should also be a mutual agreement to repress outrages on natives in connection with the labour traffic. I reminded Dr. Busch that it is in Germany's interest to do what she properly can to conciliate Australasian sympathy, in view of the trade relations she is cultivating in that part of the world, and of her new subsidized steam-lines. Tonga and Samoa, with any other quasi-civilized islands (if such there are), to be internationalized in some manner, so as to remain free for the commercial enterprise of everybody. Probably the simplest plan would be an arrangement whereby the Powers interested should mutually agree to respect their independence.

I pointed out that this would give Germany perfect freedom to develop their commercial enterprise in Samoa, should the German Parliament make the necessary appropriation. France to be allowed to take the New Hebrides Group, which lie away from the others, and would naturally fall into the New Caledonian system. Germany to undertake to respect and protect the rights of the lessee or lessees of the Angra Pequena Islands, or to purchase their rights, the lessee being placed in communication with the German Government for that purpose, and, when a satisfactory arrangement is made in this respect, England to cede the islands to Germany.

Bageidah and Togo, &c., on the confines of the Gold Coast, have been taken by Germany, and we are content to have Germany as our neighbour. The strip of country is, however, very small, and is wedged in between English and French territories. If, therefore, at any time Germany should desire to quit that portion of the coast, she should undertake to give Great Britain the refusal of it before offering it to any other Power.

I said that I thought that this would make a general scheme satisfactory to both parties; that I had no power to offer it, but it was one which I could press on the acceptance of my Government; and, though I did not expect him then and there to give a final opinion on its merits, if I could receive from him an assurance equally of an unofficial character that the scheme seems acceptable, I would at once endeavour to get the adhesion of my Government to it, and ask them to make the proposal officially. He asked me to give him something in writing which should possess the same confidential and unofficial character as our conversation, and he would then let me know what reply he could make; but that, speaking generally and subject to consideration, he was disposed to think favourably of it, and that it was quite possible we might come to some satisfactory arrangement by means of this friendly talk.

7th December, 1884.

R. H. MEADE.

## Enclosure 2 in No. 2.

Mr. MEADE to Dr. BUSCH.

DEAR DR. BUSCH,—

Hôtel Royal, Berlin, 8th December, 1884.

At the interview you were good enough to give me on Sunday I promised to send you a memorandum of the general scheme on which, in my opinion, a satisfactory settlement could be made of all the questions in which our two Governments are jointly interested. I am anxious to preserve as accurate a recollection as possible of our conversation, and I therefore venture to ask you to glance over the accompanying memorandum, which gives the substance of our talk, and also of the scheme which I suggested to you. If I have omitted anything material in what you said, or have failed to catch your meaning correctly, I hope you will kindly tell me, and that you will treat this letter on the same confidential and unofficial form as our conversation. In returning it, perhaps you may be able to tell me, confidentially, whether the scheme for the suggested settlement is one likely to commend itself to the acceptance of your Government, in which case I would earnestly press it on my Government, and it might then be made the subject of an official communication. I have not been able to find in the shops here a satisfactory map, but I enclose a tracing which shows New Guinea and some of the islands with which I propose to deal.

Thanking you once more for the kindness with which you received me,

I remain, &amp;c.,

R. H. MEADE.

## No. 3.

MEMORANDUM by Mr. MEADE.

DR. BUSCH called on me to-day and said he had no alteration to suggest in the above memorandum, which was a complete record of what had passed. Prince Bismarck desired him to say that he would see me himself in the course of a few days, and in the meantime he, Dr. Busch, was to make inquiries and ascertain whether any German firms contemplated or had already made any establishments in New Guinea. He thought from what he had heard that this was the case, but he had received instructions to clear this up. He was also to make inquiries about New Britain, New Ireland, &c. Dr. Busch said that with regard to the Cameroons and their complaints of our intrigues, he found that they were partly founded on a report of the language of Consul Hewett and the captain of an English vessel of war (the "Forward," he thought), held to the natives, telling them they were great fools for selling themselves to Germany, and they would find out later that they would have done better to accept English rather than German protection. I said this, if correctly reported, could only have been the expression of a not unnatural irritation at being forestalled, which, no doubt, had now passed away.

14th December, 1884.

R. M.

## No. 4.

Sir E. B. MALET, K.C.B., to the Right Hon. the Earl GRANVILLE, K.G. (Received 26th December, 1884. Confidential.)

MY LORD,—

Berlin, 24th December, 1884.

I have the honour to enclose herewith two memoranda by Mr. Meade of conversations on colonial questions which he has had to-day, in the first instance with Prince Bismarck, and, secondly, with Dr. Busch, Under-Secretary of State for Foreign Affairs, and Herr von Kusserow, the third German Plenipotentiary at the West African Conference.

I have, &amp;c.,

EDWARD B. MALET.

## Enclosure 1 in No. 4.

MEMORANDUM by Mr. MEADE.

(Extract.)

I CALLED by appointment this morning on Prince Bismarck. He received me kindly, and our conversation lasted over an hour. He commenced by saying that German trade got on very well in British colonies—at least, in those possessing Responsible Government; but that in colonies belonging to some other Powers this was not the case. His principle is to follow his traders when they establish themselves on territory under no civilized jurisdiction, and to afford them protection, not against competition by levying differential duties, but against direct aggression from without.

I told him that there was no difference in the commercial system of our colonies under Crown Government, and I gave him as an example that, finding a few months ago a local law at the Gambia which restricted the navigation of that river to the flag of France only among foreign nations, we had at once directed its repeal, thus throwing open to all nations the freedom of the river, though we were assured that the old law was a dead letter, and never acted upon; that we did this because it was against our whole system to apply differential treatment. I told him much that I had already said to Dr. Busch, as I found that the only part of my memorandum which was shown to him was that relating to the suggested settlement as between England and Germany.

H.S.H. went back over the old ground as to our intrigues in the Cameroons, though to-day he referred to a new point, the supposed difficulty the Germans would be in by reason of the missionaries buying land behind them, and so, to use his own phrase, "girdling in the German settlement and cutting them off from the interior."

I repeated the assurances given by Lord Granville, and I told him, as I had told Dr. Busch, of the object Mr. Baynes, the Secretary of the Baptist Missionary Society, had in coming to Berlin, and that I believed he had assured M. von Kusserow that their only desire was to carry on their

work and to act hand in hand with the Germans, and by their influence with the natives to facilitate their rule, frankly accepting the new order of things. I added that they were not a trading society, and purely occupied themselves with their mission work. I was also able to inform him that orders had actually been sent to all British authorities on the coast to co-operate with German officers, and to be careful to throw no difficulties in their way.

The Prince then again referred to our supposed desire to cramp their energies at Angra Pequena. He said that the coast was barren and of no value except as it gave access to the interior. He produced a map and showed me the Kalahari Desert, and said that he was informed that it was erroneously described as desert; that there are elephants there, trees, grass, and water.

I told him that we were within our rights in taking over the Kalahari District, which merges into Bechuanaland; but that behind the coast-line of Angra Pequena was a waterless tract some thirty miles broad, but behind that again was a better country, and that Lord Granville had said that there was no desire to interfere with Damaraland or Namaqualand behind the coast-line, and that there could be no objection, from our point of view, to Germany going into the interior, even as far as the 20th degree of longitude, which I pointed out to him on his map, and beyond which westward we did not propose to go.

I told him that, encouraged by the conversation I had had with Dr. Busch, I had ventured to sketch out to him a plan, which was purely my own, made without the knowledge of Lord Granville, which I thought might form a basis on which our mutual relations in the Australasian waters might be satisfactorily adjusted. Dr. Busch told me ten days ago that he (the Prince) wished to discuss the matter with me himself, and I should be glad to hear his opinion on the subject.

Prince Bismarck said that when it was first suggested to him he was disposed to think well of it, as he preferred a group of islands all to himself to being mixed up with other people on the mainland; that he had consulted the association interested in that trade. He learned from them that the islands (the New Britain Group) were of little value, but that the north coast was especially valuable. That his system was to follow trade, not to precede it; and when he found that German houses were established in a country under no foreign jurisdiction, to afford them the protection of the German flag. That some months past he had been urged to annex the north coast of New Guinea; that he had not precisely ordered the flag to be hoisted on this occasion, but that he had generally replied to the request for protection that, where German trade was established in a place where there is no foreign jurisdiction, he would afford support; and that, in consequence, the flag had been hoisted on the north coast of New Guinea, and on hearing from us that we had taken the south coast he considered that the action could not be open to any objection whatever.

I replied that I could not expect him to take my opinion on the relative value of these places, but, as a matter of fact, I could state that no German establishments were on the mainland, while several were on the islands, where, as I learn from his White Book, there is only one English trader. As regards the north and south coasts, I could only say that this was not the view I took of it, and I asked to be allowed to tell him frankly how it struck me. I said that I was not a diplomatist, and I trusted to the kindness with which he had received me to forgive me if I said anything which a trained diplomatist would put differently. I told him that the result of his hoisting the flag on New Guinea would have a deplorable effect in Australia; that we had announced to him our intention to declare a protectorate up to a certain point in New Guinea; and that I considered that we were entitled to rest assured that, pending our negotiations with him, Germany would not take possession of the most important portion of the territory in question. I told him that on the 19th September Mr. Scott wrote a note to Dr. Busch announcing that Her Majesty's Government intended to establish a protectorate over the coast, together with the contiguous islands, with the exception of that portion of the coast between the 145th degree of longitude and the eastern Dutch boundary. On the 9th October Mr. Scott, in consequence of certain representations made in London by Baron von Plessen, wrote that, as an act of courtesy, Her Majesty's Government would, for the moment, limit the immediate declaration to the south coast and islands, it being understood that this was done without prejudice to any territorial question beyond that limit, adding that any question as to districts lying beyond the limit actually taken should be dealt with, in the opinion of Her Majesty's Government, diplomatically rather than be referred to the South Sea Committee as suggested by Baron von Plessen. Having thus, from a feeling of courtesy, temporarily withdrawn from assuming the protectorate we had formally announced our intention of taking, we could never suppose that Germany would herself annex a portion of the territory in question without waiting for its suggested treatment, whether by means of the Committee or by the ordinary diplomatic procedure.

Prince Bismarck told me that this correspondence was new to him; that he had no recollection of seeing it; and that he had understood that he was free to take the north shore, when we had limited our protectorate to the south side.

I told him this was not the case. I gave him the dates of Mr. Scott's two notes, and begged him to read them.

He then said that we had immense possessions in that part of the world; that we already had more land than we could colonize for years to come; that our navy was strong enough to protect those possessions; and that it was not worthy of us to grudge Germany a settlement on the coast of New Guinea, separated from Australia by the islands and the south shore which we had taken.

I said that the population of our possessions in Australasia was now counted in millions; and it was their fixed idea, however idle he might think it, that a foreign establishment on the mainland of New Guinea would be a source of danger. I said that Germany is interested in conciliating Australasian opinion, as she is developing her trade there, and is about to establish steam lines of communication.

H.S.H. replied by asking if I really believed in this supposed strong feeling in Australia.

I told him there could be no doubt of it whatever; that already we had heard that a bitter feeling of resentment against the Mother-country had been aroused; and that his own agents, I felt confident, would tell him the same story. I told him I had in my pocket a copy of a telegram from the Prime Minister of Victoria, one of the most important of the Australian Group. I had not intended, of course, to read it to him, but that under the circumstances I would do so confidentially. It ran as follows: "At last the end has come. Information received reliable source that Germany has hoisted flag on New Britain, New Ireland, and north coast of New Guinea. The exasperation here is boundless. We protest in the name of the present and future of Australia. If England does not yet save us from the danger and disgrace as far, at least, as New Guinea is concerned, the bitterness of feeling towards her will not die out with this generation. We now appeal in terms Derby, despatch 11th July, 1883, second paragraph." I explained that this despatch stated that, if there had been any evidence of a foreign Power intending to take possession of any part of New Guinea, Her Majesty's Government would have taken it without the delay of more than a few hours, and that Her Majesty's Government were satisfied then—in July, 1883—that no such step was contemplated by any foreign Power.

The Prince then argued that this strip of New Guinea was very small and of little value to England. I said that it included the Maclay coast, in which we were specially interested; and I asked him whether Germany would think of annexing land, with or without value, which she had just proposed should form the subject of special negotiation.

He seemed displeased at this question, and rather sharply replied that that sort of question should be treated on general grounds of policy. Up to two years ago he had done everything he could to facilitate English policy in Egypt and elsewhere; but for some time past he has been treated in a different manner by England, whose actions do not accord with her professions. As for Samoa, it was all very well for me to propose that its independence should be respected; but that was no concession to Germany: she and the United States, equally with England, had interests in that island. With regard to Angra Pequena, he said that he attached no value to these islands. He said that the guano would soon be exhausted, when they would become valueless. I then showed him a map, which, at my request, Mr. Bolton had prepared for me, which I told him showed the islands which I had suggested might be ceded, under certain conditions, to Germany. He interrupted me with the question, "Including Walfisch Bay?" To which I replied, "Oh, no. That is a regular British settlement on the mainland: I am only proposing to deal with the islands." I then showed him their position, remarking that they were as much British territory as the soil on which Berlin stands is German territory; and I thought it would be very inconvenient to Germany to have islands subject to a foreign jurisdiction close to her new territory, and some lying in the very mouth of the principal harbour.

Prince Bismarck said he had considered this, and attached no importance to it. He made no alternative proposal, and he wound up by saying, "I do not find your proposals sufficient."

I expressed my regret that this was so, saying that I was in the painful position of falling between two stools, as he rejected my scheme and I had not in any way been authorized by my own Government to propose it. With this my visit terminated.

Berlin, 24th December, 1884.

R. M.

Enclosure 2 in No. 4.

MEMORANDUM by Mr. MEADE.

AFTER my visit to Prince Bismarck I thought that it would be useful if I went to see Dr. Busch, and explain to him the view I had expressed to Prince Bismarck of the correspondence which had passed between our two Governments.

Dr. Busch began by explaining to me that he was desirous of assuring me that when he saw me he was not aware of the orders given, or that the German flag was, in fact, already hoisted on the north coast of New Guinea; that he was only imperfectly informed on the subject; but he was anxious to remove from my mind any feeling that he had acted unfairly.

I entirely accepted his assurances, and went on to tell him what I had told the Chancellor, and especially what I had said respecting our two notes of the 19th September and the 9th October, on which I contended we had not been fairly treated, and that, as Prince Bismarck would speak to him, I wanted to make my point quite clear to him. He then sent for M. de Kusserow, as being thoroughly conversant with the matter, and I found that they put an interpretation on these communications of a wholly different character. They look upon our second note as a final withdrawal from any claim to go to the northward of the limit we then fixed; and that the question to be diplomatically treated was not whether we should ultimately go further up the coast, but merely how far inland towards the interior from the south coast. M. de Kusserow reminded me that, when a question was asked in Parliament as to our limits inland, the reply was that it would depend on local requirements, and would be decided later; and this was the question, in their view, which was left open for diplomatic treatment.

I altogether denied this, and I begged them, before seeing the Chancellor, to look at the two notes from the British Embassy and at the communication made by Baron von Plessen, and they would see that the two notes hung together, that the interior limits were in no way referred to, and that the sole question to be diplomatically considered, or referred to the Committee, was how far up the coast we should go beyond our temporary limits.

They told me that in July or August of this year Count Münster was ordered to tell us that a German expedition was going to the north coast of New Guinea, and that they were apprehensive of the jealousy of the Australian Colonies, who had actually recommended that everything in that quarter of the globe, not already British territory, should be at once annexed. Later, Count Münster was desired to leave an *aide-memoire* with Lord Granville, so that their intentions might

be clearly made known. We had, therefore, full warning, they said, that this expedition was about to be made. It is being carried out by the same association—something like our own East India Company—as that which some years ago would have undertaken a similar task in Samoa, and was only prevented by the refusal of the German Parliament to vote the necessary funds. M. de Kusserow supposed they had gone to an expense of a million (marks?) in fitting out this expedition.

I pointed out on the map the part of our proposed protectorate they had taken—namely, from the 145th degree of longitude southward as far as the Gulf of Huon. He asked me if that was the southern point they had taken. I said that I understood that the German flag had been hoisted on three points between longitude 141° and the Gulf of Huon. He replied that the orders given were that this trading association should be recognized, and the protection of the German flag accorded to it, if they established themselves at any point between the Dutch limit, 141st degree of longitude, and East Cape, which is our limit on the southern coast.

This expedition, I gathered, sailed (I presume from some Australian port) in July or August—I think the latter. The name of the principal person in it is Finsch, which I said sounded like an English name. I was told, however, that he is a German from Silesia.

As regards New Guinea, therefore, their case may shortly be summed up that they had duly warned us that an expedition was going to New Guinea; that they had always contended that the north coast should be open to them; that they looked on the limits of our protectorate on the south coast as finally settled by Mr. Scott's note of the 9th October; and that the only question remaining open was how far the limits of our protectorate inland should extend, so as not to clash with theirs on the opposite coast.

I asked whether further annexations were contemplated in the South Seas, or whether I might rest assured that nothing would be done now—in Samoa, for instance—pending the discussion of these questions by the proposed Committee. I reminded them that, so far as I was aware, Lord Granville had received no reply to his offer of assurances to respect Samoa if Prince Bismarck would give reciprocal assurances. They replied that we might safely assume that nothing would be done by them in the South Seas pending the deliberations of the Committee.

I took back the memorandum which I had given Dr. Busch confidentially, detailing our conversation of the 7th, regretting that it should have come to nothing; and I asked them to do two things: to read the two notes of the 19th September and 9th October, together with Baron von Plessen's communication, and to let me know whether it did not bear out the construction I put upon it; and, secondly, whether it was too late for any arrangement to be made by which we could go to the 145th degree of longitude; and I remarked that there need be no difficulty on the score of the Association which is said to have established itself within this territory, as we could undertake their protection.

They said that, having promised the protection of the German flag, they did not think it would be possible to withdraw it. They asked if I was remaining in Berlin, and I said that if I could see any chance of a settlement, and of being useful, I would willingly stay for any length of time, and that I would not, therefore, now leave Berlin. They finally said that they would communicate with me again when they had looked up the subject and spoken to the Chancellor.

Berlin, 24th December, 1884.

R. M.

No. 5.

The Right Hon. the Earl GRANVILLE, K.G., to Sir E. MALET, K.C.B.

SIR,—

Foreign Office, 29th December, 1884.

From Mr. Meade's memorandum of his recent conversation with Dr. Busch and M. von Kusserow, of the German Foreign Office, enclosed in your despatch, confidential, of the 24th instant, it appears that they stated that in July or August of this year Count Münster was ordered to inform Her Majesty's Government that a German expedition was going to the north coast of New Guinea, and that later His Excellency was desired to leave an *aide mémoire* with me on the subject. I have to acquaint your Excellency that no *aide mémoire* on the subject of the islands in the South Pacific has been given to me by Count Münster. He communicated to me, on the 8th August, the substance of one which he had received from Berlin, and you will find it recorded, together with the terms of my reply, in my despatch to the late Lord Ampthill of the 9th August. I submitted the draft of this despatch to Count Münster, who agreed with me that it contained a correct report of our conversation upon the occasion in question.

I have, &c.,

GRANVILLE.

No. 73.

The PREMIER, Victoria, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Melbourne, 11th February, 1885.

Permit me to communicate to you, for your perusal, a copy of a letter of instructions addressed by me to the Agent-General for this colony on the subject of Imperial federation.

The point emphasized in the letter—the relations of the colonies to the Empire, and more particularly to the department of State which administers, in regard to them, the Imperial authority—is not only of equal interest to *all* the colonies, but it is one which recent events have thrown into special prominence.

I feel sure, therefore, that you will not consider it a liberty, nor the time inopportune, thus to invite your attention to the matter.

I have, &c.,

JAMES SERVICE,

Premier.

The Hon. the Premier of New Zealand.

5—A. 4c.

## Enclosure.

## IMPERIAL FEDERATION.

Sir,—

Premier's Office, Melbourne, 20th November, 1884.

In your letters of the 1st and 15th August last you reported the holding of a Conference on Imperial Federation, presided over by the Right Hon. W. E. Forster, M.P., and you enclosed copies of the resolutions passed but you stated that, in the absence of instructions, you did not feel warranted to take any part in the proceedings beyond silent attendance.

2. These papers were laid before both Houses of Parliament on the 5th instant, and a recent telegram in the Melbourne journals notified that a further Conference on the subject would be held in London on the 18th instant. Accordingly, on the 12th idem I despatched to you a telegram, of which I enclose a copy herewith, authorizing you to give a general support to the movement; and I would now explain a little more fully the considerations which have influenced me in this matter.

3. The chief of these considerations is the very anomalous position which these colonies occupy as regards, respectively, local government and the exercise of Imperial authority. In relation to the first, the fullest measure of constitutional freedom and parliamentary representation has been conceded to the more important colonies; but, as regards the second, we have no representation whatever in the Imperial system. Subjects of this part of the Empire may be deeply interested in the action, or, it may be, the inaction of the Imperial authorities, but they have no voice nor vote in those councils of the Empire to which Her Majesty's Ministers are responsible; thus, in all matters in which the exercise of the Imperial authority has interests for them, that authority is, to all intents and purposes, an unqualified autocracy: on the one hand we are under constitutional government, on the other under an antiquated autocracy or bureaucracy.

4. The weakness of this position has at times been most disadvantageously apparent, and its humiliation keenly felt. Lately, more especially, when policy of the highest concern to the Australasian Colonies has had to be administered by the Imperial Government, we have occupied the position of outside petitioners to the Colonial Office, with scarcely more influence than a county member of the House of Commons. I thankfully acknowledge the courtesy extended by the Colonial Office to yourself, as well as, I believe, to the other colonial Agents-General; but it is something more than concessions of courtesy that is needed: colonial interests are sufficiently important to entitle us to some defined position in the Imperial economy—to some tangible means of asserting, if necessary, our rights.

5. It may be difficult to say in what way so vast and scattered an Empire can be federated; but any scheme that may be decided upon, while it cannot take from us anything that we at present possess, must give to the colonies more tangible influence and more legal and formal authority than they have now. I therefore had no hesitation in directing you to give a general support to the idea, guarding, of course, our local self-government.

6. A further consideration is that Victoria, and, I am sure, Australasia, is and always has been heartily loyal both to the Throne and the Empire—a national sentiment which has never failed to express itself on every suitable occasion. The notion, before now openly propounded by Professor Goldwin Smith and others, of disintegrating the Empire by cutting off the colonies has, I am persuaded, little sympathy from Australasians, nor is this altogether a matter of sentiment; but we believe that the colonies, justly and wisely governed, may be tributaries of strength to the parent State; that they and it may be mutually recipients of numberless advantages. I am sure that I speak the mind of colonists generally in expressing our desire to remain, as now, an integral portion of the Empire; and it is in this view, therefore, that I desire to support the movement for Imperial federation.

Robert Murray-Smith, Esq., C.M.G.,  
Agent-General for Victoria, London.

I have, &c.,  
JAMES SERVICE.

## Sub-Enclosure.

TELEGRAM to the AGENT-GENERAL for VICTORIA, London.

Melbourne, 12th November, 1884.

IMPERIAL FEDERATION.—Sympathize with idea, as opposite disintegration Empire. You may support generally, guarding all local rights of government.

JAMES SERVICE.

## No. 74.

The PREMIER, Victoria, to the PREMIER, New Zealand.

Sir,—

Premier's Office, Melbourne, 12th February, 1885.

I have the honour to forward herewith for your information a printed copy of a memorandum which I have addressed to His Excellency the Governor with regard to the British protectorate in New Guinea and the increased contribution requested from the Australasian Colonies to meet its expenses.

The Hon. the Premier of New Zealand.

I have, &c.,  
JAMES SERVICE.

## Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

Premier's Office, Melbourne, 6th February, 1885.

MR. SERVICE has the honour to return Lord Derby's letter of 19th November, covering a copy of the instructions issued to Major-General Scratchley, as Special Commissioner for the Protectorate in

New Guinea, and in doing so would take the opportunity to refer generally to the position of affairs as regards that island.

2. In Lord Derby's despatch of the 9th May last the proposal—in behalf of which the colonies were invited to contribute £15,000—was (*vide* paragraph No. 5—a protectorate over the eastern shores of New Guinea. This, it was never doubted, would include the whole of that part of the island not claimed by Holland; and on that basis the guarantee of £15,000 was accorded. In Lord Derby's despatch of 15th October, however, we were surprised and disappointed to find that the protectorate was defined to be over the southern coast of New Guinea and the adjacent islands, the limits being specifically given in the letter to the Admiralty enclosed in that despatch.

3. Whilst the colonies were thus labouring under a deep sense of disappointment and surprise, Lord Derby, on the 30th October, telegraphed to the respective Governors, asking the colonies to double the amount of their contributions, and this Government replied, through your Excellency, expressing great disappointment at the limited area of the protectorate, and requesting further information. To this we received a telegraphic reply, dated 19th November, to the effect that the matter was left to be dealt with by conference between the colonial Governments and General Scratchley on his arrival.

4. Under these circumstances we looked forward to the arrival of General Scratchley with much anxiety and impatience—feelings which were fully justified by subsequent events; for, while awaiting General Scratchley's arrival, we had the mortification of seeing several of the most important groups of islands, and a portion of New Guinea itself, taken possession of by Germany.

5. This was a very serious blow to the aspirations of these colonies, for by Lord Derby's despatch of the 9th May (*vide* paragraph 4), as well as by other assurances quoted in Mr. Service's memorandum of 20th December, we had been led to believe that the unappropriated part of New Guinea was safe from the interference of foreign Powers. We had also deemed ourselves justified in hoping that the establishment of a protectorate over New Guinea and General Scratchley's appointment were but the precursors of that larger annexation of the islands of the Pacific which it had been the great object of the colonies to secure.

6. And here Mr. Service would remind your Excellency of the first three resolutions passed unanimously by the Sydney Convention of 1883, which ran as follows: "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." These resolutions expressed the views of the delegates from all the colonies, without one exception. It was no lust of territory or expectation of the immediate settlement of the islands of the Pacific which led the members of the Sydney Convention to pass these resolutions: the object they had in view was to keep the English people in these distant lands as far removed as possible from the dangers arising out of European complications; and it was as much in the interest of the Empire as in that of these colonies that these resolutions were adopted. By keeping the colonies comparatively safe, through their very remoteness from neighbours who might, through European complications and Imperial necessities, become enemies, the loyal people of Australasia would have been comparatively free to lend their assistance to the dear old Mother-land in any struggle in which she might be engaged. To gain this object any necessary sacrifice would have been submitted to by the people of these colonies, and they would willingly have borne whatever cost it was requisite to incur.

7. But the position is now materially altered. To our very doors have been brought the elements of danger and the possibilities of strife; and we shall have to provide against that danger and these possibilities, at a cost far exceeding any requirements which could have arisen under the conditions which the united colonies desired and prayed for—and which they were willing to pay for—but which Her Majesty's Government have failed to secure.

8. Under all these circumstances we have had to reconsider the entire position.

9. The arrival of General Scratchley was, of course, the proper time to do this, because from the tenor of Lord Derby's telegram of 19th November, already quoted, we were led to believe that General Scratchley would be able to supply us with information which we had not yet received, and would submit to us some proposals of a definite character relative to the Council of Advice and the increased contribution. But we find, on referring to his formal instructions (and General Scratchley has personally informed us that he has nothing to add outside these), that everything is vague and indefinite in reference to the responsibilities of the colonies and the control of the expenditure. There is, indeed, in these instructions one point made for the first time so clear that there can be no mistake, and that is, that the colonies are expected to pay the whole cost of governing the new territory. Whatever is done, the Imperial Government will contribute nothing. This Mr. Service ventures to say is at variance with what this Government had the right to infer from Lord Derby's despatch of 9th May; and the ground of complaint now is, not so much on account of the money involved, for it is not known what the amount of that would be, as on account of the at-



tempt to cast an indefinite responsibility upon these young communities, the extent of which they have no means of gauging. It was clearly set forth in the despatch referred to that, if the colonies would contribute £15,000, England would thereupon take immediate steps for establishing the Special Commissioner's jurisdiction, with a view to enable him to exercise protection in the name of the Queen over the eastern coasts of New Guinea; but we are now asked by the Imperial Government to do something—they do not say what—over a territory whose limits are undefined, and at a cost which we have no means of computing.

10. It appears essentially reasonable either that the colonies contributing should have the limit of their responsibility clearly defined, or that they themselves should have control over the expenditure. But the Imperial Government propose neither the one thing nor the other. A very few months after undertaking to establish a protectorate over New Guinea on a guarantee of £15,000 from the colonies, Her Majesty's Government asked the colonies to double this amount without assigning any special reason for the increase. The necessity for providing a suitable steamship for the Special Commissioner, referred to in telegram of 30th October as being partly the cause, and which, if it had been omitted from previous consideration, might have been regarded to some extent as a reasonable one for asking for the increased contribution, cannot be so regarded, for a steamer was expressly mentioned in the despatch of 9th May as part of the cost to be covered by the £15,000; it is not surprising, therefore, that the colonies, with their limited means, should desire to know the full extent of the responsibilities likely to devolve on them.

11. What, then, is the exact position of affairs?—1. The Imperial Government have failed in securing to us the main object of our representations. 2. They have asked us to double our contributions without assigning any sufficient cause. 3. They have given us no definite information as to the extent of General Scratchley's jurisdiction. 4. They have submitted no scheme, not even an estimate of the probable expenditure in connection with the new territory which General Scratchley is to govern. 5. They have announced through General Scratchley, without any communication with the colonies—to say nothing of their consent—that the whole expenditure is to be borne by the colonies.

12. Under these circumstances this Government decided—First. That they should place their share of the contribution towards the £15,000 for the year ending 1st June, 1885, at once at the command of General Scratchley, which was done accordingly. Second. That, pending further information, they would recommend Parliament to continue said contribution, but would not be in a position to recommend any increase in the amount until furnished with the information before mentioned, without which Parliament could hardly be asked to vote the money.

13. Victoria does not desire to deal with this matter in an ungenerous or niggardly spirit. In conjunction with Queensland she at once undertook, pending the decision of the other colonies, to guarantee the whole £15,000 originally asked for. And now, although the chief object of her desires is unattained, and apparently now unattainable, she will not allow any monetary consideration to stand in the way of conserving, so far as it is yet possible, the future interests of Australasia in respect to New Guinea and the remaining islands.

14. But the Government must ask—First. Whether these colonies, which are asked to find the money, are to have the control of the expenditure of the new Government? Second. If so, is General Scratchley authorized, or will he be authorized, to submit an estimate of the cost of the new Government to these colonies for their consideration? Third. What are the boundaries of General Scratchley's jurisdiction? Fourth. What are the functions which he is to perform outside the strict limits of the protectorate? Fifth. If these functions are, in any respect, of an Imperial character (as we infer them to be) in contradistinction to matters of immediate interest to these colonies, whether it is intended that the burden of those Imperial functions is to be borne by the colonies?

15. In conclusion, Mr. Service has to express his regret that the financial question should occupy so large a place in this memorandum, but the foregoing will show clearly that this has arisen from no fault of ours. From the beginning the question of money was a merely secondary consideration with us. If we had secured the islands any terms that Lord Derby could have dictated would hardly have been criticised.

16. Mr. Service would also remind your Excellency—so that the attention of the Imperial Government may not be for a moment diverted by these details from the all-important and engrossing question out of which they have arisen—that the public feelings expressed in the telegram forwarded to the Secretary of State by your Excellency at the request of this Government on the 20th December, has not diminished in the slightest degree, but, as your Excellency is aware, has gone on deepening and broadening. Mr. Service feels it his duty to emphasize that telegram now, and to say that the interests of these colonies are so much bound up in the securing the whole of eastern New Guinea that Mr. Service sincerely hopes that the Imperial Government may yet be able to conserve this important territory for the Empire and the colonies.

17. Mr. Service will be glad if your Excellency will forward a copy of this memorandum to the Secretary of State for the Colonies by mail, and a digest of it by cable.

JAMES SERVICE.

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### No. 75.

The PREMIER, Victoria, to the PREMIER, New Zealand.

PLEASE inform Mr. Colton that Griffiths has cabled to Garrick in cypher as follows—viz.: Make urgent representations to Secretary of State for the Colonies of greatest importance give effect to resolutions passed by Convention. Any further departure from resolutions with respect to Hebrides, Samoa, Tonga, will cause much dissatisfaction Australian Colonies; and further inform Mr. Colton that I have cabled our Agent-General in cypher as follows—viz.: See Griffiths telegram to Garrick *re*



islands, and make identical representation. I shall be glad if Mr. Colton can see his way to send identical instructions to Blyth.

Melbourne, 14th February, 1885.

JAMES SERVICE.

No. 76.

The PREMIER, New Zealand, to the PREMIER, Queensland.

THANKS for telegram and for instructions sent. We concur.

18th February, 1885.

ROBERT STOUT.

No. 77.

The PREMIER, New Zealand, to the PREMIER, Victoria.

HAVE wired Griffiths. Thanks; we concur.

18th February, 1885.

ROBERT STOUT.

No. 78.

The PREMIER, Queensland, to the PREMIER, New Zealand.

I HAVE received the following telegram from Garrick in reply to mine of 15th instant: "Admitted to an interview with Secretary of State for Colonies Saturday. General assurances. Her Majesty's Government most desirous give effect Convention resolutions; but Parliamentary papers shortly presented will show circumstances rendered unable carry out some parts.

24th February, 1885.

J. W. GRIFFITHS.

No. 79.

The AGENT-GENERAL to the PREMIER.

INTERVIEW Lord Derby Agents-General to-day. Firstly, Récidiviste Bill; will again remonstrate French Government. Secondly, New Guinea negotiations still pending Germany. Thirdly, Samoa Tonga *status quo* will be maintained.

18th February, 1885.

F. D. BELL.

No. 80.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 26th February, 1885.

I transmit herewith copy of a letter I have received from the Colonial Office, enclosing a telegram which the Earl of Derby addressed on the 19th instant to the Governors of the Australasian Colonies respecting the extent of and means of maintaining British jurisdiction in New Guinea, and also respecting the share which the Imperial Government should bear in the necessary expenditure.

You will see that Her Majesty's Government are ready to entertain the question of an Imperial contribution, recognizing that the German occupation of part of New Guinea, contrary to the wishes of the Australian Colonies, may increase the obligations which would follow the proclamation of Her Majesty's sovereignty in the island instead of a protectorate. Lord Derby requests that the colonial Governments will confer with General Scratchley, and consider with him what extent of territory inland should be annexed, and frame an estimate of the probable annual cost, before that officer goes to New Guinea. In the meantime the formal declaration of sovereignty will be deferred until these arrangements are matured.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

Enclosure.

The COLONIAL OFFICE to the AGENT-GENERAL.

SIR,—

Colonial Office, Downing Street, 21st February, 1885.

I am directed by the Earl of Derby to transmit to you a copy of a telegram which his Lordship has addressed to the Governor of South Australia, with the request that it may be communicated to the Governors of the Australasian Colonies, respecting the extent of and means of maintaining British jurisdiction in New Guinea.

I have, &c.,

The Agent-General for New Zealand.

ROBERT G. W. HERBERT.

Sub-Enclosure.

The Right Hon. the Earl of DERBY, K.G., to Sir W. ROBINSON, K.C.M.G., South Australia.

(Telegram.)

(Sent 12.50 p.m., 19th February, 1885.)

TRANSMIT following telegram to Governors of New Zealand and other Australian Colonies:—

"Her Majesty's Government have carefully considered telegrams from Australian Colonies, urging this country should contribute to New Guinea expenditure, and inquiring extent British jurisdiction.

"Her Majesty's Government will not refuse to entertain question Imperial contribution, recognizing that German occupation of part of New Guinea contrary to wishes colonies may

increase obligations and difficulties; also duty incumbent on Her Majesty's Government of protecting native interests may reduce local revenue; and, thirdly, decision proclaim sovereignty must increase cost establishment. Queen's sovereignty substituted for protectorate provides effective jurisdiction over foreigners and natives. Power will be taken to legislate, establish Courts and civil administration, as elsewhere in British dominions. Large establishment seems quite unnecessary, but colonial Governments best able to advise as to extent and cost. I trust colonial Governments will, without delay, confer with Scratchley and consider with him what extent territory inland should be annexed, and frame estimate probable annual cost, stating how proposed to distribute and permanently secure contributions.

"All should be settled before Scratchley goes out to New Guinea, as formal declaration of sovereignty must be deferred until arrangements matured."

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No. 81.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 21st February, 1885.

I have the honour to acknowledge the receipt of your letter of the 3rd January, and of Sir Julius Vogel's letter of the 19th December, both relating to the Pacific Islands.

I beg to be permitted to offer my respectful acknowledgments for the generous terms of those letters.

I now transmit two Blue Books just issued on the Pacific Islands question, which contain the case of the English Government, in contrast to that of the German Government as given in the Berlin White Books. You will see that the communications now taking place between the two Governments are of a very important kind, and affect all the questions mentioned in your letters to me. I am not able to refer to the leading features in these Blue Books by this mail, but I shall take an early opportunity of doing so. I may say, however, that the New Guinea Blue Book abounds in curious evidence of the misunderstandings which have culminated in a dead-lock between the Governments. The note addressed by Lord Granville to Count Münster on the 7th instant seems to prove beyond question that when the English Cabinet decided to limit Her Majesty's protectorate to the south coast of New Guinea, the Foreign Office and Colonial Office both believed there was an understanding that neither Germany nor England should take any step involving the annexation of any other part of the island without a previous agreement through a Commission or diplomatic negotiations. On the other hand, Prince Bismarck contends that he gave fair warning to this country of his intention to take what England left in New Guinea: that England might have helped Germany in her colonial policy, in which case (on his famous principle of *do ut des*) he would have helped England, meaning, of course, in Egypt; but that, finding himself thwarted instead of helped, he had resolved to seek from France what he had failed to get from England. The two Governments, as you will see, are at direct issue on many essential points of fact.

Your chief interest will no doubt be centred in that part of the Blue Books which relates to Samoa. You will observe that Lord Granville and Lord Derby protest against the "forced treaty" which was imposed upon the King, and announce that if Prince Bismarck determines to carry it into execution, England will have to make a similar treaty with Samoa herself. As regards the unauthorized hoisting of the German flag, that is disavowed by Germany; and from what I have heard confidentially of the Chancellor's instructions, the German Consul either has been or will be ordered to haul it down. But the main point is that the *status quo* at Samoa is to be maintained; and the Blue Book closes with a telegram from Lord Derby to the Governor of New Zealand, on the 18th instant, directing him to send orders to Her Majesty's Consul at Samoa not to give countenance or support to any movement in favour of annexation to England.

You will see that Mr. Meade, Assistant Under-Secretary of State for the Colonies, made a series of propositions to the German Government on the 7th of December, with the object of ascertaining whether some general arrangement could not be come to embracing all the questions affecting England and Germany in South Africa and the Pacific; and that one of these propositions was that "France should be allowed to take the New Hebrides." You will, however, also see, from Mr. Meade's explanation on the 10th February, that his reference to the New Hebrides was solely intended to show that Germany and England were not the only Powers interested in the South Seas; and was never meant as a proposal to give the group to France as part of a bargain with Germany, or to surrender any English claims there except upon terms which should be thoroughly satisfactory to the Australasian Colonies. As I have been all along thoroughly aware of Mr. Meade's ideas, I wish to say that I am sure his explanation is correct. Mr. Meade did yeoman service to New Zealand when Dr. Featherston and I came here as Commissioners for the colony in 1870, and nothing could ever be further from his intention than to do any dis-service to Australasia.

Immediately before these Blue Books were issued, Mr. Gladstone was asked, in the House of Commons, whether he still adhered to his statement of the 18th August last, that the proof of there being no reason to apprehend any intention on the part of a foreign Power to annex New Guinea was not confined to merely negative evidence. I enclose a *Times* report of Mr. Gladstone's answer, which was that his statement was "entirely justified by facts." This, of course, is a flat contradiction of Prince Bismarck.

I also enclose a leading article in the *Times* to-day, commenting on these Blue Books, and a summary of their contents published yesterday in the same paper.

A copy of a telegram that I sent you since my last letter on Pacific Islands matters is annexed.

I have, &c.,

F. D. BELL,

The Hon. the Premier, Wellington.

## Enclosure 1.

[The Times, Saturday, 21st February, 1885.]

HOUSE OF COMMONS, Friday, 20th February.

## New Guinea.

Mr. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether he would inform the House what was the evidence to which he referred, and by whom it was given, when he used these words in his reply on the 18th of August, 1883: "The evidence on which I spoke when I said there was no reason to apprehend any intention of a particular kind on the part of any foreign country to annex New Guinea is by no means confined to mere negative evidence."

Mr. GLADSTONE.—In consequence of the question of the honourable member, I have referred to the documents which I had before me at the time I used the words quoted, and I am bound to say that the statement I made was entirely justified by the facts; but the documents have not been laid before Parliament, and I do not think that it will be fit that I should enter into further details. Since that time one foreign Power, if not more than one foreign Power, has seen fit to adopt intentions which at the time I spoke it had not adopted, and that change of intention has led to a correspondence with Her Majesty's Government which is now proceeding.

Mr. LOWTHER.—Will the documents referred to be presented to Parliament?

Lord E. FITZMAURICE.—Yes, Sir, they will.

Sir M. HICKS-BEACH.—Are we to understand that some other foreign Power had an idea of annexation in New Guinea?

Mr. GLADSTONE.—I did not intend to convey that.

## Enclosure 2.

[The Times, Thursday, 26th February, 1885.]

THREE important Parliamentary papers have been issued during the last two days dealing with the questions at issue between England and Germany in the Pacific and on the coast of Africa. One contains certain memoranda of conversations held with Prince Bismarck and Dr. Busch by Mr. Meade, a high official of the Colonial Office, during his recent visit to Berlin in connection with the West African Conference; another is a Blue Book giving the full history of the New Guinea and Samoan questions, from the middle of 1883 to the present month; and the last treats of the affairs of the Cameroons. We also published yesterday two not unimportant announcements on cognate subjects; the one that an Anglo-German Commission is about to meet in Cape Town for inquiring into claims to property on the south-western coast of Africa, in what may be roughly described as the Angra Pequena region, and the other that Zanzibar is not offering herself to Germany. The last came to us from our correspondent, Dr. Badger, who had received a telegram to that effect from the Sultan of Zanzibar. The communication from the Sultan was in answer to private advices received by him from London to the effect that he had offered the protectorate over his territories to the British Government, and that, having been rejected by them, he was "intent on offering the same to Germany." He laconically telegraphs to say that "the news is all false;" so that it is at least presumable that at present Germany is either not attempting, or is at all events not likely to obtain, a settlement in that quarter of Africa. With regard to the Parliamentary papers, the first contains Mr. Meade's own account of the conversation with Prince Bismarck, to which reference was made in the White Book summarized in our columns on the 7th instant, together with a similar conversation held with Dr. Busch, the Chancellor's faithful Under-Secretary. Interesting as these are in themselves, their chief value—as the proposals sketched by Mr. Meade were declined and came to nothing—lies in the light they throw on Prince Bismarck's present attitude and temper with regard to this country. Mr. Meade talked first of Angra Pequena, and had to answer the Chancellor's repeated complaints about our supposed desire to "cramp German energies" in those regions. Then he developed his scheme—for which he was careful to claim the full responsibility—for settling the respective claims of Great Britain, Germany, and France in the South Pacific. Germany was to withdraw from New Guinea, and to have the New Britain and New Ireland groups of islands; France to have the New Hebrides; England was to take the whole of New Guinea not claimed by the Dutch; and in Samoa the *status quo* was to be observed. Prince Bismarck was far from pleased with these proposals, and made the astonishing statement, with regard to the much-canvassed hoisting of the German flag on the north coast of New Guinea, that he had never heard of the notes addressed on the 19th September and 9th October to Dr. Busch by Mr. Scott, the British Chargé d'Affaires at Berlin. On the whole, the Chancellor was less than amiable on this occasion, and in rejecting Mr. Meade's scheme remarked that "up to two years ago he had done everything he could to facilitate English policy in Egypt and elsewhere, but for some time past he had been treated in a different manner by England, whose actions did not accord with her professions."

What Prince Bismarck's notion is of a State whose actions do accord with her professions, and how strange a notion that is, may be read at length in the larger Blue Books, which tell a story of sharp practice on the part of Germany to which the history of civilized countries offers few parallels. We may especially call attention to the long note addressed by Lord Granville to Count Münster on the 7th instant, in which the Foreign Secretary proves beyond question that in September last, when England abandoned the idea of annexing the whole of New Guinea not occupied by the Netherlands, there was an understanding between the two Governments "that neither of them should take any step involving the annexation of any portion of the still unoccupied coasts of New Guinea without a previous agreement by means of a Commission or of diplomatic negotiations." Yet, in spite of this, the German flag was hoisted on the north coast without notice of any kind, to the great irritation of Australia. This step, and the consequent resumption by Great Britain of her

freedom of action, have greatly tended to produce the strained relations at present existing between Germany and ourselves; for, while we very naturally object to the German measure, the Chancellor takes equal exception to the steps announced in Sir Edward Malet's note of the 17th January—the instructions, namely, sent to the Commodore on the Australian station to proclaim the annexation of the north-east coast, from East Cape to the Gulf of Huon, that being the supposed eastern limit of the German annexations. To such a difficulty are we reduced by Lord Derby's original repudiation of the bold move first taken by Queensland. The chief evidence of the Chancellor's anger at this proposal is given in the very interesting despatch from Sir Edward Malet, dated the 24th January, of which we yesterday reprinted the essential portions. This records a conversation between the Ambassador and the Prince, in which the latter dwells upon his breach with England, and reads an earlier despatch of his own to Count Münster. England, he had said, might have greatly helped Germany at the beginning of her colonial career; and, on the principle of *do ut des*, the Chancellor would in return have helped England nearer Home. That is to say, had England furthered the German schemes of colonial annexation, Germany would have aided her to establish herself in Egypt. But England had not done so, or, at least, had not done so to the Chancellor's satisfaction, so he had turned his attentions elsewhere, and had determined to "seek from France the assistance which she had failed to obtain from England, and would draw closer to her on the same lines on which she now endeavoured to meet England." Unfortunately, the Prince was determined to keep Sir Edward Malet in the dark when the Ambassador asked the very natural and pertinent question, what it was he exactly wanted. To all inquiries whether it was New Guinea or Zululand, or some other region, he replied in ambiguities. The Prince had arranged matters with France, and would say no more; so that, like Sir Edward Malet, the British public must content itself with guessing at his precise meaning until some further disagreeable occurrences put it beyond doubt.

The last matter dealt with in the Pacific Blue Book is the agreement lately signed between Germany and Samoa. This is treated principally in various reports of the British Consul, Mr. Churchward, in the note sent by Count Münster to Lord Granville on the 28th January, and in Lord Granville's elaborate reply, dated the 16th February. A careful reading of the evidence will leave no doubt that, in this matter at least, though it may not ultimately be of much consequence, the action of Germany has been of the most questionable kind. Count Münster, who forwards a translation of the agreement entered into between Germany and the King of Samoa, maintains that this is merely a corollary from the old "treaty of friendship" of 1879; that it provides for "greater legal security and an improved penal administration," and nothing more. But, as Lord Granville points out, the manner in which this is effected is by "the creation of a State Council, the appointment of a German officer of the Samoan Government, and the enrolment of a German police to protect the plantations of German subjects." It is true that the German Government has repudiated the action of their consul who hoisted the German flag at Apia; but, when so many essential points are secured, the flag is a mere formality. It is interesting to see, from the pathetic letter addressed by King Malietoa to the Emperor William, that the unfortunate ruler of Samoa does not at all appreciate the forced agreement which, as he declares, the Germans have made him sign. Lord Derby has refused to entertain any idea of annexing Samoa to England; the Blue Book closes with his despatch to that effect. But it certainly ought to belong to no one else; and if England is not to disturb the *status quo*, Germany should also decline to do so. This is the principle on which the Colonial and Foreign Offices seem to have proceeded in the matter, and, on the whole, we may say that the Blue Book, although the record of a long misunderstanding is not pleasant reading, sets the recent action of our Government in a better light than have some previous papers, and is a useful corrective to impressions derived from German sources alone.

The last Blue Book, which was issued yesterday, contains the despatches and correspondence relating to the Cameroons and the proceedings of Germany in relation to that district. It is even less pleasant to read than are the other documents, for the story of the German annexation of the Cameroons is an example of the very reverse of straightforward dealing in political matters; while the relations between the English and German Foreign Offices brought about by that annexation are shown to be in an extremely unsatisfactory condition. We need add but a few comments to the summary of the contents of the Blue Book which we print elsewhere; for the case is one where comments can be of only one kind. It is almost enough to call attention to the brief history of Dr. Nachtigal's mission, to the terms in which Count Vitzthum, of the German Embassy, asked for the good offices of the British authorities, and to the real issue of the mission. Count Vitzthum wrote that Dr. Nachtigal was going to West Africa, in a gunboat, "in order to complete the information now in the possession of the Foreign Office at Berlin on the State of German commerce on that coast." Dr. Nachtigal, moreover, "was authorized to conduct, on behalf of the Imperial Government, negotiations connected with certain questions." He got his recommendations to the British authorities; he went out, and, in spite of the fact that the Cameroon petty chiefs had long been asking for a British protectorate, he hoisted the German flag; and, when the natives made a riotous protest, the German men-of-war bombarded and burned their towns. Prince Bismarck's answer to the mild protest of England is most instructive. Of course, he says, England was never told the true reason of Dr. Nachtigal's mission; if she had been informed she would have forestalled him. Yet Prince Bismarck, when we reply by declaring a British protectorate over the coast westward from Amba Bay to the Niger and the Lagos colony, is indignant; speaks of it as "a very unfriendly act," and employs petty retaliatory measures against the English Vice-Consul and some of the traders. Lord Granville can hardly be blamed for believing Count Vitzthum's word; and he may frankly be praised for the tone and matter of his subsequent despatches. The national conscience is perfectly clear in this matter; and we can but regret that Prince Bismarck should have thought it worth while to strain the relations between the two countries for a gain so trifling as the acquisition of the flat, swampy, and unhealthy Cameroons—especially as we retain, in the coast of Amba Bay and the neighbouring mountain, almost the only part of that region that can be inhabited by Europeans.

## Enclosure 3.

[The *Times*, Wednesday, 25th February, 1885.]

## NEW GUINEA AND SAMOA.

A BLUE BOOK of 166 pages (C. 4273) was issued yesterday containing a long and elaborate correspondence respecting New Guinea and other Western Pacific islands. The correspondence has throughout a special reference to the action of Germany in that quarter of the globe, and may be taken as a reply to Prince Bismarck's recent New Guinea White Book, which was summarized at length by our Berlin correspondent. It is impossible to go fully into the various and complicated questions on which this Blue Book throws light; we content ourselves with referring briefly to the more important points of the correspondence, which has culminated in the unfortunate misunderstanding between England and Germany that became apparent when the German White Book appeared.

After dealing with various matters, including the appointment of General Scratchley as "Special Commissioner to control the Protectorate in New Guinea"—General Scratchley's instructions are printed in full on pages 29 and 30—there is a series of despatches setting forth the various steps taken by England and Germany respectively in New Guinea and other Western Pacific islands which led up to the deadlock between the two countries. The latest phase of the situation is explained in two despatches, the former of which reports a conversation held between Sir E. Malet and Prince Bismarck, while the latter gives Lord Granville's reply. Subjoined is an extract from the former, in which Sir E. Malet recounts to Lord Granville, under date 24th January, 1885, his conversation with Prince Bismarck. After reference to the German annexations in New Guinea, which Prince Bismarck says he understood he was free to make, Sir E. Malet continues: "He (Prince Bismarck) proceeded to say that, in order to show me how different were our relations only a year ago, and how much he had desired that the good relations then subsisting should continue, he would read me a despatch which he addressed to Count Münster on the 5th of May last. He must believe that Her Majesty's Government had entirely failed to appreciate the importance which his Government attached to the colonial question, as he could not suppose that, if your Lordship had understood it, the successive annoyances to which Germany had been exposed would not have been averted. This despatch of the 5th of May to Count Münster was a very remarkable one. It stated the great importance which the Prince attached to the colonial question, and also to the friendship of Germany and England. It pointed out that, in the commencement of German colonial enterprise, England might render signal service to Germany, and said that for such service Germany would use her best endeavours in England's behalf in questions affecting her interests nearer home. It pressed these considerations with arguments to show the mutual advantage which such understanding would produce, and it then proceeded to instruct Count Münster to say if it could not be effected the result would be that Germany would seek from France the assistance which she had failed to obtain from England, and would draw closer to her on the same lines on which she now endeavoured to meet England. The despatch was a long one, and the Prince read it to me in German, but the above was the gist of it. Prince Bismarck went on to say that, not being satisfied with the result, and attributing it in part to the Ambassador not having stated the points with precision, he sent his son, Count Herbert Bismarck, to England, in the hope that he might succeed where Count Münster had failed; but that he, unfortunately, had only succeeded in obtaining those general friendly assurances of goodwill which were of little value in the face of subsequent occurrences. The Prince then read to me a draft of a despatch which he is now sending to Count Münster, in which he takes up a remark, which His Excellency attributes to your Lordship in a report on the Egyptian question, to the effect that the attitude of Germany on the colonial question makes it difficult for your Lordship to be conciliatory on other points. The Prince next reverted to what he termed our closing-up system, and he mentioned Zululand, observing that the Boers claimed a cession dating from 1840 with King Panda. I said that I feared the Prince's good faith had been imposed upon, as no such State as the Transvaal had existed at that date, and that the only Boers who could have obtained a cession of territory, if such existed, were our own subjects. The Prince replied that it was not a question which a lawsuit would settle. I then said to the Prince that the whole situation was undoubtedly a very unsatisfactory one, and that it gave me great pain, as it had been my hope and endeavour, under instructions from your Lordship, to bring about a more cordial understanding between the two Powers; that I knew that it had never been the intention of Her Majesty's Government to thwart the colonial aspirations of Germany; and that, in my opinion, our action had repeatedly shown this desire; but I said that it would be impossible for us to act so as to meet his wishes, even where it was easy for us to do so, unless we knew what those wishes were, and I therefore begged him to tell me what now, at this moment, he wanted. Was it the parts of New Guinea which we were now annexing? Was it Zululand? I said that the knowledge of his wishes, whatever they might be, was better than that we should go on mutually acting in the dark and consequently running against each other. The Prince replied that the understanding which he had arrived at with France in consequence of his failure to come to one with us put it out of his power to take up the question now, as he had expounded it to us in May. The long conversation came to an end by his saying that he had been anxious to explain to me the series of circumstances that had preceded the present phase of the political relations between the two countries, which he was sure I must regret as much as he did."

To this Lord Granville replies on the 7th February, in a long despatch to Sir E. Malet, in which he says: "The misunderstandings referred to by Prince Bismarck in his conversation with your Excellency are due to the suddenness with which Her Majesty's Government became acquainted with the departure by Germany from her traditional policy in regard to colonization; and the misconceptions which have produced a change of attitude on the part of Prince Bismarck towards this country can only be attributed to causes for which, as I will presently show, Her Majesty's Government are not responsible."

Lord Granville then proceeds to combat in every particular Prince Bismarck's allegation that England had shown a jealousy of Germany's colonial aspirations, and a desire to stifle her various colonial enterprises. In conclusion, he says: "I have only now to observe upon the remark which has been attributed to me, to the effect that the attitude of Germany on the colonial question made it difficult for me to be conciliatory on other points. I have never used any threat to obstruct the colonial policy of Germany, or conveyed anything more than the mere fact that the recent attitude of Germany as to Egypt had for the moment changed from the friendly one previously maintained towards this country. All my declarations, in public and private, as well as those of Mr. Gladstone, and many of my colleagues, have been most favourable to German colonization. I authorize your Excellency to leave a copy of this despatch with Prince Bismarck."

This practically concludes the correspondence on the general question. But throughout the Blue Book there recurs at intervals a special correspondence on the subject of Samoa and Tonga, which has a peculiar interest and importance in view of the recent treaty concluded between Germany and Samoa. In consequence of a movement, both in Samoa and New Zealand, in favour of the annexation of Samoa by Great Britain, the German Government obtained from the British Government on the 4th of last December an assurance that the independence of Samoa and Tonga would be respected, provided that "reciprocal assurances" were obtained from the German Government. This assurance is repeated later on, and it appears that the German Government satisfied Lord Granville that they had no intention to interfere with the independence of the two islands. The repeated petitions of the King and chiefs of Samoa for annexation to Great Britain were disregarded. But on 6th January last Lord Derby received a telegram from the Governor of New Zealand informing him that two German vessels had arrived at Samoa, and the officers had forced the King to sign a treaty giving the whole authority of the Government to the German representative. On the 16th of the present month Lord Granville wrote as follows to Count Münster: "If, M. l'Ambassadeur, this agreement had been confined to the establishment of a Court, and of the procedure to be observed in civil and criminal cases, and the punishment of offences in which German subjects are concerned, for which alone Article VII. of the German Treaty in 1879 provides, its provisions would not, in the opinion of Her Majesty's Government, have been open to criticism, but the creation of a State Council, the appointment of a German officer of the Samoan Government, and the enrolment of a German police to protect the plantations of German subjects, appear to place Her Majesty's subjects at a disadvantage, and will prevent the Samoan Government from acting independently in matters which affect the whole community. The arrangement seems, in fact, to give to Germany alone much of the influence with which, in 1880, it was proposed to invest an Executive Council, to be composed of one English, one German, and one United States member. To this arrangement Her Majesty's Government declined to accede, on the ground that it involved too great an interference with the Government of the island to allow of its being assumed by the representatives of Great Britain, Germany, and the United States conjointly. . . . The feeling in Samoa in favour of English annexation appears to be spontaneous and genuine, and there seems no more reason to suppose that it has been instigated by Englishmen than that it has been intensified by the recent action of the German representatives. I have so recently informed your Government of the conditions upon which Her Majesty's Government were prepared to respect the independence of both Samoa and Tonga that I need hardly repeat my assurances on this subject. I beg, however, to take this opportunity of expressing the gratification with which I had learnt from Her Majesty's Ambassador at Berlin, and from your Excellency, that your Government had promptly repudiated the action of their Consul at Apia in hoisting the German flag over some land there. It is unavoidable that in places far distant from Europe the action not only of British and German individuals, but even of official servants of each State, may be such as, unchecked, might lead to unnecessary complications. Immediate inquiry and consequent action on the part of the respective Governments, such as the German Government have now adopted, and which Her Majesty's Government are ready to adopt on all similar occasions, are the best antidotes against this risk."

In consequence of German action the following letter was addressed by the King of Samoa to the Emperor of Germany: "Mulinu, 29th December, 1884. Your Majesty,—I am writing to your Majesty to make known my distress on account of difficulties which are being caused to me and my Government by gentlemen of your Government who are resident in Samoa. I humble myself and beg and entreat your Majesty to listen to my complaint. The first thing concerning which I wish to make known my complaint to your Majesty is this: The agreement made on the 10th November between the Government of Germany and the Government of Samoa. The means by which that agreement was procured were unjust, for we did not want it and we were not permitted to deliberate and consider well concerning it. I wrote to the German Consul to give me a copy of that agreement in order that we might understand clearly the words in the agreement. But he was unwilling to give me a copy of that agreement in order that we might understand clearly the words in the agreement. But he did not reply, as he was unwilling to give me and my Government a copy unless we should first accept it, after which he would deliver up a copy to me and my Government. But the reason for my accepting it and for writing our names, Malietoa and Tupua, was on account of our fear through our being continually threatened. I make known this to your Majesty in order that our withdrawal from the agreement may be known on account of its containing many impracticable clauses. Therefore I beseech your Majesty not to assent to that agreement. There is another matter concerning which I complain to your Majesty. It is in reference to difficulties which are being caused at the present time by a subject of your Government, M. Weber. He is continually endeavouring to produce divisions which will bring about wars and quarrels in Samoa. I have many accounts of his acts which he is doing at the present time in order to cause difficulties in Samoa. He is scheming with certain Samoan chiefs, and keeps giving them money in order that they may obey his will and bring insurrections against my Government.

I complain to your Majesty on account of the wrong things done by M. Weber in order that you may check that gentleman and prevent him from continuing to cause matters to arise which will lead to the shedding of the blood of men of my Government. I trust that your Majesty and your Government may prosper.—I am, MALIETOA, King of Samoa."

The Blue Book concludes with the following telegram from Lord Derby to Sir W. F. Jervois, Governor of New Zealand: "February 18, 1885.—Forward by first opportunity to Consul, Samoa, direction not to give any countenance or support to any movement for annexation to Great Britain."

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No. 82.

The PREMIER, Victoria, to the PREMIER, New Zealand.

REFERRING to my telegram of 29th January *re* Federal Council Bill, I shall be glad to have your No. 68. views as to amendments as early as convenient. Imperial Government only awaiting reply of Colonies to introduce Enabling Bill. The chief amendments proposed as the withdrawing clause with majority if Australian colonies are opposed to, unless its adoption would secure the adhesion of New South Wales or New Zealand.

JAMES SERVICE.

Melbourne, 26th February, 1885.

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No. 83.

The PREMIER to the AGENT-GENERAL.

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. I think Bill should be postponed until colonies better agreed. Press views Colonial Office, and make public.

5th March, 1885.

ROBERT STOUT.

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No. 84.

The PREMIER, New Zealand, to the PREMIER, Victoria.

AFTER due consideration, the Cabinet resolved to wire following to Agent-General. For us to have agreed to the Bill would have been to defeat the vote of the House of Representatives: "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. Please wire to other colonies."

5th March, 1885.

ROBERT STOUT.

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No. 85.

The PREMIER, Victoria, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Melbourne, 9th March, 1885.

Referring to your letter of the 11th October, and to previous correspondence relative to the contribution of £15,000 required by the Imperial Government from the Australian Colonies towards the expenses of Her Majesty's protectorate over portion of New Guinea, I have the honour to forward herewith, a copy of a statement which I have had prepared showing the proportion of the above contribution which would be payable by each of the several colonies interested on the basis of population (exclusive of aborigines) as ascertained by the census of 1881.

It is necessary that I should explain, however, that before making the computation referred to £73 was deducted from the total amount, that being the contribution to be given by Fiji, on a revenue instead of a population basis, as suggested by that colony and generally concurred in by the other Governments concerned.

I shall be glad if you will be so good as to inform me at your earliest convenience whether your Government approve of the scheme of apportionment submitted; and, if so, what course you deem it desirable should be pursued with regard to payment of the amount of the contribution.

I have, &c.,

WM. SEWELL,  
(for the Premier.)

The Hon. the Premier, New Zealand.

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Enclosure.

STATEMENT referred to in Letter of PREMIER, Victoria.

	£	s.	d.
Victoria ... ..	4,693	8	8
New South Wales ... ..	4,084	14	4
New Zealand ... ..	2,668	18	9
South Australia ... ..	1,524	11	7
Queensland ... ..	1,163	3	9
Tasmania ... ..	630	6	2
Western Australia ... ..	161	16	9
Fiji ... ..	73	0	0
Total ... ..	£15,000	0	0



## No. 86.

The PREMIER, New Zealand, to the PREMIER, Victoria.

Premier's Office, Wellington, 12th March, 1885.

SIR,—  
No. 73. I have the honour to acknowledge the receipt of your letter of the 11th ultimo (Circular 85/503), forwarding copy of a letter of instructions addressed by you to the Agent-General for Victoria on the subject of Imperial federation, which I have perused with much interest.

The Hon. the Premier, Victoria.

I have, &c.,  
ROBERT STOUT.

## No. 87.

The PREMIER, New Zealand, to the PREMIER, Victoria.

Premier's Office, Wellington, 12th March, 1885.

SIR,—  
No. 74. I have the honour to acknowledge the receipt, with thanks, of your letter of the 12th ultimo (Circular 85/544), enclosing a printed copy of the memorandum addressed by you to His Excellency the Governor of Victoria, with regard to the British protectorate in New Guinea, and the increased contribution requested from the Australasian Colonies.

The Hon. the Premier, Victoria.

I have, &c.,  
ROBERT STOUT.

## No. 88.

The AGENT-GENERAL to the PREMIER.

7, Westminster Chambers, London, S.W., 13th March, 1885.

SIR,—  
I transmit to you herewith a *Times* report of what took place in the House of Commons last night upon several subjects of interest to Australia and New Zealand at this moment, affecting the relations between England, Germany, and France.

The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

## Enclosure.

[The *Times*, Friday, 13th March, 1885.]

HOUSE OF COMMONS, Thursday, 12th March.

*Foreign Relations and Colonial Interests.*

MR. GORST asked whether attention had been called to the following statement made by the late Governor-General of Canada in the *Nineteenth Century*: "It should not be possible for Downing Street to negotiate with France about the abrogation of her fishing rights in Newfoundland without informing Canada of what is contemplated. It should not be possible for British Ministers to propose that France be given islands in the Pacific in lieu of rights in Newfoundland without consulting Australia;" whether the negotiations referred to by Lord Lorne were still pending, or had been brought to a conclusion; which were the islands in the Pacific that the Government proposed to give to France without consulting Australia; and whether, before any treaty was concluded, full information on the subject would be given to the Governments of the Australian Colonies and New Zealand and to the British Parliament.

MR. ASHLEY.—I have noticed the statement in question. The negotiations referred to are still pending. They relate to the Society Islands, part of the Tahiti Group, and at a great distance from any part of Australia. They involve no cession of territory to France, but a possible waiver of rights under a declaration relating to those islands in return for reciprocal concessions. There is no question of the conclusion of any treaty. The interests of the Australian Colonies in these negotiations will not be lost sight of, but there is nothing which calls for any departure from the usual course of proceeding in such matters.

MR. GORST gave notice of a further question, Whether, by a Convention of 1847, France had not acknowledged the independence of certain of the Society Islands, and engaged never to take possession of them in any form; whether the French flag had not been hoisted some time ago on one of those islands; and whether Her Majesty's Government had not offered to recognize the French flag in return for the abrogation of French fishing rights in Newfoundland.

*New Guinea.*

MR. GORST asked the Under-Secretary of State for the Colonies whether Her Majesty's Government had reason to believe that the northern coast of New Guinea had been, or was about to be, taken over by a private German association for colonization and administration similar to the British North Borneo Company; whether such an arrangement would give Germany any greater sovereign rights in New Guinea than Great Britain had in Borneo; and whether the right of such private association to exercise jurisdiction over British subjects would be recognized by Her Majesty's Government.

MR. ASHLEY.—Her Majesty's Government have no information as to the proposed administration of the northern coast of New Guinea by a private German association similar to the North Borneo Company. No sovereign rights are claimed by Great Britain in Borneo. The third is a hypothetical question, and cannot be answered without a knowledge of the conditions under which such an association would claim to exercise jurisdiction.



Sir W. McARTHUR asked the First Lord of the Treasury if the statement in the *Pall Mall Gazette* of Monday, the 9th instant, was correct—namely, “That Her Majesty’s Government had surrendered Huon Bay, in New Guinea, to the German Government, and that the line of demarcation between England and Germany in New Guinea will be latitude 8° south of the equator.”

Mr. GLADSTONE, who was indistinctly heard, said,—The case stands thus: There was a claim or desire on the part of the German Government to annex the whole of what is known as the north and north-eastern coast of New Guinea. On the 2nd of this month Her Majesty’s Government repeated an offer, which they had previously made on the 7th February, to settle in a friendly manner the best point on the north-eastern coast for fixing the boundary between the German protectorate and that portion of the coast held by England. The negotiations on this subject have commenced, and have advanced in a satisfactory manner, but have not reached a stage when the details can be stated to the House. The aim of Her Majesty’s Government is to secure, in addition to the southern coast, which has been already appropriated, a fair division of the northern coast of New Guinea.

Mr. W. REDMOND asked whether this was the way in which Her Majesty’s Government showed their appreciation of the recent offers of the Australian Colonies to send troops to the Soudan (“Oh!”), and whether Her Majesty’s Government had not conceded to Germany the right of annexing parts of New Guinea which the Queensland Colony and other Australian Colonies had desired to annex.

Mr. GLADSTONE asked for notice.

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### No. 89.

*Despatch from the Governor of New South Wales, dated 18th March, 1885, respecting the Bill for the Constitution of a Federal Council for Australasia.*

Governor Lord AUGUSTUS LOFTUS, G.C.B., New South Wales, to the Right Hon. the EARL of DERBY, K.G. (Received 28th April, 1885.)

MY LORD,—

Government House, Sydney, 18th March, 1885.

I have the honour to inform your Lordship that on its receipt I duly communicated to my Government your Lordship’s despatch of the 11th December, 1884, containing suggestions for the revision of the draft Bill passed by the Convention of Sydney for the establishment of a Federal Council of Australasia.

2. This subject has engaged the attention of my Government, and I am now enabled to forward to your Lordship their views contained in a telegram addressed by Mr. Dalley to the Premier of Victoria, of which I have the honour to enclose a copy.

3. Mr. Dalley therein states that this Government is embarrassed in submitting any distinct proposals on this question by the circumstance that the Parliament of New South Wales has declined to sanction the course of procedure resolved upon by the Convention. He adds that in order to speak authoritatively a definite expression of parliamentary opinion should be obtained, and in the absence of it his colleagues feel unable to suggest anything concerning the proposed measure.

I have, &c.,

The Right Hon. the Earl of Derby, K.G.

AUGUSTUS LOFTUS.

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### Enclosure.

The ACTING COLONIAL SECRETARY to the PREMIER, Victoria.

(Telegram.)

Sydney, 11th March, 1885.

In the great demand upon the time and attention of Ministers here, made by recent events, the consideration of the question of the submission of our views concerning the amended Enabling Bill by the Imperial Government has been necessarily delayed. As I perceive you propose at once transmitting through South Australia the views of all the colonies, I hasten to inform you of our position on this question. As you are aware, we are embarrassed in submitting any distinct proposals by the circumstance that our Parliament has declined to sanction the course of procedure resolved upon by the Convention. In order to enable us to speak authoritatively, a definite expression of parliamentary opinion should be obtained; and in the absence of this my colleagues feel unable to suggest anything concerning the measure.

WILLIAM BEDE DALLEY.

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### No. 90.

*Papers relating to the Bill for the Constitution of a Federal Council for Australasia.*

No. 1.

Governor Sir H. B. LOCH, K.C.B., Victoria, to the Right Hon. the Earl of DERBY, K.G. (Received 27th February, 1885.)

MY LORD,—

Government House, Melbourne, 20th January, 1885.

I have the honour to acknowledge the receipt of your Lordship’s despatch of the 11th December ultimo, enclosing copies of the Australasian Federal Council Draft Bill, showing the amendments proposed by Her Majesty’s Government, and requesting an expression of opinion from the colonies thereon.

2. I have forwarded this despatch and its enclosure for the consideration of my Government, and will inform your Lordship at the earliest moment possible of the observations my Ministers may make upon this measure.

I have, &c.,

The Right Hon. the Earl of Derby, K.G., &c.

HENRY B. LOCH.

## No. 2.

Administrator A. C. ONSLOW, Western Australia, to the Right Hon. the Earl of DERBY, K.G.  
(Received 10th March, 1885.)

MY LORD,—

Government House, Perth, 29th January, 1885.

I have the honour to acknowledge the receipt of your despatch of the 11th December last, transmitting a copy of the Australasian Federal Council Draft Bill, showing the amendments which Her Majesty's Government think desirable to be made therein.

2. In compliance with your Lordship's instructions, this Bill, with its amendments, has been carefully considered by this Government at a meeting of the Executive Council, at which all the members of the Council, with the exception of the Surveyor-General, who is absent on leave, were present.

3. On the 27th instant I forwarded to your Lordship a telegram, of which the following is a copy: "In reply to your despatch No. 89, amendments accepted. Despatch follows by mail."

4. I have now the honour to inform your Lordship that this Government has no observations to offer upon any portion of the Bill or the proposed amendments thereto, excepting only upon the point to which I beg respectfully to be allowed to allude.

5. This Government was not able clearly to reconcile the object of the omission of the third line in the 15th clause with the effect of the words which are proposed to be added to and which constitute the last two lines of the 20th clause.

6. It would appear, at first sight, that the object of the amendment in the 15th clause is to prevent the Federal Council from having unlimited jurisdiction and control over British ships sailing between Her Majesty's possessions in Australasia.

7. It would also appear that the intention of the words proposed to be added to the 20th clause is to bring within the jurisdiction of the Council all British ships other than Her Majesty's ships of war, whose last port of clearance or port of destination is in any such (*i.e.*, Australasian) possession or colony. In other words, it would appear that the 20th clause as amended confers the very power which it was the object of the amendment in the 15th clause to cut away.

8. The exemption in favour of Her Majesty's ships of war does not appear to be the essential portion of the amendment.

9. It is possible that the real object is to prevent British ships from coming within the operation of any Acts of the Federal Council, unless such Acts shall have previously received Her Majesty's assent in the manner provided by the Bill; which object without these amendments would not have been attained, as the 15th clause unamended would bring such vessels within the operation of the Federal Council's Acts before Her Majesty's assent had been obtained.

10. I fear it is the fault of this Government that we have not been able clearly to see the intentions of Her Majesty's Government in this matter, but I have thought it my duty to lay before your Lordship very respectfully the difficulty as it appear to us.

11. A slight verbal alteration (which I think a good one) has also been suggested to be made in the 31st (new) clause, *i.e.*, the use of the words "the Legislature of which" instead of the words "in which the Legislature." As the clause stands, the word "Legislature" might possibly be interpreted to mean the Federal Council when sitting in any particular colony; whilst the expression "the Legislature of which" can only be taken to mean the Legislature of that particular colony which is designated by the expression "This Act shall cease to be in operation in any colony."

The Right Hon. the Earl of Derby, K.G., &c.

I have, &c.,

ALEX. C. ONSLOW.

## No. 3.

Governor Sir A. MUSGRAVE, K.C.M.G., Queensland, to the Right Hon. the Earl of DERBY, K.G.  
(Telegraphic.) (Received 12th March, 1885.)

12TH MARCH.—Proposition of Federal Council Bill carefully considered. Colonial Government do not agree to amendment clause 3; similar enactment contained in Constitution of colony; consider essentially necessary. Do not agree to amendment clause 5; carefully considered Convention; such modifications as may be necessary can await draft of Act colonial Legislature. Do not agree to amendment clause clause 15; quite sufficiently provided for (in) last subdivision as far as desirable at present. Do not agree to amendment second clause 26; very particularly fully discussed carefully considered Convention. Do not agree to amendment clause 31; consider it undesirable, very. Not quite certain whether I rightly understand proviso to amendment. Rest of answer unavoidably delayed; endeavouring to ascertain opinion New South Wales. Despatch follows.

## No. 4.

The AGENT-GENERAL for Victoria to the COLONIAL OFFICE.

8, Victoria Chambers, Victoria Street, Westminster, S.W.,  
16th March, 1885.

SIR,—

I have the honour to inform you that I have received a telegraphic despatch from the Hon. James Service, Chairman of the Committee of Premiers appointed by the Sydney Convention, with reference to the series of amendments proposed by the Earl of Derby in his despatch of the 11th of December last to the Governors of the Australian Colonies on the subject of the Enabling Bill for the establishment of a Federal Council of Australasia adopted by the Convention.

Mr. Service states that the Governments of the Colonies of Queensland, South Australia, Tasmania, and Victoria all agree as follows: Clause 1. Proposed amendment is agreed with. Clause 3. The colonies are of opinion that the clause should not be struck out, but that a proviso should be added as follows: "Subject to provisions herein contained in respect to the operation of this Act." Clause 5. Proposed amendment is disagreed with. Clause 15. The colonies agree to

the omission of line 3, but disagree with the new subsection after G. They agree with the amendments proposed. Clause 26. They agree with the amendment proposed in the first line of this clause, but disagree with the amendment expressed in the second sentence of the clause as set forth in the suggestions for revision of the draft. Clause 31. They also disagree with this clause.

Assuming that the Secretary of State will concur with the judgment of the four Colonial Governments now prepared to confederate, as set forth in the above statement, I am to express the hope that his Lordship will, without delay, take the necessary steps for the introduction of the Bill.

The Under-Secretary of State, Colonial Office.

I have, &c.,

ROBERT MURRAY SMITH.

No. 5.

Governor Sir G. C. STRAHAN, K.C.M.G., Tasmania, to the Right Hon. the Earl of DERBY, K.G. (Received 24th March, 1885.)

MY LORD,

Government House, Hobart, 4th February, 1885.

With reference to your despatch of the 11th of December last, in connection with the revision of the Australasian Federal Council draft Bill, I have the honour to forward to you a memorandum from the Premier upon the subject.

I have, &c.,

GEO. C. STRAHAN.

The Right. Hon. the Earl of Derby, K.G., &c., Colonial Office.

Enclosure in No. 5.

MEMORANDUM for His EXCELLENCY the GOVERNOR.

Premier's Office, Hobart, 3rd February, 1885.

WITH reference to despatch of the 11th December 1884, enclosing suggestions for the revision of the Australasian Federal Council Draft Bill, Mr. Douglas proposes to defer any remarks on the alterations submitted until the Premiers of the various colonies interested have further considered the question, and has the honour to request that in the meantime your Excellency will be pleased to allow the despatch to be retained in the Premier's office.

ADYE DOUGLAS.

No. 6.

The COLONIAL OFFICE to the AGENTS-GENERAL for the AUSTRALASIAN COLONIES.

SIR,—

Downing street, 28th March, 1885.

With reference to previous correspondence respecting the introduction of the Imperial Bill necessary for the establishment of a Federal Council of the Australasian Colonies, I am directed by the Earl of Derby to inform you that he would be happy to receive you, with the other Agents-General of the Australasian Colonies, at an interview in this department on Monday, the 30th instant, at 3 p.m., for the purpose of considering the communications which have been received with regard to the provisions of the draft Bill which was sent out for the observations of the Colonial Governments.

I have, &c.,

EDWARD WINGFIELD.

The Agents-General for New South Wales, Victoria, Queensland,  
South Australia, and New Zealand.

No. 7.

Governor the Right Hon. Lord AUGUSTUS LOFTUS, G.B.C., New South Wales, to the Right Hon. the Earl of DERBY, K.G. (Received 30th March, 1885.)

MY LORD,—

Sydney, 16th February, 1885.

I have the honour to acknowledge the receipt of your Lordship's circular despatch of the 11th December, 1884, on the subject of introducing a Bill for the establishment of a Federal Council for the Australasian Colonies in conformity with the draft Bill which was agreed to at the Sydney Convention, which I have submitted to my Government with an invitation to take into consideration certain amendments which it has appeared desirable to your Lordship to introduce into the draft Bill.

2. Your Lordship's despatch, with the amended draft Bill, has been published by the Press.

3. As Parliament is not sitting, and as the question was not fully discussed or ventilated by the Assembly, who simply at that late period of an exceptionally protracted session declined to express an opinion on the creation of a Federal Council, my Government may not feel themselves justified in assenting to the amendments or expressing their opinion on the Bill itself until it has received the sanction of Parliament.

4. As soon as I receive the answer of my Government I shall not fail to forward it to your Lordship, and to acquaint you with its general nature by telegraph.

5. In the meantime I have the honour to enclose to your Lordship articles from the *Sydney Herald* commenting on the several amendments suggested by your Lordship.

I have, &c.,

AUGUSTUS LOFTUS.

The Right Hon. the Earl of Derby, K.G., &c.

No. 8.

Governor Sir W. C. F. ROBINSON, K.C.M.G., South Australia, to the Right Hon. the Earl of DERBY, K.G. (Received 17th April, 1885.)

(Telegraphic.)

17TH APRIL, 1885.—Your Lordship's despatch of 11th December.† Government here are satisfied with amendments agreed upon at recent interview Agents-General with your Lordship *re* Enabling Bill.

## No. 9.

Governor Sir H. B. LOCH, K.C.B., Victoria, to the Right Hon. the Earl of DERBY, K.G.  
(Received 21st April, 1885.)

MY LORD,—

Government House, Melbourne, 12th March, 1885.

In reply to your Lordship's despatch of the 11th December last, transmitting a copy of the draft Federal Bill with certain proposed amendments for any observations my Government might desire to make thereon, I have now the honour to transmit a copy of a memorandum, dated the 11th March instant, that I have received from my Government with the conclusions at which they have arrived in respect to the amendments suggested by Her Majesty's Government, and these conclusions I have forwarded this day by telegraph to your Lordship.

I have, &c.,

The Right Hon. the Earl of Derby, K.G. &c.

HENRY B. LOCH.

Enclosure in No. 9.

MEMORANDUM for His EXCELLENCY the GOVERNOR.

Melbourne, 11th March, 1885.

MR. SERVICE presents his duty to your Excellency, and, with reference to Lord Derby's despatch of the 11th December, 1884, on the subject of the draft Bill to constitute a Federal Council of Australasia, begs to inform your Excellency that this Government have carefully considered the amendments proposed by the Imperial Government, and have come to the following conclusions with respect thereto—namely: Clause 1. Amendments agreed with. Clause 3. Should not be struck out, but proviso should be added as follows: "Subject to provisions herein contained in respect to the operation of this Act." Clause 5. Amendment disagreed with. Clause 15. Agree to omit line 3; disagree with new subsection after (g); agree to new subsection after (h). Clause 20. Agree to amendments. Clause 26. Agree to amendment in first line; disagree with the other. Clause 31. New clause disagreed with.

JAMES SERVICE,

Premier.

## No. 10.

The AGENTS-GENERAL for VICTORIA and QUEENSLAND, to the COLONIAL OFFICE. (Received 23rd April, 1885.)

MY LORD,—

8, Victoria Chambers, Victoria Street, Westminster, S.W., April, 1885.

In the course of our discussion on the 30th ultimo, on the subject of the Bill now before the House of Lords to enable the Australasian Colonies to federate, you expressed your willingness to receive from us a written statement formulating the objections entertained by the confederating colonies to your introduction into this measure of the 31st clause, which permits any one of their number, after having joined the Federal Union, to retire at its own pleasure.

Since our interview with your Lordship the clause has been further altered in a way which aggravates, in our opinion, its objectionable nature; but, even as it originally stood, we conceive that the reluctance of the confederating colonies to adopt it is well founded. It was, we believe, your Lordship's expectation that, by the insertion of this clause, the entrance of New Zealand and possibly New South Wales into the Federal Union might be secured. As, however, it has been ascertained that even the inclusion of this clause would not secure the adhesion of those colonies, it is, we submit, unreasonable that their wishes should be allowed to outweigh the deliberate resolutions of the other colonies who have undertaken to unite.

The practical effect of the clause on the permanency and efficacy of the Federal Union must be disastrous. It is provided in the Bill that the Federal Council must consist at least of the representatives of four colonies, and that number has only just been reached. Can it be desirable, then, that a measure intended to promote union should, in its original construction, provide for dissolution practically at the will of any one colony? The action of the Council would be thereby paralyzed, and it would legislate, indeed, under perpetual fear of destruction by the minority.

The practical experience of the Canadian Confederation is, we are enabled to state, opposed to the granting of such a power. That Union, which is now fairly secured, would assuredly have broken up had this provision formed part of the original articles of confederation. It has been urged that the union of the Canadian Colonies was of a different and far closer character than the proposed Australasian Confederation. We fail to see, however, why the character of the bond, which has been purposely made light in order that it may last and grow, should be held to justify a provision which will certainly tend to weaken and possibly to destroy it. The advocates of this clause have asked what would happen, unless it be inserted, should one of the colonies desire subsequently to retire from the Federal Union. Surely this is equally applicable to the closer federation of the North American Colonies, and one of the provinces, in fact, did, as we are enabled to state, desire to withdraw from that Union at a very early period of its existence, and yet remains a satisfied member of it at the present day.

It is not to be supposed that the four colonies, which have maintained their resolution to unite during the whole period which has elapsed since the meeting of the Sydney Convention in December, 1883, have not seriously considered this point, and if they are unanimous in rejecting the proposition we submit that their wishes should not be lightly disregarded.

We also desire to impress upon your Lordship the great disadvantages which, in our judgment, attend the section of this clause enabling a seceding colony through its Legislature to nullify the obligations which it had entered into while acting as a member of the Federation. It might thus happen that the whole burden of a policy entered into with the cordial sanction, or even on the invitation, of the seceding colony might be thrown upon those members of the Federation who

remained faithful to their compact, to their great detriment and to the postponement of any hope of a future closer union of the colonies. We therefore trust that your Lordship will, on further consideration, move Her Majesty's Government to consent to the omission of this clause from the Bill, and comply with the unanimous request of the confederating colonies that their union shall be rendered indissoluble unless by common agreement under Her Majesty's sanction.

We have, &c.,

ROBT. MURRAY SMITH,  
Agent-General for Victoria.

JAMES F. GARRICK,  
Agent-General for Queensland.

The Right Hon. the Earl of Derby, K.G., &c.,

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### No. 91.

The COLONIAL SECRETARY, Queensland, to the COLONIAL SECRETARY, New Zealand.

SIR,—

Colonial Secretary's Office, Brisbane, 20th March, 1885.

I have the honour to forward to you the accompanying copies of a letter which I have addressed to His Excellency the Governor of Queensland on the subject of the proposed amendments in the draft Bill for the constitution of a Federal Council, as proposed by the Convention held at Sydney at the end of 1883.

I have, &c.,

The Hon. the Colonial Secretary, New Zealand.

S. W. GRIFFITH.

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### Enclosure in No. 91.

SIR,—

Colonial Secretary's Office, Brisbane, 16th March, 1885.

I regret the delay which has occurred in furnishing your Excellency with the observations of this Government upon the amendments suggested by Lord Derby in the draft Bill for the constitution of a Federal Council as proposed by the Convention held at Sydney at the end of 1883, a delay which has arisen from a desire that unanimity of opinion on the part of the several Australasian Governments might be secured before making a formal report to your Excellency. I have lately had the opportunity of conferring at length with Mr. Service in Melbourne, Mr. Dalley in Sydney, and Mr. Douglas in Hobart, on the subject of Lord Derby's despatch of 11th December; but, although I have been for some time in possession of the views of all the Governments except that of New South Wales, until yesterday no formal reply was received from Mr. Dalley.

2. I yesterday had the honour to forward to your Excellency, at Southport, a telegram shortly stating the opinion of this Government as to the several suggested amendments, and I now propose to state more fully the reasons which have led it to these conclusions.

3. The third clause of the draft Bill, which it is now suggested should be omitted, was inserted as the cardinal provision of the Bill, empowering Her Majesty to make laws with the consent of the Council to be constituted under it. In the Constitutions of the Colonies of New South Wales, Victoria, and Queensland a similar clause is found, and it appears to us that in its absence legislative authority would be formally conferred (if at all) upon the Council with the consent of Her Majesty, instead of being conferred upon Her Majesty with the advice and consent of the Council. It is hardly necessary to point out that the latter form of enactment is in accordance with the accepted view of the constitution of Legislatures in the British dominions.

4. The suggested amendment in the 5th clause, empowering Her Majesty to increase the number of representatives for each colony, raises a question which was very fully and anxiously debated in the Convention. The arguments in favour of representation in proportion to population, as opposed to a uniform delegation of two members from each self-governing colony, were carefully weighed, and it was finally resolved that, as it was intended that the Council should not have any power to authorise the expenditure of money except for purposes connected with its own business, but should rather be of the nature of a conference whose agreements or treaties should have binding authority, it would be better that each constituent colony of the same class should have equal representation. In the event, however, of a change being found desirable in this respect, we think it should be made by the Imperial Parliament, after addresses to Her Majesty from the Federal Council and the Legislatures of the several colonies. I do not quite understand whether by the suggested amendment it is intended that Her Majesty should have power to increase the number of representatives of some colonies to the exclusion of others, or that the representatives of each colony of the same class should always be equal in number. If the amendment were retained this should be made clear. I hope, however, that so important a departure will not be made from the scheme adopted by the Convention; for it will be very important that, when the Legislature of any colony is asked to pass an Act adopting the provisions of the Federal Council Bill, it should distinctly know the constitution of the body to which it is committing such important powers, and the weight which its own representatives will have in the decisions of the Council.

5. With respect to the first suggested amendment in the 15th clause, omitting the words purporting to give to the Federal Council legislative authority over all Her Majesty's possessions in Australasia and over all British ships sailing between them, we have no objection to offer. The intentions of the Convention would, as I understand them, have been met by substituting the words "on board of" for "over," which covers more than is necessary. The proposed amendment in the 20th clause confers the powers to an even larger extent. I am not, however, able to admit the force of the argument that no language should be used which could be construed as implying that the authority conferred on the Federal Council derogates from, or conflicts with, the authority of the separate colonial Legislatures in regard to matters of internal policy and administration. Such

a conflict must, to a certain extent, exist; and it is contemplated and distinctly dealt with in the 22nd clause of the draft Bill, which, I observe, it is not proposed to alter.

6. This Government is unable to agree to the proposed amendment in the 15th clause, conferring upon the Federal Council legislative authority upon any matters which Her Majesty may, by Order in Council, think fit to refer to the Council. The colonies have already, under their Constitution Acts, full legislative authority within their boundaries "in all cases whatsoever." The last subsection (*h*) of the 15th clause comprises all matters with respect to which the several colonies can legislate within their own limits, and as to which it is desired that there should be a law of general application. This general description appears therefore to comprise every matter whatever relating to the colonies themselves; but the authority of the Council is made subject to a prior reference of the matter to the Council by two or more colonies or a subsequent acceptance of the Council's enactments by them. This provision, we think, covers all that it is desirable to include in the present Bill. I do not for a moment anticipate that any matter would be referred to the Council by Her Majesty without the consent of the colonies; but I think that the existence of so elastic a power might tend at least to delay the adoption of the Bill by the colonies.

7. The amendment suggested in the 26th clause, to the effect that if any act of the Council involves expenditure, the Council may provide that such expenditure shall be contributed and paid by the several colonies in proportion to their population, raises a question of great importance than which none was more carefully considered by the Convention. A power to authorise the expenditure of money necessarily involves not only an authority to raise the necessary revenue, but an authority to superintend its disbursement. In some form, therefore, such a provision would necessitate the creation of a federal treasury, and the appointment of federal executive officers. Moreover, the individual Legislatures might, and probably would, be reluctant to delegate to a body constituted in the manner proposed by the draft Bill any power to expend money, which would carry with it a power to compel taxation, and consequently interfere with the fiscal arrangements of the several colonies. Such a proposal as that contained in this amendment would therefore involve a reconsideration of the constitution as well as of the functions of the Council. These and other arguments were fully weighed by the Convention, with the result that a provision of the kind now suggested was intentionally omitted. I do not anticipate any real difficulty, however, in the event of any act of the Federal Council involving expenditure. The case would no doubt be dealt with by common agreement, as in the case of the contributions to the expenses of the New Guinea protectorate. For the reasons I have stated this Government is unable to assent to the proposed amendment.

8. The suggested new clause, 31, appears to us to be highly undesirable. Its effect would be that if at any time four colonies only were represented in the Federal Council any one of them would have the power to break up the Council altogether. Such a provision would, I think, seriously hamper the authority and usefulness of the Council; nor do I think that its insertion in the Bill would tend to encourage a reluctant colony to come into the Union. We hope, therefore, that the proposed amendment will be withdrawn. I should add that the proviso in this clause appears somewhat ambiguous, as it is not quite clear whether it is intended that on the retirement of a colony any Act previously passed should cease to operate as to that colony on its being subsequently altered in any respect, or that the Council should have power to alter the Act to any extent it might think fit, and still bind the retiring colony by the altered provisions.

9. To the other suggested amendments this Government has no objections to offer.

I have, &c.,  
S. W. GRIFFITH.

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## No. 92.

### The AGENT-GENERAL to the PREMIER.

SIR,— 7, Westminster Chambers, London, S.W., 7th April, 1885.

In my letter of the 26th ultimo, No. 376, I informed you that I had suggested to the Earl of Derby to summon the Agents-General for the purpose of discussing the amendments proposed by Her Majesty's Government in the Federal Council Bill.

His Lordship having appointed Monday, the 30th March, for the interview, the Agents-General for New South Wales, Victoria, Queensland, South Australia, and New Zealand assembled at the Colonial Office, and had a long conference with his Lordship; Sir Robert Herbert and Mr. Bramston being also present.

Sir Saul Samuel and Sir Arthur Blyth said that they had attended in obedience to his Lordship's invitation, but that as they had received no instructions from their Governments they were unable to take part in the discussion.

Mr. Murray Smith said that he had received information from the Premier of Victoria to the effect that the Governments of the four Colonies of Victoria, Queensland, South Australia, and Tasmania were all agreed in the course they would recommend to Her Majesty's Government; and he explained the objections entertained by those colonies to some of the amendments.

I observed that I had already brought before his Lordship the request of the New Zealand Government for the Bill to be altogether postponed until the colonies were better agreed; but that as he had decided to go on with the Bill, the colonies should know exactly, before its introduction, how far he intended to adhere to the amendments he had proposed in it.

Lord Derby then said that the best course would be to go through the proposed amendments *seriatim*, which we accordingly did.

Amendments in clause 1 : None of these amendments were objected to.

Amendment proposing to omit clause 3 : Mr. Murray Smith suggested that this clause should be retained with a slight amendment, to which Lord Derby agreed.

Amendment in clause 5 : It was proposed to amend this amendment by inserting a proviso that increases in the number of the members of the Council should only be made at the request of the several Legislatures. To this, after some discussion, Lord Derby also agreed.

Amendments in clause 15 : No objection was made to the first amendment in the third line. New subsection proposed after (g). A long discussion took place upon this. Mr. Murray Smith and Mr. Garrick strongly urged that any references by Her Majesty to the Federal Council should only take place upon the invitation of the Legislatures. Mr. Garrick assured Lord Derby that within the Convention it was intended that each colony should be bound only upon giving its assent ; and if the door were once opened for the initiative of the Imperial Government by referring questions to the Council without the assent of the Legislatures, it would be in derogation of the powers which the Legislatures themselves desired to retain. I contested this view, and referred to Lord Northbrook's speech in the House of Lords a few nights ago, when the First Lord of the Admiralty publicly invited suggestions from the Agents-General on the question of naval defence ; also to Lord Derby's speech announcing that Rear-Admiral Tryon had taken out a plan of naval defence for the consideration of the Australasian Governments ; also to Lord Derby's further statement in the same debate that, while he could not take the initiative in proposing any scheme nor even suggest one at all to the Australasian Governments separately, he was quite ready to act in concert with those Governments if they would unite for carrying out an effectual plan of naval defence. Surely, then, I said, here was a matter where it would be especially convenient for Her Majesty to be able to make a "reference" to the Federal Council. Again, Her Majesty had assumed, by the Pacific Islanders' Protection Acts, certain obligations towards the native people in the islands ; and Lord Derby had said, in 1883, that if Australasia would federate there would be much less difficulty in transferring these obligations to the colonial Governments. Here, then, was another instance where Her Majesty's Government ought to have the power of referring a proposal to the Council. Again, the first subsection of clause 15 conferred legislative authority on the Council in respect of "the relations of Australasia with the islands of the Pacific." Now, unless it was denied that Imperial interests were concerned in those relations, Her Majesty's Government ought to be enabled to refer any matter involving them to the Council. In the end Lord Derby decided to let the new subsection be amended as proposed by the four colonies. All the same, I think there will be a good deal of difficulty in expressing precisely what is wanted. The other new subsection to clause 15, providing for the signification of Her Majesty's pleasure upon Bills relating to the more important subjects of legislation, was not objected to.

Amendment in clause 20 : No objection was taken to the proposed amendment in this clause.

Amendments in clause 26 : The first amendment was agreed to. The second, providing that in any Act involving expenditure the Council might direct such expenditure to be contributed by the colonies, caused some discussion. Mr. Murray Smith and Mr. Garrick expressed in strong terms the objection of the "four colonies" to any provision by which the Imperial Parliament should enable the Council to make appropriations of colonial revenues. I observed that, so far as the constitutional objection to such a provision was concerned, it was quite as much an interference in principle for the Federal Council to appropriate "expenditure connected with the business of the Council," as any other expenditure ; but, on the whole, it might be better not to go beyond what the Convention had itself proposed. Lord Derby pointed out several cases where the legislation of the Council must obviously involve expenditure of an administrative kind, which the Council ought therefore to have power to provide. All the Agents-General, however, agreed in thinking that, on the whole, it would be better not to raise the constitutional question ; and thereupon Lord Derby agreed to omit the proposed amendment.

New clause, 31 : This, being the most important of the proposed amendments, occasioned a very long discussion, ranging over the whole question of federation. The new clause was powerfully opposed by Mr. Murray Smith and Mr. Garrick, while I as strongly urged its retention in the Bill.

Substantially, the arguments in opposition to the clause may be briefly summarized in this way : The four colonies were quite willing for the clause to be retained provided New South Wales and New Zealand, or even New South Wales alone, would promise to come into the federation. But these two colonies had both refused to give any indication of their intentions. The Parliament of New South Wales, by shelving the Convention resolutions altogether, had practically restrained the Government of that colony from expressing any opinion at all ; and now New Zealand, merely because her Parliament had also adjourned the general question, asked for the Bill to be put off altogether. But New Zealand might for practical purposes be left out of the question. She might stand out or stand in as she pleased ; but surely, supposing her not to stand in, it was quite unreasonable for her either to try and prevent any other colonies from standing in, or to press for an element of discord such as this new clause. With what right, indeed, could New Zealand, which was not coming in, ask for a clause to be retained that was so repugnant to the wishes of other colonies which were ready to come in at once ? And this was especially the case with New South Wales, which, after inviting the Conference to meet at Sydney, and taking part in the unanimous resolutions of the Convention, now refused to carry them out at all. How could she, in any fairness, ask for a provision which the "four colonies" declared to be not only injurious to themselves, but destructive of the principle of federation ? A claim of the same kind had been made by one of the provinces of North America, at the time of the Dominion being formed ; but had been rejected, because there was an inherent absurdity in first setting up a federation and then allowing a member of it to withdraw at pleasure. The threat of withdrawal would be con-



stantly held over the proceedings of the Federal Council, and must paralyze its action. Thus the retention of the clause would be a great injustice to the four colonies, and especially offensive to them on account of the vacillation of the two others.

Lord Derby, however, pointed out that the term "federation" was really inapplicable. The kind of union which some of the colonies were willing to enter into now, was not that of a *Bundes-Staat*, nor even of a *Staats-bund*; nor was there any analogy between the North-American case and the present one. It would be interesting to learn by what means, supposing the Federal Council to be established and one of the colonies to be afterwards resolved to withdraw, the others could prevent it. But, at any rate, he could see no reason why a colony desiring to withdraw from an imperfect federation of the character now proposed should not be allowed to do so. The case would be essentially different if the time had come when the colonies were willing to constitute themselves into a real federation such as that of the Dominion; but so long as they were disinclined to unite in that way, it was undesirable to attempt any coercion of a colony which might not be willing to remain. A federation of Australia could not be said to be complete without New South Wales; and while he would make no comparisons between any of the colonies, he thought it would be generally recognized that if New South Wales stood out, the federation would be lopped of its most important element. Besides, the question could not be altogether decided by the opinion of Australasia. Her Majesty's Government had also to consider the prospects of passing the Bill through the Imperial Parliament. Now the Bill had attracted a good deal of attention among members of both Houses, who had been told not only what the amendments were but the grounds on which he (Lord Derby) had recommended them. It would be easy to explain modifications such as those agreed upon to-day in the other amendments, but it would be difficult for Her Majesty's Government to give good reasons to Parliament for giving up this new clause after insisting so much upon it.

I expressed my inability to admit the arguments advanced on behalf of the "four colonies." I allowed, of course, that the case of New Zealand was different from that of New South Wales. It could matter little to Australia whether New Zealand entered into the federation or not; but it was quite another thing for New South Wales to stand out. Let the single case be taken of the first subsection of clause 15. That subsection gave the Council a legislative power over the relations between the whole of Australasia and the Pacific Islands. Could it be seriously contended that if only four colonies entered into the federation, they should have a power to legislate over the relations of all Australasia? Mr. Garrick here interposed that I was mistaken, because section 30 provided that the Act should not come into operation in any colony until the Legislature of that colony had brought it into force there. But I denied that this affected the question. It was quite true that if New South Wales and New Zealand did not bring the Enabling Act into operation, they would deprive themselves of the legislative power given by the first subsection of clause 15; but their depriving themselves of that power would in no way prevent its full exercise by the other four colonies. Now could it be contended that the trade relations, for instance, of those four colonies with the Pacific Islands were to be compared with those of New South Wales and New Zealand? Again, as to the labour traffic; could it be said that only four of the colonies ought to deal with that question? Victoria, South Australia, and Tasmania had no interest whatever in the labour traffic; they neither required nor would ever resort to recruiting in the islands; the essential condition of climate, which made the traffic important to Queensland, was absent in all the other three. Besides, this was a subject which certainly involved Imperial as well as Australasian interests; and yet whatever legislation took place in the Council would virtually be for Queensland alone. Moreover, the term "relations between Australasia and the islands" was one of a very wide significance: it embraced grave political questions affecting international engagements, and therefore questions belonging not only to Australasia but to the empire at large. Could it be said that, merely because four of the colonies were willing to enter into a federation to-day, they were entitled to possess so wide a legislative power? Such illustrations as these might alone seem sufficient to account for the desire of New Zealand to postpone the Bill until the colonies should be better agreed; but at least, if this could not be done, and if the Imperial Government were resolved to introduce the Bill, it was surely self-evident that whatever inducement might naturally exist for a colony to join in the federation must be greatly lessened by the excision of the clause; and, so far as New Zealand was concerned, although I could say nothing about what her Legislature might do, I felt sure that the surrender of the clause would operate as a great deterrent to her against coming in. Lastly, I submitted that there was an evident advantage in making the Bill, if it were introduced at all, one which would at any rate invite rather than repel every colony of Australasia; and it was surely best, therefore, that it should not take a shape which must add to the many other difficulties already in the way of a real concert between the colonies. At any rate, it was absolutely necessary for the Imperial Government to decide as to this new clause before the Bill was introduced; and, as it was to be brought in immediately after Easter, I expressed the hope that Lord Derby would enable us to telegraph to our Governments at once a definite decision on the point.

Lord Derby thanked us for the explanations we had given, and said that, while he had willingly conceded the alterations which had been desired in the preceding clauses, he was not able to concur in the arguments adduced for the excision of the new clause, and that he must accordingly decide to retain it.

The main point being thus settled by the retention of the new clause, I asked Lord Derby to reconsider its terms, because as it now stood, if a colony withdrew, all the Federal Council laws were still to remain in force there. The effect of this might be to inflict upon a colony the very thing for which it had desired to withdraw. Suppose a colony to say to the Council "If you pass such a law, we shall be compelled to withdraw," and, supposing the Council to pass it



notwithstanding, the right to withdraw would be of no avail, for the law would continue to be in force in the retiring colony all the same.

Lord Derby admitted this, and promised to consider how the case could be met.

The conference then terminated, Sir Arthur Blyth (as the senior Agent-General) expressing our united thanks to Lord Derby for his patience and courtesy.

I ought not to omit saying, that I am not pretending in this letter to do justice to the arguments either of Lord Derby or of my colleagues, of which indeed I have given only a faint outline. My object has simply been to let you see generally the line I took myself.

The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

### No. 93.

Major-General SCRATCHLEY to Governor Sir W. D. JERVOIS, G.C.M.G., C.B.

SIR,—

Melbourne, 11th April, 1885.

Referring to the agreement entered into by the Australasian Governments with Her Majesty's Government to contribute, for the year ending 1st June, 1885, the sum of £15,000 towards the cost of establishing a Government for the British territory in New Guinea, I have the honour to inform your Excellency that I have appointed the Queensland National Bank at Brisbane to be the bankers for the territory.

I beg to request that the quota due from the Government of New Zealand may be paid into the Bank of New Zealand, the agents in Wellington for the Queensland National Bank, to the credit of the account of Her Majesty's Special Commissioner for New Guinea.

I have, &c.,  
P. H. SCRATCHLEY.

His Excellency Lieut.-General Sir William Jervois, G.C.M.G., &c.

### No. 94.

Major-General SCRATCHLEY to Governor Sir W. D. JERVOIS, G.C.M.G., C.B.

SIR,—

Melbourne, 11th April, 1885.

Referring to my despatch of the 23rd ultimo, relating to New Guinea, I have the honour to forward, for the consideration of the Government of New Zealand, a memorandum on the subject of the estimated cost of governing the British territory in that country.

2. I have forwarded copies of this memorandum to the other Australasian Governments, and, when their replies have been received, I propose to embody them in a telegram to Lord Derby for the consideration of Her Majesty's Government.

I have, &c.,  
P. H. SCRATCHLEY.

His Excellency Lieut.-General Sir William Jervois, G.C.M.G., &c.

### Enclosure.

MEMORANDUM submitted for the consideration of the AUSTRALASIAN GOVERNMENTS relating to the estimated Cost of the Government for the British Territory.

1. IN Lord Derby's telegram of the 19th February, of which a copy is annexed, the Australasian Governments are invited to confer with me on the following points relating to the management of the British territory in New Guinea: (a.) As to the extent of territory inland which should be annexed. (b.) As to the estimate of the probable annual cost of governing the territory. (c.) As to the distribution of this annual cost amongst the contributing Governments, and as to the arrangements for permanently securing their contributions.

2. The question of the extent of territory to be annexed has been dealt with in a separate letter, addressed to the Colonial Governments. I confine myself, therefore, in this memorandum to the consideration of the financial questions involved.

3. It is manifestly difficult to foresee what the requirements will be for the management of an unknown territory such as the British portion of New Guinea. One point is, however, clear. The Government must be organized on a tentative basis, and every step forward must be taken with the greatest caution. The coast must be first visited, and careful inquiries made on the spot, in order to ascertain the conditions under which the Government will have to be conducted. Any programme of proceedings, therefore, that may be sketched out must necessarily be of a general character and open to revision; nor is it possible to lay down at present a definite plan of operations.

4. Although there are but few data to work upon, much valuable information has been given me by Captain Bridge, R.N.; by Mr. Romily, the Deputy Commissioner at Port Moresby; by the Rev. W. Lawes, who has been long resident in New Guinea; and by a few traders. The information thus obtained enables me to lay down, with reasonable confidence, the following programme:—

5. In the first place I shall ascertain whether it is possible to establish two or more stations on the coast, to serve as centres from which to administer the Government, as well as starting points for conducting explorations, and from which to maintain an active patrol along the coast within the limits of the British territory.

6. At Port Moresby and South Cape there are convenient harbours, and the localities are

favourably reported upon. I intend to remain at each place for some time in order to satisfy myself with regard to them before proceeding to other portions of the coast.

7. I shall then visit those points where the British flag has been hoisted, in order to place myself in direct communication with the natives, and by degrees extend my influence over such portions of the coast hitherto not visited. I will also make myself acquainted with the proceedings of any whites who may be resident in the island or employed on the coast, in order to assist them in their enterprises and promote legitimate trading.

8. With the view of encouraging properly organized explorations, I have been in communication with the Geographical Society of Australasia. This society has obtained grants from the Governments of New South Wales, Victoria, and Queensland, and contemplates certain explorations. It further intends to assist with a grant of money Mr. Forbes, of the Royal Geographical Society, who is expected from England to conduct an exploration of the Owen Stanley Range. These expeditions will be conducted under my general supervision, and I shall afford them all practicable assistance.

9. Having laid down the foregoing programme, it became evident that for some time to come the head-quarters of my Government would have to be afloat, and that I would require a steamer for the purpose. The question then arose as to whether I could procure in Australia a vessel in every way suited to the climate and to the work which had to be done.

10. The requirements of such a vessel were as follows: (a.) For sanitary reasons, ample accommodation was requisite for myself and staff, together with a small guard of white men. (b.) In consequence of the numerous reefs which abound along the coast, the vessel's draught of water should not exceed 10ft. (c.) As coal delivered at Port Moresby costs about £2 10s. per ton, economical engines of the newest type, and capable of steaming from thirty-five to forty knots for a consumption of one ton, were required.

11. After careful inquiry I find I cannot obtain in Australia a vessel fulfilling all these requirements, and I have come to the conclusion that the proper course is to procure, through the agency of the Admiralty, a steamer from England. In the meantime I have had to consider how to provide a substitute.

12. Under these circumstances, and with a view of saving time, I was led to accept the offer made to me by the New South Wales Government of H.M.C.S. "Wolverene." Arrangements were in progress for fitting out this vessel ready for sea, when the threatened rupture with Russia induced me to return the ship to the Government, as I understood she would, under certain circumstances, be of great service to the colony.

13. I am now endeavouring to charter a vessel in order to enable me to proceed to New Guinea, and have framed my estimates accordingly.

14. I shall require, in addition, a schooner and a few whaleboats for general service at the stations on the coast. Buildings will ultimately have to be erected on shore to provide residences for myself and staff and offices for carrying on the business of the Government. It is not intended, however, to incur any expenditure for this purpose until I am thoroughly satisfied as to the entire suitability of the places selected for the centres of Government.

15. The foregoing items of expenditure, including the steamer from England, will come more properly under the head of capital cost. This will necessitate my asking the Colonial Governments for a lump sum in addition to the annual provision for the cost of governing the territory. I propose for consideration that this sum should be advanced by them as a loan without interest, to be ultimately repaid whenever the financial position of the territory admits of it.

16. Following out these ideas I have framed the estimates under two heads: (a.) Capital, or first cost, to be granted as a loan. (b.) Annual expenditure, to be provided for yearly, for five years. The first cost includes the purchase of a steam vessel, one schooner, and boats, together with a provision for buildings and unforeseen expenditure. The annual expenditure provides for (1) staff and general expenses connected therewith; (2) manning and maintenance of steamer and other vessels; (3) coal; (4) sundry minor works, explorations and surveys, conveyance of mails between Australia and New Guinea, contingencies, &c.

17. The details of the estimates are given in the annexed Schedules A, B, and C. Schedule A refers to the capital, or first cost; Schedule B to the first year's expenditure; Schedule C to the annual expenditure for the four years following.

18. It will be noted that I take into account the contribution of £15,000, which is to be received from the Colonial Governments on or before the 1st June, 1885. Thus, I appropriate £5,000 towards a reduction of the capital cost, £8,000 to meet the extra expenditure of the first year, and £2,000 to defray liabilities already incurred for salaries, office and travelling expenses, from 20th November, 1884, to 31st May, 1885.

19. I have every reason to believe that the estimates submitted will be found to be sufficient for the next five years. Each year a financial statement, together with a general report on the government of the territory, will be circulated for the information of the contributing Governments in order that they may be kept fully informed of all my proceedings.

20. To recapitulate, the estimates of my requirements are as follows: (1.) To meet the first cost £20,000 as a loan is required, which, if agreed to, should be guaranteed as soon as possible, in order to enable me to proceed with my plans. (2.) To meet the annual expenditure of Government £20,000 is required, which will become due on the 1st of June in each year.

21. With regard to the question of the distribution of this expenditure, I presume that Her Majesty's Government will contribute its share, and that the remainder will be assessed in proportion to the population of each colony.

22. As to the means of permanently securing contributions, I would suggest that the contributions should be secured by special appropriations, under Acts of Parliament, for a period of five years. At the expiration of that time the whole situation can be reconsidered.

1st April, 1885.

P. H. SCRATCHLEY.

## Sub-Enclosure.

## ESTIMATED COST of the GOVERNMENT of the BRITISH TERRITORY.

## SCHEDULE A.

*Capital or First Cost.*

	£	s.	d.
1. Purchase of steam vessel of about 450 tons, 10ft. draught of water, speed 10 knots; provided with steam pinnace and light armament, including arms for crew; fitting out, journey to Australia, insurance ... ..	18,000	0	0
2. Purchase of schooner and whale boats for general service ... ..	2,000	0	0
3. Provision for buildings and miscellaneous expenditure (spread over several years) ... ..	5,000	0	0
Total capital cost ... ..	25,000	0	0
Deduct amount available from £15,000 contribution to 1st June, 1885 ... ..	5,000	0	0
Amount of proposed loan ... ..	£20,000	0	0

## SCHEDULE B.

*Estimated Expenditure for first year (1st June, 1885, to 31st May, 1886.)*

	£	s.	d.
1. Staff—reduced estimate ... ..	7,000	0	0
2. Manning and maintenance of steamer and boats ... ..	17,000	0	0
3. Coal (increased quantity) ... ..	2,000	0	0
4. Sundry expenditure (reduced estimate) ... ..	2,000	0	0
Deduct amount available from £15,000 contribution to 1st June, 1885 ... ..	8,000	0	0
Amount required for first year ... ..	£20,000	0	0

## SCHEDULE C.

*Annual Expenditure for four years subsequent to first year (1st June, 1886, to 31st May, 1890).*

1. Staff—			
Present Staff—	£	s.	d.
Special Commissioner ... ..	2,500	0	0
Private Secretary ... ..	300	0	0
Deputy Commissioner ... ..	700	0	0
Office and travelling expenses ... ..	1,000	0	0
Additional—			
Second Deputy Commissioner, Accountant, clerks, office and travelling expenses ... ..	2,000	0	0
Contingencies for police, native chiefs, sundries ... ..	1,500	0	0
2. Manning and maintenance of steamer and other vessels, insurance, sinking fund, &c., ... ..	8,000	0	0
3. Coal (400 tons at £2 10s.) ... ..	1,000	0	0
4. Sundry unforeseen expenditure, minor works, explorations and surveys, mails, &c. ... ..	3,000	0	0
Amount required for following years ... ..	£20,000	0	0

## No. 95.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 16th April, 1885.

It may perhaps interest you to know that in an article in the *Economiste Français*, upon the discussions which have taken place in Australia respecting German annexations in the Pacific, the following passage occurs on the subject of the New Hebrides: "The same criticisms by the Australians are applied to the colonization of the New Hebrides by our [French] compatriots of New Caledonia. Now, if the Australians only want to prevent us from getting a foothold in the New Hebrides in order to occupy the group themselves, we should like to know by what means other than those which we could employ ourselves they would arrive at their object. Those only can be deceived by this sort of thing who choose to be. We cannot believe that the French Government will stop where they are, or that they have not already taken measures to ensure the possession of the New Hebrides. They can come to an understanding afterwards with the British Government, as was done in the case of Raiatea. The English Government has always enough faults to be forgiven by us to provide an easy ransom for the engagements we have taken towards it."

This shows the spirit in which the question of the New Hebrides is still being discussed in France.

The Hon. the Premier, Wellington.

I have, &amp;c.,

F. D. BELL.

## No. 96.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 22nd April, 1885.

The Earl of Derby brought in the Federal Council Bill on the 16th instant in the House of Lords, and it was read a first time. The second reading was fixed for to-morrow night, but I understand that it is likely to be put off on account of another important Government measure coming on that evening.

The Hon. the Premier, Wellington.

I have, &amp;c.,

F. D. BELL.

## Enclosure.

[The *Times*, Friday, 17th April, 1885.]

HOUSE OF LORDS, Thursday, 16th April.

*The Federal Council of Australasia Bill.*

THE EARL of DERBY, in presenting a Bill on this subject, said he believed it would be more convenient to their lordships if he were to make a statement with respect to it on the motion for the second reading. He supposed there would be no objection to the Bill being read a first time, and he would be prepared to move the second reading on Tuesday next.

The Marquis of SALISBURY said that was rather short notice. Would the noble earl say Thursday or Friday?

The Earl of DERBY.—Yes, certainly.

The Bill was read a first time.

## No. 97.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 24th April, 1885.

I transmit herewith a *Times* report of the short debate that took place in the House of Lords last night on the second reading of the Federal Council Bill.

You will observe that the Earl of Derby referred to a written statement he had received on the part of some of the colonies against the new clause (enabling a colony to withdraw). I have not thought it expedient to send in any fresh representations in writing to those I made at the interview between Lord Derby and the Agents-General. So far as I can judge at present the clause will be retained during the passage of the Bill through the House of Lords.

I have, &amp;c.,

The Hon. the Premier, Wellington.

F. D. BELL.

## Enclosure.

[The *Times*, Friday, 24th April, 1885.]

FEDERAL COUNCIL OF AUSTRALASIA BILL.

THE EARL of DERBY.—I rise to move the second reading of this Bill, and your lordships will expect from me some explanation of its object, of its nature, and of the circumstances under which it has been brought in. Before I state what the Bill is, I may as well explain what it is not. It is not a Bill which deals in any way with that question of Imperial federation of which we hear so much. It does not touch, except indirectly, the relations existing between the colonies and the Mother-country. It is not even a measure for intercolonial federation in any complete and organized shape. It simply provides, as the title states, for the creation of a Federal Council, charged with certain duties, which are described and defined in the clauses. Further, it is not a compulsory, but an enabling Bill. No colony is bound by it to join in the arrangement which it sanctions, unless that colony spontaneously decides so to do. The initiative must be taken by the colony itself; all that the Imperial Legislature undertakes is to give its sanction to a scheme which would be *ultra vires* for the colonial Legislatures to deal with on their own unassisted authority. Under this Bill five colonies—Victoria, Queensland, South Australia, West Australia, and Tasmania—will be enabled, and are now prepared, to become federated for certain purposes. Two colonies, New South Wales and New Zealand, have hitherto declined to join. Of these two colonies, so standing aloof, one, New Zealand, is so far distant and so little connected with the affairs of the Australian Continent that its continued separation, if it should remain in the same mind as at present, would not, as I conceive, affect the working of the scheme. It will be entirely a question for New Zealanders themselves; their junction or their abstention will not interfere with the other States concerned. In the case of New South Wales, I cannot deny that a good deal turns on whether that colony comes into the federation or not. It is the oldest of the Australian colonies; it holds a central position: it is the rival of Victoria in importance, having a rather smaller population, but a larger amount of trade, of revenue, and of territory. I do not deny that the continued standing out of New South Wales would be a serious, possibly a fatal, blow to the organization which we are creating. But I entertain a sanguine hope that the objections of the New South Wales Legislature will not be permanent. I believe the feeling there to be one rather of doubt than of hostility, and it is mainly in order to remove as far as possible any obstacle to the accession of New South Wales that I have inserted in the Bill the proviso in clause 31, by which any colony, which may on trial be dissatisfied with the arrangement, is enabled to secede,

That proviso has been the subject of much discussion, and it would not have been inserted if complete agreement among the colonies had been arrived at, or if this were to be considered as the final form which intercolonial federation is likely to assume. But the whole scheme is tentative: it is experimental; and in a certain sense it is provisional, and under these circumstances it seems expedient to leave large facilities for future change. I should be merely wasting your time if I argued for the importance, and, indeed, the necessity of some union such as that proposed between the various colonies of the same group. With contiguous territories, with a homogeneous population, and as population increases having more and more intercourse with one another every year, it is obvious that they have, and must have, many interests which cannot be dealt with in a satisfactory way except by joint concerted action, and the only practical question is, in what manner the means of joint action shall be provided. Now, I am dispensed from the necessity of contending that the scheme embodied in this Bill is of all schemes the best possible, because it comes before you with this special recommendation, that it is the scheme on which the Australian community has decided for itself. The history of the movement is probably familiar to many of your lordships. In 1883 a conference was held at Sydney on the subject, attended by representatives of all the colonies concerned. It sat for several weeks; it considered and discussed minutely every point of the proposed federal arrangement. The result was a Bill differing in but few particulars from that now on the table, and subsequently the recommendations of the conference were referred to, and were considered by the Legislatures of the various colonies, with the result which I have mentioned above—that two colonies dissented and still dissent, and that five have concurred. But I ought perhaps to mention that in New Zealand the question was never brought to an issue, the Government of the day preferring not to submit the matter to the local Legislature. In New South Wales the measure was actually carried in one House, and in the other was lost only by a majority of one. I mention that fact as justifying my expression of a hope that the refusal would not be final. Now, I may be asked in what respects the Bill on the table differs from the draft adopted by the conference at Sydney. I do not notice, of course, mere verbal alterations. In clause 5 the number of the Council is made capable of extension, but only at the desire of the colonies themselves. As the Bill originally stood, the Council could not have consisted of more than fourteen members, even if every colony joined. The change is all in the direction of giving more freedom to the colonies as regards its composition. Without that change fresh Imperial legislation would probably be required within a few years. We have added (clause 15) a general power to the Council to deal with any matters not specially provided for which the Queen by Order in Council may refer to them, but this power of extension can only be exercised with the consent of the colonies. We had proposed a clause dealing with the question of expenditure involved in the action of the Council, but on reference to the colonial Governments that was objected to, and it has been dropped out in deference to their objections. The result will be that no decision involving expenditure can have effect given to it without the consent of the Legislature of each colony, which is a point on which they have laid great stress; and it, in fact, reduces the power of the Council in all cases where expenditure is involved to that of an advising or recommending body. The last alteration which we have made is that to which I have already referred, giving the power of secession. On that point colonial opinion, as I said before, is divided; and I believe that the colonists will be content, as I shall, to accept the decision of Parliament upon it. The Agents of some of the federating colonies have sent me a statement of their reasons against it, which I promised them should be laid before Parliament. It only reached me to-day, but I will have it printed in time for the Committee. I will only observe now that, since the colonial Governments have struck out of the Bill all compulsory powers of taxing any colony to pay for carrying into effect the decisions of the Council (which was their doing, not mine), the importance of this question is very much lessened either way; for obviously a colony desiring to secede and not allowed to do so would decline to contribute towards the cost incurred, and so bring the whole machinery to a deadlock. Where you have no compulsory taxing power, but only voluntary contributions to rely on, the whole thing rests on a voluntary basis. I do not believe that any one here is likely to be opposed to the principle of federation in the abstract, and I need not therefore defend the Bill against attacks from that side. The criticism which I anticipate is rather on the score that this Bill gives federation only in a very rudimentary and imperfect form. That I admit; and I agree that it would be much more satisfactory to all of us if we could deal with the question in a more effectual and conclusive manner. A federated Australia, forming as Canada does a single State, united for all except purely local purposes, would be a new Power in the world; and both in regard to its relations with England and to the relations of its various component parts among themselves the advantages and conveniences of such a complete union would be incalculable. But the thing is impossible so far as the present time is concerned. The mere difference of fiscal policy would prevent it. The colonists themselves do not wish it, do not think themselves ripe for it. They are the best judges of their own affairs, and we must go at their pace, not at ours. It would be madness to reject a plan on which they are agreed, and to tell them to take it back and bring us a better one in its place. The probable result of that procedure would be that we should get no plan at all, and that deep and widespread irritation would be created. Details will be better discussed in Committee. I think enough has been said to induce your lordships to agree to the second reading.

The Earl of CARNARVON.—As far as the Bill is concerned I think there will be no difference of opinion on one side or the other as to its expediency. As the Colonial Secretary has said, it is the result of colonial action. It is the result of a conference held at Sydney at which the matter was discussed, and that result is a compromise. The Bill has been truly said to be of a limited nature. It provides, in the first place, for the creation of a Federal Council, but that Council is not formed on an entirely new principle. As in the case of the United States Senate, each colony, no matter what its size may be, is to have two representatives. I have no objection to offer to that. The

difficulty is as to the powers which are comprised in the 15th clause, and which will require very careful consideration. The 31st clause is really the central point of the whole plan. That clause gives, as has been stated, the power—the singular power—to any colony which has entered the union to withdraw at pleasure. On the admission or omission of that clause hangs the fate of the Bill and the whole chance of union between the Australian colonies. It is rather difficult to discuss this question, because two of the leading colonies are opposed with regard to it, Victoria desiring the omission of the clause, New South Wales desiring its retention. With Victoria are united in that view the colonies of Queensland, South Australia, Tasmania, and the Crown colony of Western Australia. They object to the presence of this clause on the not unreasonable ground that to allow one colony to withdraw once it is admitted is making preparation for the breaking up of the confederation. Those who hold that view say that there was no such provision to be found in the Act for the Federation of the Dominion of Canada, nor in the measure which I had the honour of carrying through this House in 1877 for the contingent federation of the South African colonies. It is perfectly true that there was no such provision in that measure, and if confederation were a real and complete confederation such a clause would be inadmissible. But any one who studies the subject will see that the powers given to the proposed union of the South African colonies were much fuller and larger in every sense than those contained in this Bill, which is of a much more limited and tentative character. If this clause is allowed to stand part of the Bill, Victoria, and the other colonies which dissent from it, may be no party to this proposed confederation, and may withdraw altogether, and so the scheme may come to nothing. It is perfectly possible that that may be the result. It lies in the hands of Victoria and her sister colonies. I trust that upon consideration they will not accept the view of their more energetic advisers and counsellors. I honour and admire the two great colonies, Victoria and New South Wales, too much to suppose that either of them, when this present controversy is over, will show itself in the slightest degree unreasonable. But, just as Victoria and the sister colonies who agree with her have the power to destroy this union, so New South Wales has equally the power to destroy it. I have stated very briefly indeed the Victorian argument in this matter. Let me state more briefly still what I understand to be the position of New South Wales—it is that she may possibly be outvoted by colonies whose interests are not altogether identical with her own. There is a greater community of present interests among Victoria and the colonies which agree with her, than between them and New South Wales. There is a clause which assigns the powers to be given to the Council, and the first power comprises all the relations between the continent of Australia and the Islands of the Pacific. Now this is an enormous power. Your lordships should bear in mind that the great bulk of the shipping is owned by New South Wales and New Zealand; the greater proportion, I believe, by New South Wales. If, therefore, the control of that shipping is to be vested in the Council, at which these two colonies may be outvoted, there is some reasonable ground for New South Wales holding her hand before entering into a union in which she would be irrevocably tied. The fact is that New South Wales and New Zealand in this matter really hold a position from which they cannot practically be dislodged. I think it is absolutely necessary that any scheme of this sort for Australian federation should be one which invites and not compels. I do not attempt to decide which is right in this question, New South Wales or Victoria; I do not think you must look upon it as a matter of rights, but as a question of facts. It has been said that if we were to allow this Council to be formed, with the power of withdrawal to the colonies represented on it, the threat of withdrawal would so paralyze the action of the Council that there would be no wholesome or satisfactory legislation. I do not doubt, however, that the members of the Council will act as reasonable men; and I do not anticipate that the business of the Council will be carried on by threats and menace. When men representing these great colonies are brought face to face round a table they will, I think, feel that upon their union depends the success of their legislation. It is painful for any one who has the progress of these colonies at heart to vote or speak against the wish of any single one of them, and if I do so to-night, in supporting this 31st clause, it is in the simple and single belief that the clause is, upon the whole, for the general interests of the colonies. If you were to strike that clause out you would entirely postpone for many years to come the federation of the Australian colonies. I believe that the union of these colonies grows closer every year. The postal system, the railway system, the telegraph system, the coasting steamers, and last, but by no means least, those important conferences which have been held for several years past on subjects essential and almost vital to the interests of the Australian colonies, such as the question of defence—these, with many other steps, are leading, and very quickly leading, to a union, not only among themselves, but also a closer union to this country. I value that union greatly, even in the form in which it comes before us; I value it for its own sake, but still more as a stepping-stone towards much better relations with this country. I believe it is a true policy to go rather slowly than hastily in this matter. In politics it takes a long time to achieve large results. I think no stone should be left unturned to achieve a union closer than that which the Bill represents; but I am inclined to accept it as an instalment, and I look forward to the results with great satisfaction. I believe that every effort made to promote this union will be seconded by this country with a hearty and cordial feeling of affection and sympathy.

Lord NORTON said he had no fear that this measure would fail; indeed, he thought it had every prospect of bringing about a growing union between all the colonies and the Mother-country. The questions alluded to by the noble earl who had just spoken were questions which might well be raised in Committee, and would no doubt be brought forward when the Bill reached that stage. The secret of the success of this measure was that it was the Bill of the colonists themselves. A dread of foreign Powers annexing adjacent lands, and the sending of some of the worst criminals of France into their neighbourhood gave them a sense of their common danger and common interest, and from that sprung the present Bill, which had been drawn up by the colonists themselves. Queensland attempted to annex part of New Guinea to Her Majesty's dominions without

consulting Her Majesty herself. This the Colonial Minister rightly refused to sanction, but he said at the same time that he hoped soon the Australian colonies would combine together and provide the cost to carry out such measures of annexation as Her Majesty might think it expedient to adopt. Then came the conference at Sydney, when this Bill was drafted. The intervening correspondence between the Colonial Minister and the Agents-General of the colonies illustrated exactly the kind of Imperial consultation and co-action which alone was practicable and effective. This subject, which was of Imperial concern and in the interest of the united Empire, was first discussed in the local Parliaments. The fact was communicated to the Home Government by the Queen's local representatives, the Governors. The subject was then discussed as between the Colonial Agents and the Secretary of State. Legislation emanated from a local convention, and it came to the Imperial Parliament for final approval. The Federal Council resulting from this complete discussion for dealing with matters of common Australasian interest was itself valuable as setting in practical contrast the only possible colonial federation with vague talk about Imperial federation. The Federal Council would probably lead to complete intercolonial federation, such as had been effected in Canada. This would strengthen the Empire at large, increase the power of the colonies for their own defence, and remove the jealousies and rivalries which impeded the development of their strength and prosperity. He hoped the first practical result would be the formation of an Australian squadron under Her Majesty's flag. It might be said that it could act only in local seas; but even that meant that there would be an Imperial navy in all parts of the world. We were now witnessing how local land forces would combine for any common Imperial necessity. He would reserve for Committee some comments on points of detail, and would only add that, as a whole, the measure seemed a matter of congratulation, happily coinciding with other circumstances at this moment in the promise of revised Imperial strength.

Viscount BURY said the Bill was a step in the right direction; but it was rather a leap in the dark until we knew what New South Wales would do in the matter. A federation without New South Wales and New Zealand would be like the play of Hamlet without the Prince of Denmark. As New South Wales and New Zealand were pre-eminently shipping colonies, and their mercantile marine might be affected by the action of the Federal Council, it was not only right that they should have the power of secession provided for, but that they should have the power of claiming indemnity if their interests were prejudicially affected by the action of the Council. He could not disguise the fact that opinion in the colonies had been unanimous when such important omissions had to be allowed for; and he could only hope that the operation of the Bill might be more satisfactory than he was able to anticipate it would be. He congratulated the noble earl at the head of the colonies upon the opportunity of making such a proposal, and he hoped that the Bill would be successful and useful.

The Earl of DERBY quoted the clause of the Bill referred to by the noble viscount, and remarked that it was as wide in its scope as the noble viscount appeared to desire.

The Bill was then read a second time.

### No. 98.

The PREMIER, New Zealand, to the PREMIER, Victoria.

SIR,—

Premier's Office, Wellington, 30th April, 1885.

I have the honour to forward to you a memorandum, adopted by this Government, respecting A.-1., No. 46, the proposed Imperial Act for constituting an Australasian Federal Council, and to express the hope that the document may be promptly and favourably considered by your Government.

I have, &c.,

The Hon. the Premier of Victoria.

ROBERT STOUT.

[Similar letters to Sydney, Brisbane, Adelaide, Hobart, and Perth, 2nd May, 1885.]

### No. 99.

The PREMIER, New South Wales, to the PREMIER, New Zealand.

SIR,—

Colonial Secretary's Office, Sydney, New South Wales, 14th May, 1885.

In acknowledging the receipt of your letter of the 2nd instant, I have the honour to express my thanks for the copies of a memorandum adopted by your Government respecting the proposed Imperial Act for constituting an Australasian Federal Council, therewith forwarded.

I have, &c.,

CRITCHETT WALKER,

The Hon. the Premier of New Zealand, Wellington.

Principal Under-Secretary.

### No. 100.

The PREMIER, Tasmania, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Hobart, 14th May, 1885.

I have the honour to acknowledge the receipt of your letter of the 2nd instant, forwarding copies of a memorandum adopted by the Government of New Zealand, respecting the proposed Imperial Act for constituting an Australasian Federal Council.

I have, &c.,

The Hon. the Premier, New Zealand.

ADYE DOUGLAS.

## No. 101.

The PREMIER, Queensland, to the PREMIER, New Zealand.

FEDERAL COUNCIL BILL.—Would it not meet your views if it were provided that any colony might enact, in the Act adopting the Bill, that the acts of the Council should not be binding in that colony, unless adopted by its Legislature? If this would secure the adhesion of New Zealand, Is for one, should be disposed to agree; but I have not had an opportunity of consulting any other colony, as your letter only received yesterday.

Brisbane, 16th May, 1885.

S. W. GRIFFITH.

## No. 102.

The PREMIER, New Zealand, to the PREMIER, Queensland.

Your suggestion would meet our views if you can get colonies to agree.

17th May, 1885.

ROBERT STOUT.

## No. 103.

The PREMIER to the AGENT-GENERAL.

FEDERAL BILL. Premier Queensland suggests alteration providing liberty colony adopting Bill to enact in adopting Act that measures passed Council subject subsequent approval colony's Legislature. Colonies not wishing reservation can adopt Act unconditionally. Suggestion good, and consider our Parliament insist. Try arrange.

18th May, 1885.

ROBERT STOUT.

## No. 104.

The PREMIER, Queensland, to the PREMIER, New Zealand.

SIR,—

Colonial Secretary's Office, Brisbane, 18th May, 1885.

I have the honour to enclose for your information seven printed copies of a letter which I have addressed to His Excellency Sir Anthony Musgrave, with reference to General Scratchley's circular-despatch of 11th April, 1885, upon the subject of the estimated cost of governing the British territory in New Guinea.

I have, &c.,

R. J. GRAY,

(for the Colonial Secretary.)

The Hon. the Colonial Secretary, New Zealand.

## Enclosure.

SIR,—

Colonial Secretary's Office, Brisbane, 18th May, 1885.

I have the honour to acknowledge the receipt from your Excellency of General Scratchley's despatch of the 11th April, forwarding for the consideration of this Government a memorandum upon the subject of the estimated cost of governing the British territory in New Guinea.

2. Lord Derby's telegram of the 19th February to the Governors of the Australasian colonies expresses a hope that the colonial Governments will without delay confer with General Scratchley, consider with him what extent of territory inland should be annexed, and form an estimate of the probable annual cost, stating how they propose to distribute it and permanently secure their contributions; and adds that all these matters should be settled before General Scratchley goes to New Guinea, as the final declaration of sovereignty must be deferred until these arrangements are matured.

3. I have already in my letter of the 18th February, 1885, informed your Excellency of the views of this Government as to the question of the cost of the maintenance of British jurisdiction in New Guinea, and have in my letter of the 2nd April conveyed their wishes as to the extent of territory inland to be annexed. These wishes were, of course, expressed with reference to the circumstances as then known in this colony. Since that time, however, further information has been procured from a perusal of the Blue Book (C.-4, 273, 1885), laid before the Imperial Parliament, and the White Book laid before the Reichstag, from which it is, I fear, to be inferred that the time has passed when any expression of opinion on the part of the Australasian Governments on the latter point is of very material consequence.

4. Attention was called in my letter of the 18th February (following a telegram which I had the honour to ask your Excellency to send to Lord Derby on the same subject) to the deficiency of information on the question of the extent of the powers intended to be conferred on and exercised by the High Commissioner. On this point, however, the Australasian Governments are, up to the present time, without further information.

5. Upon carefully considering General Scratchley's commission and instructions, and the despatch of the 17th November, 1884, to Sir G. W. Des Vœux, High Commissioner of the Western Pacific, it becomes apparent that the Special Commissioner for New Guinea has hitherto had no legislative powers conferred upon him, and only such administrative or executive powers as may be exercised by a Deputy Commissioner under the Western Pacific Orders in Council.

6. I have adverted to these matters because, in the absence of any definite information as to the functions intended to be performed by General Scratchley, it is difficult to know what expenditure need be incurred in performing them. I am aware that it is intended that he should reside in or near to New Guinea, and I assume that he will exercise, at any rate, some legislative authority, and some judicial authority by himself or his officers, and that he will have to maintain



a force adequate to preserve order in such parts of the British territory as may be actually occupied. This Government has accordingly endeavoured to consider the question of expenditure from this point of view, and with such information as is in their possession. I have had the advantage also of personally conferring with General Scratchley on the subject.

7. I entirely agree that, whatever may be the ultimate decision of Her Majesty's Government as to the mode of occupation and form of government of New Guinea, it is necessary for the High Commissioner, by personal examination, to make himself acquainted as far as possible with the requirements of the territory. I agree also that the Government, whatever its ultimate form, must be organized on a tentative basis.

8. So much being conceded, I think that the proposed annual expenditure as suggested in Schedules B and C of General Scratchley's memorandum is fair and reasonable, except that the cost of manning and maintenance of a steamer for the first year may possibly be reduced below the sum of £17,000 mentioned by him, and there may, perhaps, in consequence of the delay that has occurred, be more than £8,000 available out of the contributions from the colonies for the year ending 1st June next.

9. I agree also that the High Commissioner will require a steamer of not less size than that suggested by him, and probably a schooner and boats in addition. It will also, I anticipate, be found necessary to erect suitable buildings for the residence of himself and his staff on shore at Port Moresby or such other place as may be selected for his head-quarters. I do not think that the annual contribution of £15,000 from the Australasian colonies will be sufficient to defray the capital expenditure for these purposes, which must therefore be provided for in some other way. This Government will be prepared to recommend to Parliament an appropriation to cover their share, in proportion of population, of a loan of £20,000 for that purpose, if Her Majesty's Government, upon full consideration of the matter, think that the whole of the amount should be advanced by the colonies, or of such less sum as may be required after allowing for any contribution which may be made by the Imperial Treasury.

10. In effect, therefore, this Government accepts and adopts General Scratchley's suggestions, subject to such variations of detail as to the mode of expenditure as may be found necessary after actual experience.

11. Your Excellency is aware that the share of Queensland of the annual contribution of £15,000 originally asked for by Her Majesty's Government is provided for by a permanent Appropriation Act. The Government are not prepared under existing circumstances to recommend to Parliament that the amount should be increased.

12. I have to request your Excellency to inform General Scratchley that this Government will willingly place at his disposal the services of their officers for the purpose of auditing the accounts of his Government, or rendering such other assistance to him as may be required and may be consistent with their other duties. In particular, the Government Resident at Thursday Island might, it is conceived, render some assistance as a Deputy Commissioner, as was formerly done by Mr. Chester, Police Magistrate at that settlement.

13. As soon as it is definitely decided what form of jurisdiction is to be exercised in New Guinea, and over what extent of territory, this Government will be prepared to consider any proposition that may be made for an increase of contribution towards the expenses of the Government of New Guinea. In the meantime, however, they feel that they are not in a position to deal with this question.

I have, &c.,

His Excellency Sir Anthony Musgrave, K.C.M.G., Governor.

S. W. GRIFFITH.

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### No. 105.

The PREMIER, Victoria, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Melbourne, 20th May, 1885.

I have the honour to acknowledge the receipt on the 12th instant of your letter of the 30th April, conveying a copy of a memorandum adopted by your Government respecting the proposed Imperial Act for constituting an Australasian Federal Council. The memorandum enclosed appeals to the Australasian Governments to have inserted in the Bill a provision 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; and the ground of this request is, that your Government supposes that the proposed powers of the Federal Council are inconsistent with the autonomous powers of the several local Legislatures.

2. I thank you for thus communicating your views in so clear and able a document as that now submitted. Bearing in mind, however, that you had not the advantage of hearing and participating in the discussions of the Convention which framed the Bill, I could have wished that the step which you have now courteously taken of placing your views before the other Australasian Governments had been resorted to at an earlier stage, when you might yet have been open to weigh and consider such answers to your objections as might be submitted, and I shall be extremely glad if you are even now able to reconsider the matter, and possibly to modify the attitude taken by your representative in London towards the Bill. It is in the hope that this may be the case that I now offer the following remarks.

3. The objection taken—namely, that the Bill would interfere with local autonomy in the several colonies is one which in the abstract, and if it could be shown to apply in any injurious way, I should be disposed to agree with. From the first I felt it important not to give to the Federal Council any powers with which the local Legislatures could not freely and safely entrust it; but I submit that the objection, though it appear formidable as a theoretical principle, is one which vanishes when the practical bearings of the matter are looked into. For the range of subjects on

which the proposed Council will have power to legislate is not unlimited; it is confined to—(1) The matters specially defined in subclauses (a) to (g) of clause 15 of the Bill, and (2) the other subjects mentioned or referred to in subclause (h).

4. With regard to the former class, it is difficult to see how any local Legislature could feel that its functions were at all interfered with through any one of these subjects being dealt with by the Federal Council. Take, for instance—(a) The relations of Australasia with the islands of the Pacific; this is a subject not subtracted from the domain of local Legislatures, for it has never yet belonged to it; it is a new matter for the colonies, one which could not be satisfactorily legislated upon by individual colonies, and which therefore of itself seems to require a central body to deal with it.

5. The other matters enumerated, viz.: (b) Prevention of the influx of criminals; (c) fisheries in Australasian waters beyond territorial limits; (d) the service of civil process of the Courts of any colony within Her Majesty's possessions in Australasia out of the jurisdiction of the colony in which it is issued; (e) the enforcement of judgments of Courts of law of any colony beyond the limits of the colony; (f) the enforcement of criminal process beyond the limits of the colony in which it is issued, and the extradition of offenders (including deserters of wives and children, and deserters from the Imperial or colonial naval or military forces); (g) the custody of offenders on board of ships belonging to Her Majesty's colonial Governments, beyond territorial limits; are all of them affairs of the external relations of the colonies, such as no Legislature of any one colony could deal with.

6. As regards the other class of subjects, none of them could come before the Council except on the request of the Legislatures of at least two colonies. I need only point out the immense safeguard thus afforded; there is the deliberate process of any such request through two Legislative Chambers of at least two colonies; there is scrutiny at various stages in each Chamber; there is the force of public opinion which may be brought to bear at any one of these stages; and I think it must be apparent that ample security is thus afforded that no subject could be remitted to the Federal Council on which there would be any danger of legislation unacceptable to individual colonies. I apprehend, indeed, that those subjects only would be dealt with by the Federal Council on which there was a matured public opinion, and a felt need of Federal action.

7. But, further, while your proposal is that no Act of the Federal Council shall have effect until adopted by the local Legislatures, there actually is a provision in the Bill which, if not identical with the one you propose, appears to me amply conservative in character—namely, that in the case of the subjects which under subclause (h) are referable to the Council by the Legislatures of two colonies, the Acts of the Council passed thereupon shall extend only to the colonies by whose Legislatures the matter shall have been so referred to it, and to such other colonies as may afterwards adopt the same.

8. Thus, then, in the case of subjects referred to the Council by two colonies, the sequential legislation would only be binding upon those two; and, as regards the others, their position would be just exactly that which is proposed by your memorandum. It seems to me that in this respect the Bill (so to say) exercises a wise discrimination; that is, that legislation which has only been asked for by two colonies should only bind those two, but that it should be optional with the other colonies to adopt it or not.

9. The proposal of your memorandum, however, is more sweeping; it is that there should be no finality in any of the Acts of the Council. This would deprive the Council at once of all legislative power and character; it would reduce it to a mere Intercolonial Conference or a drafting Committee. I cannot regard this otherwise than as a retrograde step.

10. Our past experience of Intercolonial Conferences suffices to show their inconclusiveness. It was the very fact of their impotence and ineffectiveness that gave rise to the desire for some central or federal body with power to act and legislate; but, with a Council shorn of all legislative power, we should be just where we were before. Suppose, for instance, that the Council have met and deliberated; if every item of their decisions has to be submitted to the various Legislatures for rediscussion and consideration, when can any general law be reasonably expected to be passed? How many of the local Legislatures may not be in recess? or how many colonies may not be undergoing a general election or a Ministerial crisis? And, with all the local Legislatures exercising their right of amendment, can it be expected that a law of general application would ever emerge from such a process? So remote, indeed, appears to me the prospect of any practical result from a body so crippled and restricted, that I quite fail to see wherein its utility would lie.

11. But, moreover, when it is recollected that the Council is itself to consist of representatives of the several Australasian colonies, I conceive that the colonies would be almost stultifying themselves if they adopted such a restriction on the powers of the Council as that proposed.

12. The idea of the Council is that it would consist necessarily of the most experienced and distinguished representative men in the colonies. Is it to be supposed that such men would seek, would indeed accept a seat at it, if, instead of the body proposed by the Convention, it were degraded into a mere drafting Council to prepare measures for enactment by the several colonial Legislatures?

13. It is because (as before mentioned) you were not present at the detailed and elaborate discussions of the Convention that I venture to lay before you these remarks, and to ask your kind reconsideration of the position. It will be a matter of profound satisfaction in Victoria, and I think in all those colonies which have accepted the Federal Council, if the important colony of New Zealand takes its place amongst those consenting to this measure and this form of federation.

I have, &c.,

JAMES SERVICE,  
Premier.

The Hon. Robert Stout, Premier of New Zealand, Wellington.

## No. 106.

The PREMIER to the AGENT-GENERAL.

SIR,—

Premier's Office, Wellington, 23rd May, 1885.

Referring to the Federal Council Bill, I have the honour to state that, as you will have learned from our telegrams, we were most desirous that provision should be made in the Bill that all laws passed by the Federal Council should, before having any effect in New Zealand, have to be approved of by our General Assembly. Copies of the telegrams sent you have been forwarded separately.

We sent to the various colonies a memorandum, copy of which is attached, and we received a A.-1., No. 46. telegram from the Premier of Queensland, copy also attached. On receipt of this I wired to you No. 101. as follows: "Federal Bill. Premier Queensland suggests alteration providing liberty colonies adopting Bill to enact in adopting Act that measures passed Council subject subsequent approval colony's Legislature. Colonies not wanting reservation can adopt Act unconditionally. Suggestion good, and consider our Parliament insist. Try arrange."

I then sent to Mr. Griffiths the following: "Your suggestion would meet our views if you can get colonies to agree," and I have now received his reply, as follows: "Informed Service of my telegram to you and your reply. He strongly objects, so I did not press the matter further."

We regret Mr. Griffiths's suggestions were not approved of by the other Australian colonies. If it had, there would have been found a way out of the difficulty that has arisen between the colonies regarding the Bill.

We learn from telegrams in the Press that the Bill is to be gone on with in the House of Commons after the Whitsuntide recess, and we hope you will be able to get effect given to our views.

Sir F. D. Bell, K.C.M.G., Agent-General.

I have, &amp;c.,

ROBERT STOUT.

## No. 107.

The PREMIER to the AGENT-GENERAL.

SIR,—

Premier's Office, Wellington, 23rd May, 1885.

Since the receipt of your letter, No. 353, of the 21st March last, this Government has A.-4D., No. 65. received a letter from Major-General Scratchley on the subject of New Zealand's contribution towards the cost of establishing a Government for the British territory in New Guinea: and the sum of £2,668 18s. 9d. has been paid to the credit of that officer into the National Bank, Queensland, as the share of this colony.

Sir F. Dillon Bell, K.C.M.G., Agent-General, &amp;c.

I have, &amp;c.,

ROBERT STOUT.

## No. 108.

The GOVERNOR, Adelaide, to the GOVERNOR, New Zealand, Wellington.

(Telegram.)

26th May, 1885.

FOLLOWING from Secretary of State: "Her Majesty's Government have agreed with Germany following boundary New Guinea: Starting on the coast near Mitre Rock on eighth parallel, following this parallel to degree 147 east longitude; thence straight line to the north-west to where sixth parallel cuts degree 144; thence west-north-west to where fifth parallel cuts degree 141. This line calculated to approximate watershed, and divide territory nearly equally."

## No. 109.

The PREMIER, New Zealand, to the PREMIER, Victoria.

SIR,—

Premier's Office, Wellington, 5th June, 1885.

I have the honour to acknowledge the receipt of your letter of the 20th ultimo.

No. 105.

2. I think it due to you, as well as to our Government, to state how it was that we did not sooner send a formal statement of our views to the Secretary of State for the Colonies. You are aware that the subject was discussed in our Parliament, and that the Legislative Council and the House of Representatives passed resolutions, which I duly forwarded to you on the 15th November last. In face of the decision of the House of Representatives to defer the whole subject for future consideration, we did not feel warranted in attempting in any way to prejudice that determination. When, however, we found the Imperial authorities pressing on the consideration of the Federal Bill, and the majority of the Australian colonies urging its passing, we felt it to be our duty to clearly state our position, and to attempt, if possible, to get the Bill so modified as to make it suitable to our circumstances.

3. I do not know if it would serve any good end to discuss the various points you mention in your letter, as our Parliament meets next week, and by its decision we are bound. I may be pardoned, however, in pointing out that, though I agree with you in the statement that the Federal Council will have committed to it legislative powers that the colonies do not now possess, and hence that the exercise of such powers cannot be injurious to the existing colonial Legislatures, yet that there is a danger of the autonomy of the colonies being destroyed. Gradually a Federal Council will grow in power, and gradually it will, if not controlled in the way we have pointed out, come to be looked upon as the supreme Legislature of all the colonies. Instead of a Federal we may soon have a Dominion Parliament. What is the safeguard? Obviously the proposal we make. The

supreme legislative power is to vest in various colonial Legislatures, and the Federal Council is only to prepare for their acceptance those general measures that are applicable to them.

4. I do not fear the consequences you dread about numerous amendments, and consequently inconclusive and ineffective action. I feel sure that no colony will be found declining to adopt a Bill on mere technicalities, but the spirit and principle of a measure will be fairly considered.

5. I would desire to impress upon you this: that no bond of union can be of any benefit to the colonies if it is to be maintained by force and not by good feeling. No sooner would the Federal Council be established with supreme legislative power than a jealousy of it, not in New Zealand alone, but in all the colonies, would arise. The Colonial Parliaments would look upon it as a usurper of their rights, and plot its destruction. You desire to see a union, and a lasting one, throughout the colonies. I ask you to consider whether that can either be established or maintained it be born in indifference and maintained in jealousy.

6. It would be a matter of regret were we to occupy an isolated position from that of the great Australian colonies, but I believe I am correctly stating the opinion of at least three-fourths of the colonists when I say that, should our views as to the legislative powers not be adopted, we must stand aloof from the proposed Federal Council.

The Hon. James Service, Premier of Victoria, Melbourne.

I have, &c.,

ROBERT STOUT.

### No. 110.

The PREMIER to the AGENT-GENERAL.

SIR,—

Premier's Office, Wellington, 5th June, 1885.

No. 105. Since I addressed you on the 23rd ultimo, I have received a letter from the Hon. the  
No. 109. Premier of Victoria, in reply to my memorandum respecting the Federal Council Bill, in which he takes exception to the views of this Government. (Copy enclosed.) I also enclose a copy of my reply, from which you will gather that, should our views not be adopted, we must stand aloof from the proposed Federal Council.

Sir F. Dillon Bell, K.C.M.G., Agent-General.

I have, &c.,

ROBERT STOUT.

### No. 111.

The COLONIAL SECRETARY, Western Australia, to the COLONIAL SECRETARY, New Zealand.

SIR,—

Colonial Secretary's Office, Perth, 6th June, 1885.

I have the honour to acknowledge the receipt of your letter of the 2nd ultimo, forwarding a memorandum respecting the proposed Imperial Act for constituting an Australasian Federal Council, and in reply I am directed by His Excellency Administrator Onslow to inform you that the memorandum will receive that careful consideration of this Government which it deserves.

I have, &c.,

MALCOLM FRASER,

Colonial Secretary.

The Hon. the Colonial Secretary, &c., Wellington.

### No. 112.

The PREMIER, Queensland, to the PREMIER, New Zealand.

SIR,—

Colonial Secretary's Office, Brisbane, 8th June, 1885.

I have the honour to acknowledge the receipt of your letter of 2nd May last, enclosing a memorandum written by Sir Julius Vogel, and adopted by your Government, on the subject of the proposed Federal Council Bill, by which the assent of the other Australasian Governments is invited to the proposal that a provision should be inserted in the Bill to the effect that no legislation of the Federal Council should be operative in any colony until adopted by the Legislature of that colony.

2. Although this Government is of opinion that any provision which would have the effect of lessening the authority of the proposed Federal Council, or of facilitating its dissolution (such as the 31st clause proposed by Lord Derby), is open to grave objection, yet recognizing that a Federal Union can only be secured by common agreement and mutual concessions, and attaching great importance to the adhesion of New Zealand to the proposed Council, I should have been willing, if it would have secured that object, to assent to the insertion of a clause making it optional on the part of the Legislature (though I did not think that any colony but New Zealand would have taken advantage of the option) to make such a provision as suggested by you. I accordingly telegraphed to you on the 16th of May as follows: "Federal Council Bill. Would it not meet your views if it were provided that any colony might enact in the Act adopting the Bill that the Acts of the Council should not be binding in that colony unless adopted by its Legislature. If this would secure the adhesion of New Zealand I for one should be disposed to agree, but I have not had an opportunity of consulting any other colony as your letter only received yesterday."

3. I found, however, that this suggested compromise, to which you expressed your willingness to agree, was not acceptable to the Government of Victoria, to which I first communicated it. Under these circumstances, I did not feel at liberty to take any further steps or to withdraw from the concerted action which has hitherto been taken by that colony and Queensland.

4. I do not think that the Federal Council Bill, as introduced into the Imperial Parliament, is fairly open to the objection that it interferes with the local autonomy of the several colonies on matters in which that autonomy is of any real importance.

The question was, as you are no doubt aware, very carefully considered in framing the Bill.

For myself I have always thought that the enactments of the Council, as the Bill is drawn, would virtually be equivalent to treaties made by the several colonies on matters concerning their relations with each other, the effect of the Bill being to make such treaties binding. And I entertain strong hopes that on further consideration, and after personal discussion with members of the other Australasian Governments, the Government of New Zealand will concur in this view.

The Hon. Robert Stout, Premier, Wellington, New Zealand.

I have, &c.,

S. W. GRIFFITH.

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No. 113.

W. CAVE THOMAS, F.S.S., to the PREMIER, New Zealand.

SIR,—

53, Welbeck Street, Cavendish Square, 24th November, 1884.

As the Agent-General would not undertake the transmission of the enclosed paper on "Federation," &c., I have ventured to do so. It was put forward some two years since, and anticipated a movement which bids fair to be important and general.

The Chief Secretary, Government of New Zealand.

I have, &c.,

W. CAVE THOMAS.

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Enclosure.

THE FEDERATION OF THE EMPIRE BY MEANS OF LOCAL SELF-GOVERNMENT,  
BY W. CAVE THOMAS, F.S.S.

PART I.

DEBATING societies have, for many years, been increasing in number and in importance, but the form of local parliaments, which they have in some cases recently assumed, as 'at Liverpool, Hackney, Kensington, and elsewhere, suggests matter for reflection, for it is a transformation which, to my mind, indicates a means of effecting, in the course of a few years, a great reform in the representative system, not only of England herself, but of the Empire at large, and of establishing a new mode of carrying on the legislative work of this vast queendom, both as regards local and general affairs.

The local parliaments, as they are at present constituted, strictly observe the forms and the procedure of the House of Commons, and the debates are carried on with perfect decorum. Why then should not the entire kingdom—nay, the whole Empire—be divided into electoral districts, each of which should have its local parliament to rule over its special destinies, and all the powers vested in it, that now belong to the magistracy, highway commissioners, educational and sanitary authorities, municipal bodies, &c.; and not only this, but which should also be competent to discuss all the great questions that affect the general interests of the Empire; to divide upon such questions, and to put its decisions upon record? The members of these local parliaments would, in the event of such institutions becoming a part of the recognized legislative machinery of the realm, be elected by the local or district constituencies.

These local parliaments would, in due course, become schools for legislators, for in them administrative talent would soon be recognized and come to the front. Local parliaments would become stepping-stones to the great central Imperial Parliament, in which, by these means, the administrative genius of the Empire would be concentrated. For the ablest men in the local representative assemblies would be promoted to the central legislative Assembly of a colony or dependency, and ultimately the very highest ability to the Imperial House of Commons.

Moreover, in this project for the establishment of local parliaments, may be discerned a means for facilitating the transaction of Imperial affairs, for, instead of prolonged discussions, as at present, in the Imperial, or central legislative Assembly, the House of Commons, which often delay the consideration of very important measures, great questions would be fought out, talked out, in all the electoral districts by the local parliaments, and the decisions arrived at, and the reasons for those decisions, could be briefly recapitulated by the district, and the federal members, in their places in the Imperial Commons. Thus, step by step, the general opinion of the whole Empire upon any great question would be recorded, and the Imperial policy influenced. The project we are describing is nothing more nor less than a project for the complete representation of the whole Empire, than a way to universal "Home Rule," which would disarm all malevolent attempts to lacerate by separation. But let us be prompt, lest an enemy be at our gates.

PART II.

In any final scheme of "redistribution," the division of the country into electoral districts will form a prominent feature. In my project of federation, the electoral district is regarded as the territorial unit of representation; next to this, the entire area of a colony or dependency, and finally the total length and breadth of the Empire itself. The electoral district would have its assembly or parliament; the colony or dependency, its general assembly; and the Empire, its Imperial House of Commons. The district would be the first circle; the colony or dependency, the second circle; and the Empire, the outer or all-including circle of representation.

In suggesting the establishment of local, or district parliaments, it is not intended that the members of these Assemblies should be extremely numerous, but that their number shall, in most cases, be in some way determined by the number of parishes comprised in the electoral district. While regarding the electoral district as the territorial unit of representation, I am not unmindful that this would include the home and the parish. The constitution of parochial government, however, would have to be modified, and the duties of vestrymen to be limited to the surveillance of all

works initiated for the parochial commonweal, the care of the poor, &c. But the vestry would be subordinate to, and under the supervision of, the district assembly, which would have the power of suspending, and even of dissolving it, if it should be convicted of neglect of duty. Each parish would have the privilege of electing one or two members, as may hereafter be determined, to represent it in the district assembly; and every parishoner, enfranchised, would be entitled to vote at this election. All the Civil servants of a district would be appointed by the district assembly or local parliament. Every member of a district parliament would be entitled to bear the affix to his name of M.L.P. (member local parliament). Each electoral district of a colony or dependency would be empowered to return one or two members to the general assembly or parliament of that colony or dependency; and the members of this general assembly would be entitled to the affix to their names of M.G.A. (member general assembly). The general assembly itself would be empowered to return one or more members to the House of Commons, or Central Imperial Parliament, at Westminster.

In England, Scotland, and Ireland the electoral districts themselves would return representatives direct to the Imperial Parliament. The immediate concern of the district or local governments would, of course, be the special affairs of the district. They would also have the power of discussing Imperial affairs on days set apart and fixed for that purpose, so that there should be no danger of local interests being neglected.

London and Ireland would possibly find the difficulties of local self-government solved by some modification of the general scheme of federation proposed: the first by having its wards or parishes magnified into districts, and thus entitling it to have its own general assembly, and Ireland by being empowered to have her general as well as local assemblies.

All laws, all measures touching land and property, and the administration of justice, as well as the levying of taxes, the control of the naval and military forces, &c., would be the function alone of the Imperial Parliament. In my suggestions of military reforms, I contemplated the ultimate coincidence of the electoral and the military districts: the coherence, if I may so express myself, of localization throughout the Empire. Depend upon it, in this principle of localization, of local self-government, we have left, as yet untried, the most powerful instrument of conquest, a first step towards the federation of the world; for in course of time peoples outside our bounds of empire would desire to become "federated" with an Empire established in equity.

It has been thought that the fiscal policy of some of the colonies would be an insuperable obstacle to federation; but that policy should be considered, at all events for the present, a local policy. If Protection be wrong in principle, those members of the Imperial Commons who are masters of the principles of Free-trade would have opportunities of convincing the colonial members of its wisdom.

The immediate object of federation is the more complete articulation of the limbs of the nation with its trunk, so that, as a living and stronger whole together, we may exhibit a better proportioned frame, a more commanding front, to the world.

This project was first put forward in 1881-82.

1885.  
NEW ZEALAND.

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# FEDERATION AND ANNEXATION:

A FEDERAL COUNCIL AND NEW GUINEA PROTECTORATE.

(FURTHER CORRESPONDENCE RELATING THERETO.)

[In continuation of A.-4c, 1885.]

*Presented to both Houses of the General Assembly by Command of His Excellency.*

No. 114.

The AGENT-GENERAL to the PREMIER.

FEDERAL BILL. Victoria Queensland strongly urging omission clause allowing colony withdraw. Members both Houses asking whether New Zealand Sydney really wish clause retained. Please instruct.

30th April, 1885.

F. D. BELL.

No. 115.

The PREMIER to the AGENT-GENERAL.

FEDERAL BILL. Unless legislation is to be subsequently approved by colonial Legislatures convinced colonies will not adopt Act when passed consequently prove abortive. Prefer retention withdrawal clause, but clause we suggest most important.

2nd May, 1885.

ROBERT STOUT.

No. 116.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 8th May, 1885.

I transmit to you herewith six copies of the Federal Council of Australasia Bill, as introduced into the House of Lords.

I also transmit herewith a *Times* report of the passing of the Bill in the Lords.

A number of members of both Houses having asked me what the real wish of the Governments of New Zealand and New South Wales was with respect to the retention of the 31st clause, it seemed to me desirable to ascertain your views thereon. I accordingly sent you a message No. 114. asking for instructions on this point, and I received in due course your reply stating that, unless No. 115. the legislation of the Federal Council was to be to be subsequently approved by the respective colonial Legislatures, you were convinced that the colonies would not adopt the Act, and that it must consequently prove abortive; but that you preferred the retention of the new clause allowing a colony to withdraw, although the clause you had suggested for rendering legislation subject to the approval of the Legislatures was the most important.

While the Bill was passing through the Lords, two parliamentary papers were issued—of which I transmit copies herewith—containing correspondence with the colonies. Your attention will no doubt be directed to the joint letter sent in to the Colonial Office by the Agents-General for Victoria and Queensland urging the omission of the 31st clause. I did not think it advisable to enter into any official controversy on the matter, seeing that it had been amply discussed at the interview of all the Agents-General with Lord Derby, reported in my letter of the 7th April, No. 416. An A.-4c, No. 92. addition was made to the clause to the effect that a retiring colony might repeal, after retirement, any laws passed by the Federal Council. This was inserted by the Colonial Office in consequence of what I had submitted to Lord Derby would be the effect of the clause as it originally stood. It is obviously too sweeping in its terms, but as it goes in the direction of the power desired by your Government I have not made any formal representation against it. I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

1—A. 4c\*.

## Enclosure 1.

## FEDERAL COUNCIL OF AUSTRALIA BILL. [H.L.]

*Arrangement of Clauses.*

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| <ol style="list-style-type: none"> <li>1. Definitions.</li> <li>2. Institution of Federal Council.</li> <li>3. Power to make laws.</li> <li>4. Session of Council.</li> <li>5. Constitution of Council.</li> <li>6. Appointment of representatives and tenure of office.</li> <li>7. Place of sitting of Council.</li> <li>8. Summoning and prorogation of Council.</li> <li>9. Governors of colonies to report names of representatives.</li> <li>10. Vacancy in representation not to affect Acts of Council.</li> <li>11. Special sessions of Council.</li> <li>12. President of Council.</li> <li>13. Quorum, and voting.</li> <li>14. Oath or affirmation to be taken by members.</li> <li>15. Matters subject to legislative authority of Council.</li> <li>16. Powers to Governors to refer questions for determination of Council.</li> <li>17. Royal assent to Bills passed by Council.</li> </ol> | <ol style="list-style-type: none"> <li>18. Power to Her Majesty to disallow Act to which Governor has assented in Her Majesty's name.</li> <li>19. Bills reserved for signification of Her Majesty's pleasure.</li> <li>20. Acts of Council, when assented to, to have force of law.</li> <li>21. Publication of Acts.</li> <li>22. Acts of Council to supersede colonial enactments, if inconsistent.</li> <li>23. Standing orders for conduct of business.</li> <li>24. Committees of Council.</li> <li>25. Officers and servants.</li> <li>26. Mode of defraying expenditure of Council.</li> <li>27. Payment of contributions by colonies.</li> <li>28. Evidence of proceedings.</li> <li>29. Power to make representations to Her Majesty.</li> <li>30. Commencement of Act in respect of any colony.</li> <li>31. Power to determine operation of Act in any colony.</li> <li>32. Short title.<br/>Schedule.</li> </ol> |
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A BILL intituled an Act to constitute a Federal Council of Australasia.

WHEREAS it is expedient to constitute a Federal Council of Australasia, for the purpose of dealing with such matters of common Australasian interest, in respect to which united action is desirable, as can be dealt with without unduly interfering with the management of the internal affairs of the several colonies by their respective Legislatures :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of Her Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. In this Act, unless the context otherwise require, the following terms shall bear the meanings set opposite to them respectively :—

“Colonies.” The colonies (including their respective dependencies) of Fiji, New Zealand, New South Wales, Queensland, Tasmania, Victoria, and Western Australia, and the Province of South Australia, and any other colonies that may hereafter be created in Australasia, or those of the said colonies in respect to which this Act is in operation :

“Crown colony.” Any colony in which the control of public officers is retained by Her Majesty's Imperial Government :

“Her Majesty's possessions in Australasia.” The colonies and such other territories as Her Majesty may from time to time declare by Order in Council to be within the operation of this Act :

“Council.” The Federal Council as hereby constituted :

“Governor.” The Governor, Lieutenant-Governor, or other officer administering the government of the colony referred to, with the advice of his Executive Council, in which case the word shall mean the Governor, Lieutenant-Governor, or such other officer alone.

2. There shall be in and for Her Majesty's possessions in Australasia a Federal Council, constituted as hereinafter provided, and called the Federal Council of Australasia, which shall have the functions, powers, and authority hereinafter defined.

3. Within such possessions Her Majesty shall have power, by and with the advice and consent of the Council, to make laws for the purposes hereinafter specified, subject to the provisions herein contained respecting the operation of this Act.

4. A session of the Council shall be held at least in every two years.

5. Each colony shall be represented in the Council by two members, except in the case of Crown colonies, which shall be represented by one member each. Her Majesty, at the request of the Legislatures of the colonies, may, by Order in Council from time to time, increase the number of representatives for each colony.

6. The Legislature of any colony may make such provision as it thinks fits for the appointment of the representatives of that colony, and for determining the tenure of their office.

7. The first session of the Council shall be held at Hobart, in the Colony of Tasmania. Subsequent sessions shall be held in such colony as the Council shall from time to time determine.

8. The Council shall be summoned and prorogued by the Governor of the colony in which the session shall be held ; and shall be so summoned and prorogued by Proclamation, published in the *Government Gazette* of each of the colonies ; and shall meet at such time and at such place as shall be named in the Proclamation.

9. The Governor of each colony shall from time to time transmit to the Governors of the other colonies the names of the members appointed to represent the colony of which he is Governor.

10. Notwithstanding any vacancy in the representation of any colony, the Council shall be competent to proceed to the despatch of business, and to exercise the authority hereby conferred upon it.

11. At the request of the Governors of any three of the colonies, a special sitting of the Council shall be summoned to deal with such special matters as may be mentioned in the Proclamation convening it. Until the Council shall make other provision in that behalf any such special session shall be summoned by the Governor of Tasmania, and shall be held at Hobart.

12. The Council shall in each session elect one of its members to be president.



13. The presence of a majority of the whole number of members of the Council for the time being, representing a majority of the colonies with respect to which this Act as is in operation, shall be necessary to constitute a quorum for the despatch of business, and all questions which shall arise in the Council shall be decided by the votes of a majority of the members present, including the president.

14. No member of the Council shall sit or vote until he shall have taken and subscribed before the Governor of one of the colonies the oath of allegiance contained in the Schedule hereto: Provided that every member authorized by the law of the colony which he represents to make an affirmation instead of taking an oath may make such affirmation instead of the oath hereby required to be taken.

15. Saving Her Majesty's prerogative, and subject to the provisions herein contained with respect to the operation of this Act, the Council shall have legislative authority in respect to the several matters following:—

- (a.) The relations of Australasia with the islands of the Pacific.
- (b.) Prevention of the influx of criminals:
- (c.) Fisheries in Australasian waters beyond territorial limits:
- (d.) The service of civil process of the Courts of any colony within Her Majesty's possessions in Australasia out of the jurisdiction of the colony in which it is issued:
- (e.) The enforcement of judgments of Courts of law of any colony beyond the limits of the colony:
- (f.) The enforcement of criminal process beyond the limits of the colony in which it is issued, and the extradition of offenders (including deserters of wives and children and deserters from the Imperial or colonial naval or military forces):
- (g.) The custody of offenders on board ships belonging to Her Majesty's colonial Governments beyond territorial limits:
- (h.) Any matter which at the request of the Legislatures of the colonies Her Majesty by Order in Council shall think fit to refer to the Council:
- (i.) Such of the following matters as may be referred to the Council by the Legislatures of any two or more colonies—that is to say: General defences, quarantine, patents of invention and discovery, copyright, bills of exchange and promissory notes, uniformity of weights and measures, recognition in other colonies of any marriage or divorce duly solemnized or decreed in any colony, naturalization of aliens, status of corporations and joint-stock companies in other colonies than that in which they have been constituted, and any other matter of general Australasian interest with respect to which the Legislatures of the several colonies can legislate within their own limits, and as to which it is deemed desirable that there should be a law of general application: Provided that in such cases the Acts of the Council shall extend only to the colonies by whose Legislatures they are referred to it, and such other colonies as may afterwards adopt the same.

Every Bill in respect of the matters marked (a), (b), or (c), shall, unless previously approved by Her Majesty through one of her Principal Secretaries of State, be reserved for the signification of Her Majesty's pleasure.

16. The Governors of any two or more of the colonies may, upon an address of the Legislatures of such colonies, refer for the consideration and determination of the Council any question relating to those colonies or their relations with one another, and the Council shall thereupon have authority to consider and determine by Act of Council the matters so referred to it.

17. Every Bill passed by the Council shall be presented, for Her Majesty's assent, to the Governor of the colony in which the Council shall be sitting, who shall declare, according to his discretion, but subject to the provisions of this Act and to Her Majesty's instructions, either that he assents thereto in Her Majesty's name, or that he withholds such assent, or that he reserves the Bill for the signification of Her Majesty's pleasure, or that he will be prepared to assent thereto, subject to certain amendments to be specified by him.

18. When the Governor assents to a Bill in Her Majesty's name he shall, by the first convenient opportunity, send an authentic copy of the Act to one of Her Majesty's Principal Secretaries of State, and if Her Majesty, within one year after receipt thereof by the Secretary of State, thinks fit to disallow the Act, such disallowance (with a certificate of the Secretary of State of the day on which the Act was received by him) being signified by such Governor by message to the Council, or by Proclamation in the Government *Gazette* of all the colonies effected thereby, shall annul the Act from and after the day of such signification.

19. A Bill reserved for the signification of Her Majesty's pleasure shall not have any force unless and until within one year from the day on which it was presented to the Governor for Her Majesty's assent such Governor signifies, by message to the Council, or by Proclamation published as last aforesaid, that it has received the assent of Her Majesty.

20. All Acts of the Council, on being assented to in manner hereinbefore provided, shall have the force of law in all Her Majesty's possessions in Australasia in respect to which this Act is in operation, or in the several colonies to which they shall extend, as the case may be, and on board all British ships other than Her Majesty's ships of war whose last port of clearance or port of destination is in any such possession or colony.

21. Every Act assented to in the first instance shall be proclaimed in the Government *Gazette* of the colony in which the session of the Council at which it was passed was held, and shall also be transmitted by the Governor assenting thereto to the Governors of the several colonies effected thereby, and shall be proclaimed by them within the respective colonies of which they are Governors.

22. If in any case the provisions of any Act of the Council shall be repugnant to, or inconsistent with, the law of any colony affected thereby, the former shall prevail, and the latter shall, so far as such repugnance or inconsistency extends, have no operation.

23. The Council may from time to time make and adopt such standing rules and orders as may be necessary for the conduct of its business, and all such rules and orders shall be binding on the members of the Council.

24. The Council may appoint temporary or permanent committees of its members, to perform such duties, whether during the session of the Council or when the Council is not in session, as may be referred to them by the Council.

25. The Council may appoint such officers and servants as may be necessary for the proper conduct of its business, and may direct the payment to them of such remuneration as it may think fit.

26. The necessary expenditure connected with the business of the Council shall be defrayed in the first instance by the colony wherein the expenditure is incurred, and shall be ultimately contributed and paid by the several colonies in proportion to their population. The amounts payable by the several colonies shall be assessed and apportioned, in case of difference, by the Governor of the Colony of Tasmania.

27. It shall be the duty of the Governor of each colony to direct the payment by the Colonial Treasurer, or other proper officer of the colony, of the amount of the contribution payable by such colony under the provisions of the preceding section.

28. Whenever it shall be necessary to prove the proceedings of the Council in any Court of justice, or otherwise, a certified copy of such proceedings, under the hand of the Clerk or other officer appointed in that behalf by the Council, shall be conclusive evidence of the proceedings appearing by such copy to have been had or taken.

29. 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 relation of Her Majesty's possessions in Australasia with the possessions of foreign Powers.

30. This Act shall not come into operation in respect of any colony until the Legislature of such colony shall have passed an Act or Ordinance declaring that the same shall be in force therein, and appointing a day on and from which such operation shall take effect, nor until four colonies at the least shall have passed such Act or Ordinance.

31. This Act shall cease to be in operation in respect to any colony the Legislature of which shall have passed an Act or Ordinance declaring that the same shall cease to be in force therein: Provided nevertheless that all Acts of the Council passed while this Act was in operation in such colony shall continue to be in force therein, unless altered or repealed by the Council, or unless repealed as to such colony by the Legislature thereof.

32. This Act shall be styled and may be cited as "The Federal Council of Australasia Act, 1884."

#### SCHEDULE.

I, \_\_\_\_\_, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria and her successors in the Sovereignty of the United Kingdom of Great Britain and Ireland: So help me God.

NOTE.—The name of the Sovereign of the United Kingdom of Great Britain and Ireland for the time being is to be substituted from time to time, with proper terms of reference thereto.

#### Enclosure 2.

[The *Times*, Friday, 1st May, 1885.]

HOUSE OF LORDS, Thursday, 30th April.

*The Federal Council of Australasia Bill.*

ON the motion to go into Committee on this Bill,

The Earl of CARNARVON said the House would remember the general substance of the discussion which took place the other evening on this Bill, and that the question at issue turned upon the adhesion of certain Australian colonies to the 31st clause of the Bill, but since the second reading a very important paper had been laid on the table of the House. He had been criticised in a public paper for having said that the Colony of New South Wales had expressed its adhesion to this 31st clause, and had refused to enter the Union unless it were retained. The exact position was, that neither New South Wales nor New Zealand had expressed any formal opinion on the subject. He thought it was understood that if that clause did not remain a portion of the Bill there was no probability that either of those colonies would come in. There was another very important point in the matter. His statement the other night was that there were four colonies—Victoria, Queensland, South Australia, and Tasmania—in favour of the omission of that clause, and that two colonies—New South Wales and New Zealand—were in favour of its retention. But from the paper to which he had alluded he gathered that South Australia had expressed an opinion in favour of the retention of the clause. On the 17th April a telegram arrived from the Governor of South Australia in which he said the Government there were satisfied with the amendments agreed upon, one of which amendments was the insertion of this particular clause. That was a very important matter, because, in the first place, it would be noticed that, instead of there being four colonies adverse to the clause and two favourable to it, there were three in favour and three adverse to it; and, secondly, in the 30th clause of the Bill it was expressly provided that the consent of four colonies should be required in order to make a confederation, and the result would be that no confederation under the Bill might take place, which was greatly to be deplored. The precise position of the Australian colonies was that Victoria, Queensland, and Tasmania were all in favour of the omission of this clause, and New South Wales and New Zealand required to give the matter more

consideration, and in fact declined to express any formal opinion. There was, he thought, on all sides of the House a desire to encourage to the utmost and to facilitate the union and federation of the colonies, believing it to be highly desirable in all respects; but on the other hand the difficulties which appeared were many, the delicacy of the position was very great, and it required great delicacy of touch in order to carry the matter through successfully. Therefore, while he had endeavoured to correct his statement of the other night so as to bring it in accordance with the exact and precise state of the case, he still adhered to the opinion that it was, on the whole, best to retain the 31st clause in the Bill, as leading to the consummation they all desired—namely, the adoption of this federation.

The Earl of DERBY said it was quite true that Victoria, Queensland, and Tasmania were against the retention of the clause, that South Australia and West Australia accepted the Bill as it stood, and that New South Wales and New Zealand had not expressed any definite opinion.

The Bill then passed through Committee without amendments.

[The *Times*, Saturday, 2nd May, 1885.]  
HOUSE OF LORDS, Friday, 1st May.  
*Federal Council of Australasia Bill.*

THIS Bill was read a third time and passed.

### Enclosure 3.

PAPERS RELATING TO THE BILL FOR THE CONSTITUTION OF A FEDERAL COUNCIL FOR AUSTRALASIA.

No. 1.

Governor Sir H. B. LOCH, K.C.B., Victoria, to the Right Hon. the Earl of DERBY, K.G.  
(Received 27th February, 1885.)

My LORD,—

Government House, Melbourne, 20th January, 1885.

I have the honour to acknowledge the receipt of your Lordship's despatch of the 11th December ultimo, enclosing copies of the Australasian Federal Council draft Bill, showing the amendments proposed by Her Majesty's Government, and requesting an expression of opinion from the colonies thereon.

2. I have forwarded this despatch and its enclosure for the consideration of my Government, and will inform your Lordship at the earliest moment possible of the observations my Ministers may make upon this measure.

I have, &c.,

The Right Hon. the Earl of Derby, K.G., &c.

HENRY B. LOCH.

No. 2.

Administrator A. C. ONSLOW, Western Australia, to the Right Hon. the Earl of DERBY, K.G.  
(Received 10th March, 1885.)

My LORD,—

Government House, Perth, 29th January, 1885.

I have the honour to acknowledge the receipt of your despatch of the 11th of December last, transmitting a copy of the Australasian Federal Council draft Bill, showing the amendments which Her Majesty's Government think desirable to be made therein.

2. In compliance with your Lordship's instructions, this Bill with its amendments has been carefully considered by this Government at a meeting of the Executive Council, at which all the members of the Council with the exception of the Surveyor-General, who is absent on leave, were present.

3. On the 27th instant I forwarded to your Lordship a telegram, of which the following is a copy: "In reply to your Despatch No. 89, amendments accepted. Despatch follows by mail."

4. I have now the honour to inform your Lordship that this Government has no observations to offer upon any portion of the Bill or the proposed amendments thereto, excepting only upon the point to which I beg respectfully to be allowed to allude.

5. This Government was not able clearly to reconcile the object of the omission of the third line in the 15th clause with the effect of the words which are proposed to be added to, and which constitute the last two lines of, the 20th clause.

6. It would appear at first sight that the object of the amendment in the 15th clause is to prevent the Federal Council from having unlimited jurisdiction and control over British ships sailing between Her Majesty's possessions in Australasia.

7. It would also appear that the intention of the words proposed to be added to the 20th clause is to bring within the jurisdiction of the Council all British ships other than Her Majesty's ships of war whose last port of clearance or port of destination is in any such (*i.e.*, Australasian) possession or colony. In other words, it would appear that the 20th clause as amended confers the very power which it was the object of the amendment in the 15th clause to cut away.

8. The exemption in favour of Her Majesty's ships of war does not appear to be the essential portion of the amendment.

9. It is possible that the real object is to prevent British ships from coming within the operation of any Acts of the Federal Council, unless such Acts shall have previously received Her Majesty's assent, in the manner provided by the Bill, which object, without these amendments, would not have been attained, as the 15th clause unamended would bring such vessels within the operation of the Federal Council's Acts before her Majesty's assent had been obtained.

10. I fear it is the fault of this Government that we have not been able clearly to see the intentions of Her Majesty's Government in this matter; but I have thought it my duty to lay before your Lordship very respectfully the difficulty as it appears to us.

11. A slight verbal alteration—which I think a good one—has also been suggested to be made in the 31st (new) clause—*i.e.*, the use of the words “the Legislature of which” instead of the words “in which the Legislature.” As the clause stands the word “Legislature” might possibly be interpreted to mean the Federal Council when sitting in any particular colony; whilst the expression “the Legislature of which” can only be taken to mean the Legislature of that particular colony which is designated by the expression “This Act shall cease to be in operation in any colony.”

The Right Hon. the Earl of Derby, K.G., &c.

I have, &c.,

ALEX. C. ONSLOW.

No. 3.

Governor Sir A. MUSGRAVE, K.C.M.G., Queensland, to the Right Hon. the Earl of DERBY, K.G.  
(Received 12th March, 1885.)

(Telegraphic.)

12TH MARCH. Proposition of Federal Council Bill carefully considered. Colonial Government do not agree to amendment clause 3; similar enactment contained in constitution of colony; consider essentially necessary. Do not agree to amendment clause 5; carefully considered Convention; such modifications as may be necessary can await draft of Act colonial Legislature. Do not agree to amendment second clause 15; quite sufficiently provided in last subdivision as far as desirable at present. Do not agree to amendment second clause 26; very particularly fully discussed; carefully considered Convention. Do not agree to amendment clause 31; consider it undesirable, very; not quite certain whether I rightly understand proviso to amendment. Rest of answer unavoidably delayed; endeavouring to ascertain opinion New South Wales. Despatch follows.

No. 4.

The AGENT-GENERAL for VICTORIA to the COLONIAL OFFICE.

8, Victoria Chambers, Victoria Street, Westminster, SW., 16th March, 1885.

SIR,—

I have the honour to inform you that I have received a telegraphic despatch from the Hon. James Service, Chairman of the Committee of Premiers appointed by the Sydney Convention, with reference to the series of amendments proposed by the Earl of Derby in his despatch of the 11th of December last to the Governors of the Australasian colonies, on the subject of the Enabling Bill for the establishment of a Federal Council of Australasia adopted by the Convention.

Mr. Service states that the Governments of the Colonies of Queensland, South Australia, Tasmania, and Victoria all agree as follows:—

Clause 1.—Proposed amendment is agreed with.

Clause 3.—The colonies are of opinion that the clause should not be struck out, but that a proviso should be added as follows: “Subject to the provisions herein contained in respect to the operation of this Act.”

Clause 5.—Proposed amendment is disagreed with.

Clause 15.—The colonies agree to the omission of line 3, but disagree with the new subsection after G. They agree to the new subsection after H.

Clause 20.—The colonies agree with amendments proposed.

Clause 26.—They agree with the amendment proposed in the first line of this clause, but disagree with the amendment expressed in the second sentence of the clause as set forth in the suggestions for revision of the draft.

Clause 31.—They also disagree with this clause.

Assuming that the Secretary of State will concur with the judgment of the four colonial Governments now prepared to confederate, as set forth in the above statement, I am to express the hope that his Lordship will, without delay, take the necessary steps for the introduction of the Bill.

I have, &c.,

The Under-Secretary of State, Colonial Office.

ROBT. MURRAY SMITH.

No. 5.

Governor Sir G. C. STRAHAN, K.C.M.G., Tasmania, to the Right Hon. the Earl of DERBY, K.G.  
(Received 24th March, 1885.)

MY LORD,—

Government House, Hobart, 4th February, 1885.

With reference to your despatch of the 11th of December last, in connection with the revision of the Australasian Federal Council draft Bill, I have the honour to forward to you a memorandum from the Premier upon the subject.

I have, &c.,

The Right Hon. the Earl of Derby, K.G., &c., Colonial Office.

GEO. C. STRAHAN.

Enclosure in No. 5.

MEMORANDUM for His Excellency the GOVERNOR.

Premier's Office, Hobart, 3rd February, 1885.

WITH reference to the despatch of the 11th December, 1884, enclosing suggestions for the revision the Australasian Federal draft Bill, Mr. Douglas proposes to defer any remarks on the alterations

submitted until the Premiers of the various colonies interested have further considered the question, and has the honour to request that, in the meantime your Excellency will be pleased to allow the despatch to be retained in the Premier's office.

ADYE DOUGLAS.

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No. 6.

The COLONIAL OFFICE to the AGENTS-GENERAL for the AUSTRALASIAN COLONIES.

SIR,—

Downing Street, 28th March, 1885.

With reference to previous correspondence respecting the introduction of the Imperial Bill necessary for the establishment of a Federal Council of the Australasian colonies, I am directed by the Earl of Derby to inform you that he would be happy to receive you, with the other Agents-General of the Australasian colonies, at an interview in this department on Monday, the 30th instant, at 3 p.m., for the purpose of considering the communications which have been received with regard to the provisions of the draft Bill which was sent out for the observations of the colonial Governments.

The Agents-General for New South Wales,  
Victoria, Queensland, South Australia,  
and New Zealand.

I have, &c.,  
EDWARD WINGFIELD.

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No. 7.

Governor the Right Hon. Lord AUGUSTUS LOFTUS, G.C.B., New South Wales, to the Right Hon. the Earl of DERBY, K.G. (Received 30th March, 1885.)

MY LORD,—

Sydney, 16th February, 1885.

I have the honour to acknowledge the receipt of your Lordship's circular despatch of the 11th December, 1884, on the subject of introducing a Bill for the establishment of a Federal Council for the Australasian colonies in conformity with the draft Bill which was agreed to at the Sydney Convention, which I have submitted to my Government with an invitation to take into consideration certain amendments which it has appeared desirable to your Lordship to introduce into the draft Bill.

2. Your Lordship's despatch, with the amended draft Bill, has been published by the Press.

3. As Parliament is not sitting, and as the question was not fully discussed or ventilated by the Assembly, who simply at that late period of an exceptionally protracted session declined to express an opinion on the creation of a Federal Council, my Government may not feel themselves justified in assenting to the amendments or expressing their opinion on the Bill itself until it has received the sanction of Parliament.

4. As soon as I receive the answer of my Government I shall not fail to forward it to your Lordship, and to acquaint you with its general nature by telegraph.

5. In the meantime I have the honour to enclose to your Lordship articles from the Sydney *Herald*, commenting on the several amendments suggested by your Lordship.

I have, &c.,

The Right Hon. the Earl of Derby, K.G., &c.

AUGUSTUS LOFTUS.

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No. 8.

Governor Sir W. C. F. ROBINSON, K.C.M.G., South Australia, to the Right Hon. the Earl of DERBY, K.G. (Received 17th April, 1885.)

(Telegraphic.)

17TH APRIL, 1885. Your Lordship's Despatch of 11th December. Government here are satisfied with amendments agreed upon at recent interview Agents-General with your Lordship *re* Enabling Bill.

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No. 9.

Governor Sir H. B. LOCH, K.C.B., Victoria, to the Right Hon. the Earl of DERBY, K.G. (Received 21st April, 1885.)

MY LORD,—

Government House, Melbourne, 12th March, 1885.

In reply to your Lordship's despatch of the 11th December last, transmitting a copy of the draft Federal Bill, with certain proposed amendments for any observations my Government might desire to make thereon, I have now the honour to transmit a copy of a memorandum, dated the 11th March instant, that I have received from my Government, with the conclusions at which they have arrived in respect to the amendments suggested by Her Majesty's Government, and these conclusions I have forwarded this day by telegraph to your Lordship.

I have, &c.,

The Right Hon. the Earl of Derby, K.G., &c.

HENRY B. LOCH.

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Enclosure in No. 9.

MEMORANDUM for His Excellency the GOVERNOR.

Melbourne, 11th March, 1885.

MR. SERVICE presents his duty to your Excellency, and, with reference to Lord Derby's despatch of the 11th December, 1884, on the subject of a draft Bill to constitute a Federal Council of Australasia, begs to inform your Excellency that this Government have carefully considered the amendments proposed by the Imperial Government, and have come to the following conclusions with respect thereto—namely:—

Clause 1.—Amendments agreed with.

Clause 3.—Should not be struck out, but proviso should be added as follows: "Subject to provisions herein contained in respect to the operation of this Act."

Clause 5.—Amendment disagreed with.

Clause 15.—Agree to omit line 3; disagree with new subsection alfter (*g*); agree to new subsection after (*h*).

Clause 10.—Agree to amendments.

Clause 26.—Agree to amendment in first line; disagree with the other.

Clause 31.—New clause disagreed with.

JAMES SERVICE, Premier.

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No. 10.

The AGENTS-GENERAL for VICTORIA and QUEENSLAND to the COLONIAL OFFICE. (Received 23rd April, 1885.)

MY LORD,— 8, Victoria Chambers, Victoria Street, Westminster, S.W., April, 1885.

In the course of our discussion on the 30th ultimo, on the subject of the Bill now before the House of Lords to enable the Australasian colonies to federate, you expressed your willingness to receive from us a written statement formulating the objections entertained by the confederating colonies to your introduction into this measure of the 31st clause, which permits any one of their number, after having joined the Federal Union, to retire at its own pleasure.

Since our interview with your Lordship the clause has been further altered in a way which aggravates, in our opinion, its objectionable nature; but, even as it originally stood, we conceive that the reluctance of the confederating colonies to adopt it is well founded. It was, we believe, your Lordship's expectation that by the insertion of this clause the entrance of New Zealand and possibly New South Wales into the Federal Union might be secured. As, however, it has been ascertained that even the inclusion of this clause would not secure the adhesion of those colonies, it is, we submit, unreasonable that their wishes should be allowed to outweigh the deliberate resolutions of the other colonies who have undertaken to unite.

The practical effect of the clause on the permanency and efficacy of the Federal Union must be disastrous. It is provided in the Bill that the Federal Council must consist at least of the representatives of the four colonies, and that number has only just been reached. Can it be desirable, then, that a measure intended to promote union should, in its original construction, provide for dissolution, practically at the will of any one colony? The action of the Council would be thereby paralyzed, and it would legislate indeed under perpetual fear of destruction by the minority.

The practical experience of the Canadian Confederation is, we are enabled to state, opposed to the granting of such a power. That Union, which is now fairly secured, would assuredly have broken up had this provision formed part of the original articles of confederation. It has been urged that the union of the Canadian colonies was of a different and far closer character than the proposed Australasian Confederation. We fail to see, however, why the character of the bond, which has been purposely made light in order that it may last and grow, should be held to justify a provision which will certainly tend to weaken, and possibly to destroy it. The advocates of this clause have asked what would happen, unless it be inserted, should one of the colonies desire subsequently to retire from the Federal Union. Surely this is equally applicable to the closer federation of the North American colonies, and one of the provinces in fact did, as we are enabled to state, desire to withdraw from that Union at a very early period of its existance, and yet remains a satisfied member of it at the present day.

It is not to be supposed that the four colonies which have maintained their resolution to unite during the whole period which has elapsed since the meeting of the Sydney Convention in December, 1883, have not seriously considered this point, and, if they are unanimous in rejecting the proposition, we submit that their wishes should not be slightly disregarded.

We also desire to impress upon your Lordship the great disadvantages which, in our judgment, attend the section of this clause enabling a seceding colony, through its Legislature, to nullify the obligations which it had entered into while acting as a member of the federation. It might thus happen that the whole burden of a policy entered into with the cordial sanction, or even on the invitation, of the seceding colony, might be thrown upon those members of the federation who remained faithful to their compact, to their great detriment and to the postponement of any hope of a future closer union of the colonies. We therefore trust that your Lordship will, on further consideration, move Her Majesty's Government to consent to the omission of this clause from the Bill, and comply with the unanimous request of the confederating colonies that their union shall be rendered indissoluble unless by common agreement under Her Majesty's sanction.

We have, &c.,

ROBT. MURRAY SMITH,  
Agent-General for Victoria.

JAMES F. GARRICK,  
Agent-General for Queensland.

The Right Hon. the Earl of Derby, K.G., &c.

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DESPATCH from the GOVERNOR of NEW SOUTH WALES, dated the 18th March, 1885, respecting the Bill for the Constitution of a Federal Council for Australasia.

Governor Lord AUGUSTUS LOFTUS, G.C.B., New South Wales, to the Right Hon. the Earl of DERBY, K.G. (Received 28th April, 1885.)

MY LORD,— Government House, Sydney, 18th March, 1885.

I have the honour to inform your Lordship that on its receipt I duly communicated to my Government your Lordship's despatch of the 11th December, 1884, containing suggestions for the revision of the draft Bill passed by the Convention of Sydney for the establishment of a Federal Council of Australasia.

2. This subject has engaged the attention of my Government, and I am now enabled to forward to your Lordship their views contained in a telegram addressed by Mr. Dalley to the Premier of Victoria, of which I have the honour to enclose a copy.

3. Mr. Dalley therein states that this Government is embarrassed in submitting any distinct proposals on this question by the circumstance that the Parliament of New South Wales has declined to sanction the course of procedure resolved upon by the Convention. He adds that, in order to speak authoritatively, a definite expression of Parliamentary opinion should be obtained, and in the absence of it his colleagues feel unable to suggest anything concerning the proposed measure.

I have, &c.,

The Right Hon. the Earl of Derby, K.G., &c.

AUGUSTUS LOFTUS.

Enclosure.

The ACTING-COLONIAL SECRETARY to the PREMIER of Victoria.

(Telegram.)

Sydney, 11th March, 1885.

IN the great demand upon the time and attention of Ministers made here by recent events, the consideration of the question of the submission of our views concerning the amended Enabling Bill by the Imperial Government has been necessarily delayed. As I perceive you propose at once transmitting through South Australia the views of all the colonies, I hasten to inform you of our position on this question. As you are aware, we are embarrassed in submitting any distinct proposals by the circumstance that our Parliament has declined to sanction the course of procedure resolved upon by the Convention. In order to enable us to speak authoritatively, a definite expression of parliamentary opinion should be obtained; and, in the absence of this, my colleagues feel unable to suggest anything concerning the measure.

WILLIAM BEDE DALLEY.

No. 117.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 16th May, 1885.

I transmit to you herewith a *Times* report of a question put last night in the House of Commons by Sir Henry Holland, whether there was any record of what had passed at the recent interview between the Earl of Derby and the Agents-General on the subject of the Federal Bill; together with Mr. Ashley's reply that there was no such record.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

Enclosure.

[The *Times*, Saturday, May 16, 1885.]

FEDERAL COUNCIL OF AUSTRALASIA.

SIR H. HOLLAND asked the Under-Secretary of State for the Colonies whether, before the stage of Committee upon the Federal Council of Australasia Bill, he would present to the House a paper showing what Agents-General were present at the interview between Lord Derby and the Agents-General of the Australasian colonies on the 30th April last, and what amendments were discussed and agreed upon.

MR. ASHLEY.—There is no record of the interview between the Agents-General and the Secretary of State, and I therefore cannot lay a paper on the table; but for the information of my honourable friend I may say that there were present the Agents-General of New South Wales, Victoria, New Zealand, Queensland, and South Australia, that he can see what amendments were under discussion by comparing the draft Bill in Command Paper C. 4266 with the Bill as it lies on the table of the House, and that all the amendments which have been embodied in the Bill were agreed to by the Agents-General except in the case of clause 31, no doubt a very important amendment.

No. 118.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 16th May, 1885.

I transmit to you herewith further papers relating to the Federal Council Bill, in addition to the one I sent you on the 8th instant.

I am glad I refrained from sending in any representation to the Colonial Office myself, as your minute of the 28th March, transmitted by the Governor to the Secretary of State, expresses the view of your Government in the most authentic shape.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

Enclosure.

AUSTRALASIA.—FURTHER PAPERS RELATING TO THE FEDERAL COUNCIL BILL.

No. 1.

The AGENT-GENERAL for VICTORIA to the COLONIAL OFFICE.

MY LORD,—

8, Victoria Chambers, Victoria Street, Westminster, S.W., 1st May, 1885.

Among the papers recently submitted to Parliament having reference to the Australasian Federal Council Bill I observe copy of a telegram addressed to your Lordship by the Governor of

2—A. 4c.\*

South Australia, dated 17th April, expressing approval, on behalf of the Government of that colony, of "the amendments agreed upon at the recent interview between the Agents-General and your Lordship."

As this message appears to be at variance with the statement which I made to your Lordship in my despatch of the 16th March, I have the honour to enclose herewith a literal copy of the message I received from my Government, dated the 14th March, the substance of which I have already communicated to your Lordship.

The Right Hon. the Earl of Derby, K.G., &c.

I have, &c.,

ROBERT MURRAY SMITH.

Enclosure in No. 1.

The GOVERNMENT of VICTORIA to the AGENT-GENERAL for VICTORIA.

(Telegraphic despatch.)

14th March, 1885.

JOINT telegram *re* proposed Amendment Federal Bill sent Adelaide some days since, delayed Colton's absence Zealand, as follows: Queensland, South Australia, Tasmania, and Victoria all agree as follows: Clause one, amendment agreed with. Clause three should not be struck out, but proviso should be added as follows: "Subject to provisions herein contained in respect to the operation of this Act." Clause five, amendment disagreed with. Clause fifteen, agree to omit line three; disagree with new subsection after G; agree to new subsection after H. Clause twenty, agree amendments. Clause twenty-six, agree amendment first line, disagree the other. Clause thirty-one, new clause disagree.

No. 2.

Governor Sir A. MUSGRAVE, K.C.M.G., Queensland, to the Right Hon. the Earl of DERBY, K.G.  
(Received 6th May, 1885.)

MY LORD,—

Queensland Government House, Brisbane, 18th March, 1885.

Referring to my despatch of 12th instant, confirming my telegram of the same date on the subject of the amendments proposed by your Lordship in the draft Bill for the constitution of a Federal Council, transmitted to me in your Lordship's despatch of 11th December last, I now have the honour to forward to your Lordship a copy of a letter addressed to me by the Colonial Secretary and leader of the Government, Mr. Griffith, which fully explains the views of my advisers upon the points involved in the suggested amendments.

I have, &c.,

The Right Hon. the Earl of Derby, K.G., &c.

A. MUSGRAVE.

Enclosure in No. 2.

SIR,—

Colonial Secretary's Office, Brisbane, 16th March, 1885.

I regret the delay which has occurred in furnishing your Excellency with the observations of this Government upon the amendments suggested by Lord Derby in the draft Bill for the constitution of a Federal Council as proposed by the Convention held at Sydney at the end of 1883, a delay which has arisen from a desire that unanimity of opinion on the part of the several Australasian Governments might be secured before making a formal report to your Excellency.

1. I have lately had the opportunity of conferring at length with Mr. Service in Melbourne, Mr. Dalley in Sydney, and Mr. Douglas in Hobart, on the subject of Lord Derby's despatch of 11th December; but, although I have been for some time in possession of the views of all the Governments except that of New South Wales, until yesterday no formal reply was received from Mr. Dalley.

2. I yesterday had the honour to forward to your Excellency at Southport a telegram shortly stating the opinion of this Government as to the several suggested amendments, and I now propose to state more fully the reasons which have led it to these conclusions.

3. The 3rd clause of the draft Bill, which it is now suggested should be omitted, was inserted as the cardinal provision of the Bill, empowering Her Majesty to make laws with the consent of the Council to be constituted under it. In the Constitutions of the Colonies of New South Wales, Victoria, and Queensland a similar clause is found, and it appears to us that in its absence legislative authority would be formally conferred (if at all) upon the Council, with the consent of Her Majesty, instead of being conferred upon Her Majesty with the advice and consent of the Council. It is hardly necessary to point out that the latter form of enactment is in accordance with the accepted view of the constitution of Legislatures in the British dominions.

4. The suggested amendment in the 5th clause, empowering Her Majesty to increase the number of representatives for each colony, raises a question which was very fully and anxiously debated in the Convention. The arguments in favour of representation in proportion to population, as opposed to a uniform delegation of two members from each self-governing colony, were carefully weighed, and it was finally resolved that, as it was intended that the Council should not have any power to authorize the expenditure of money except for purposes connected with its own business, but should rather be of the nature of a conference whose agreements or treaties should have binding authority, it would better that each constituent colony of the same class should have equal representation. In the event, however, of a change being found desirable in this respect, we think it should be made by the Imperial Parliament, after addresses to Her Majesty from the Federal Council and the Legislatures of the several colonies. I do not quite understand whether by the suggested amendment it is intended that Her Majesty should have power to increase the number of representatives of some colonies to the exclusion of others, or that the representatives of each colony of the same class should always be equal in number. If the amendment were retained this should be made clear. I hope, however, that so important a departure will not be made from the scheme adopted by the Convention, for it will be very important that when the Legislature of any



colony is asked to pass an Act adopting the provisions of the Federal Council Bill it should distinctly know the constitution of the body to which it is committing such important powers, and the weight which its own representatives will have in the decisions of the Council.

5. With respect to the first-suggested amendment in the 15th clause, omitting the words purporting to give to the Federal Council legislative authority over all Her Majesty's possessions in Australasia and over all the British ships sailing between them, we have no objection to offer. The intentions of the Convention would, as I understand them, have been met by substituting the words "on board of" for "over," which covers more than is necessary. The proposed amendment in the 20th clause confers the power to an even larger extent. I am not, however, able to admit the force of the argument, that no language should be used which could be construed as implying that the authority conferred on the Federal Council derogates from, or conflicts with, the authority of the separate colonial Legislatures in regard to matters of internal policy and administration. Such a conflict must, to a certain extent, exist, and it is contemplated and distinctly dealt with in the 22nd clause of the draft Bill, which, I observe, it is not proposed to alter.

6. This Government is unable to agree to the proposed amendment in the 15th clause, conferring upon the Federal Council legislative authority upon any matters which Her Majesty may, by Order in Council, think fit to refer to the Council. The colonies have already, under their Constitution Acts, full legislative authority within their boundaries, "in all cases whatsoever." The last subsection (*h*) of the 15th clause comprises all matters with respect to which the several colonies can legislate within their own limits, and as to which it is desired that there should be a law of general application. This general description appears therefore to comprise every matter whatever relating to the colonies themselves, but the authority of the Council is made subject to a prior reference of the matter to the Council by two or more colonies or a subsequent acceptance of the Council's enactments by them. This provision we think, covers all that it is desirable to include in the present Bill. I do not for a moment anticipate that any matter would be referred to the Council by Her Majesty without the consent of the colonies; but I think that the existence of so elastic a power might tend at least to delay the adoption of the Bill by the colonies.

7. The amendment suggested in the 26th clause, to the effect that, if any Act of the Council involves expenditure, the Council may provide that such expenditure shall be contributed and paid by the several colonies in proportion to their population, raises a question of great importance, than which none was more carefully considered by the Convention. A power to authorize the expenditure of money necessarily involves not only an authority to raise the necessary revenue, but an authority to superintend its disbursement. In some form, therefore, such a provision would necessitate the creation of a federal Treasury and the appointment of federal executive officers. Moreover, the individual Legislatures might, and probably would, be reluctant to delegate to a body constituted in the manner proposed by the draft Bill any power to expend money, which would carry with it a power to compel taxation, and consequently interfere with the fiscal arrangements of the several colonies. Such a proposal as that contained in this amendment would therefore involve a reconsideration of the constitution as well as of the functions of the Council. These and other arguments were fully weighed by the Convention, with the result that a provision of the kind now suggested was intentionally omitted. I do not anticipate any real difficulty, however, in the event of any Act of the Federal Council involving expenditure. The case would no doubt be dealt with by common agreement as in the case of the contributions to the expenses of the New Guinea protectorate. For the reasons I have stated this Government is unable to assent to the proposed amendment.

8. The suggested new clause 31 appears to us to be highly undesirable. Its effect would be that, if at any time four colonies only were represented in the Federal Council, any one of them would have power to break up the Council altogether. Such a provision would, I think, seriously hamper the authority and usefulness of the Council; nor do I think that its insertion in the Bill would tend to encourage a reluctant colony to come into the Union. We hope, therefore, that the proposed amendment will be withdrawn. I should add that the proviso in this clause appears somewhat ambiguous, as it is not clear whether it is intended that, on the retirement of a colony, any Act previously passed should cease to operate as to that colony on its being subsequently altered in any respect, or that the Council should have power to alter the Act to any extent it might think fit, and still bind the retiring colony by the altered provisions.

9. To the other suggested amendments this Government has no objections to offer.

I have, &c.,  
S. W. GRIFFITH.

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No. 3.

The COLONIAL OFFICE to the AGENT-GENERAL for VICTORIA.

SIR,—

Downing Street, 6th May, 1885.

I am directed by the Earl of Derby to acknowledge the receipt of your letter of the 1st instant, with its enclosure, respecting the views of the South Australian Government on the Australasian Federal Council Bill.

I am to observe that Sir W. Robinson's telegram of the 17th of April expresses the views of his Government upon an arrangement proposed at a date subsequent to that of your letter of the 16th March. His Lordship had felt quite satisfied that you had good authority for the statement made in that letter, but concluded from Sir W. Robinson's telegram that the South Australian Government had subsequently adopted his view that it might be preferable to retain the 31st clause, as possibly tending to make the measure more acceptable to those Legislatures which had not as yet seen their way to joining the Federal Council.

The Agent-General for Victoria,

I have, &c.,  
ROBERT G. W. HERBERT,

[For No. 4, see A.-1, No. 46.]

## No. 5.

Administrator W. MCGREGOR, C.M.G., Fiji, to the Right Hon. the Earl of DERBY, K.G.  
(Received 8th May, 1885.)

MY LORD,—

Government House, Suva, Fiji, 20th March, 1885.

I have the honour to acknowledge receipt of your Lordship's despatch of the 11th December, 1884, enclosing copies of the Australasian Federal Council draft Bill.

2. It would hardly be short of presumption on my part to enter into a consideration of the draft Bill, as Sir William Des Vœux will be in England long before this arrives there, and will be able to place his complete knowledge of the whole subject at your Lordship's disposal. Moreover the probability is great that the measure will have been dealt with by Parliament before any remarks I might have to make could reach your Lordship. I have therefore decided not to enter into a consideration of the details of the measure.

I have, &amp;c.,

The Right Hon. the Earl of Derby, K.G., &amp;c.

W. MCGREGOR.

## No. 6.

The AGENT-GENERAL for VICTORIA to the COLONIAL OFFICE.

MY LORD,—

8, Victoria Chambers, Victoria Street, Westminster, S.W., 8th May, 1885.

I have the honour to state that I have received a telegraphic despatch from the Hon. the Premier of Victoria instructing me to inform your Lordship that the Governments of Victoria and Tasmania protest against the provision attached to the 31st clause of the Enabling Bill lately introduced by your Lordship, by which the Legislature of any colony seceding from the Australasian Federal Council is empowered to repudiate the obligations it entered into while acting as a federated State.

I am also instructed to assure your Lordship of the continued opposition of Her Majesty's Governments in those colonies to the clause itself as originally proposed. And I am informed by Mr. Service that he has received communications from the other federating Governments in an almost identical sense.

I have, &amp;c.,

The Right Hon. the Earl of Derby, K.G., &amp;c.

ROBERT MURRAY SMITH.

## No. 7.

The AGENT-GENERAL for QUEENSLAND to the COLONIAL OFFICE.

Queensland Government Office, 1, Westminster Chambers, Victoria Street,  
London, S.W., 9th May, 1885.

MY LORD,—

I have the honour to inform your Lordship that I have received a telegram from my Government, instructing me to renew their objections to the 31st clause of the Federal Council Bill, and more particularly to that portion of the proviso to that clause which enables the Legislature of a colony which has withdrawn from the Union to repeal, as to such colony, all acts of the Council passed while the Federal Council Act was in operation in such colony.

I have, &amp;c.,

The Right Hon. the Earl of Derby, K.G., &amp;c.

JAMES F. GARRICK,  
Agent-General.

## No. 8.

The AGENT-GENERAL for SOUTH AUSTRALIA to the COLONIAL OFFICE.

Office of Agent-General for South Australia, 8, Victoria Chambers,  
Westminster, London, S.W., 11th May, 1885.

SIR,—

I have the honour to transmit copy of a telegram that I received on the 7th instant from the South Australian Government, and which I had the pleasure of communicating to you verbally on the same day, relative to the 31st clause of the Federal Council Enabling Bill.

I have, &amp;c.,

The Under-Secretary of State for the Colonies.

ARTHUR BLYTH,  
Agent-General.

Enclosure in No. 8.

TELEGRAM received this day by the AGENT-GENERAL for SOUTH AUSTRALIA from the GOVERNMENT at ADELAIDE, dated 7th May, 1885, 5.30 p.m. (Adelaide time).

May 7, 1885.

REPRESENT to the Imperial Government that the amendment clause No. 31 of the Enabling Bill, permitting colony retiring Council annul previous Act Council, is considered objectionable by the Colonies of Victoria, Queensland, Tasmania, and South Australia.

## No. 119.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 19th May, 1885.

I transmit to you herewith a *Times* report of a question put in the House of Commons last night by Mr. W. McArthur, on the subject of the reports recently made by the Anglo-German

Commissioners (Mr. Thurston and Dr. Krael) who have recently considered the questions relating to the Western Pacific, and of Mr. Evelyn Ashley's reply.

I hear that the papers referred to by Mr. Ashley will not be long delayed.

The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

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Enclosure.

[The Times, 19th May, 1885.]

The WESTERN PACIFIC.

In reply to Mr. McArthur,

Mr. ASHLEY said: The Anglo-German Commissioners who have been lately considering certain questions connected with the Western Pacific have reported their recommendations to their respective Governments. They have recommended, besides a delimitation of special spheres of influence of the two Governments, that they shall mutually grant perfect freedom and equality of trade, navigation, and domicile. With regard to the labour traffic, they recommend that Germany should pass laws for the regulation of recruitment similar to those already passed by the British Legislature, both Imperial and colonial, and which they pronounce sufficient to provide all necessary securities, if they are only properly enforced—in short, they consider that the labour trade should be regulated by a uniform rather than by a common control by the two Governments. As to the sale of arms and intoxicating liquors, they agree that in all places under the control of their respective Governments the gift or sale to natives of these things should be strictly prohibited. They further recommend, with reference to islands not yet under the control of any European Power, that German and British subjects should be prohibited from carrying thither arms or alcoholic liquors, and they suggest that the other naval Powers should be invited to adopt a similar course of action with respect to their subjects. With regard to the last question I think I may say that, as far as the Governments of Great Britain and Germany are concerned, there is every prospect of a common understanding being arrived at on the matters discussed between them.

Mr. GORST asked whether papers were being prepared and would be laid upon the table.

Mr. ASHLEY said papers were being prepared, but he could not say when they would be laid on the table.

Mr. GORST said if they were not produced before it was proposed to take the vote on this subject he should oppose it.

Mr. ASHLEY said he should press on the papers as well as he could.

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No. 120.

The AGENT-GENERAL to the PREMIER.

SIR,— 7, Westminster Chambers, London, S.W., 3rd June, 1885.  
In continuation of my letter of the 20th May, No. 598, I transmit herewith copy of a letter I have addressed to the Colonial Office, formally requesting the insertion in the Federal Council Bill of a clause to give effect to the suggestion of the Prime Minister of Queensland. Not printed.

The Hon. the Premier, Wellington.

I have, &c.,  
F. D. BELL.

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Enclosure.

The AGENT-GENERAL for NEW ZEALAND to the COLONIAL OFFICE.

SIR,— 7, Westminster Chambers, 2nd June, 1885.

Before the House of Commons takes up the Bill to constitute a Federal Council of Australasia, I beg permission to submit to the Earl of Derby, on the part of the New Zealand Government, a suggestion by which it may perhaps be possible to reconcile the differences that have arisen between the colonies upon the 31st clause, providing for the retirement of a colony from the federation.

It will be in Lord Derby's recollection that I submitted to him, some time ago, the opinion of my Government that, inasmuch as the scheme of a Federal Council could only be a success on condition of a real concert between the colonies, it would be good policy to put off the Bill until they should be better agreed. His Lordship, however, felt that he could not postpone the measure consistently with his promise to the respective Governments; and I thereupon expressed the wish of New Zealand for the insertion of a clause providing that laws passed by the Federal Council should only have operation in a colony if brought into force by the Legislature of that colony. His Lordship having also declined to entertain that suggestion, I then pressed (at the interview with which he honoured the Agents-General on the 30th March) for the retention of the 31st clause, because, among other reasons, if the Bill were to be passed at all, it was at any rate desirable to pass it in the shape that would be least likely to keep New Zealand and New South Wales out of the federation.

In the course of the communications that afterwards took place between the Australasian Governments upon the Bill the Prime Minister of Queensland (Mr. Griffith) suggested that the wishes of New Zealand might be met by the insertion of a clause providing that any colony adopting the Bill might enact, in its adopting Act or Ordinance, that Federal Council laws should be subject to the subsequent confirmation of that colony's Legislature. My Government think the suggestion a good one, and have directed me to bring it under Lord Derby's favourable consideration.

It may perhaps be admitted that such a clause would be open to the same objection as was made against the 31st—namely, that it strikes directly at the principle of federation, and that to set up a Federal Council to make laws which are only to come into force when confirmed by a local Legislature is no better than to allow a colony which had once joined the federation to retire from it. But I may be permitted to point out, in the first place, that this suggestion by Queensland not only showed an evident desire to make a concession for the sake of bringing New Zealand into the federation, but was also one which, if it brought in New Zealand, must obviously have a tendency to bring in New South Wales as well; while, even if New South Wales stood out in the end, a federation of Victoria, Queensland, South Australia, Tasmania, and New Zealand must be a more important thing in the Pacific than one that only embraced four of the Australian colonies. In the second place, supposing these four colonies not to wish for such a power themselves, its exercise by another colony could do them no possible harm, as they would pass their own adopting Acts, without the reservation, and bring the federal laws into force at once within their limits.

Supposing Lord Derby to entertain the idea of such a clause, I venture to suggest a form which might probably make it least distasteful to any colony. If the subjects be examined on which the Bill confers a legislative authority upon the Council, it will be seen that there are many where the colonies are sure to agree, while the occasions of probable difference are not likely to be numerous. The legislative authority, indeed, is in itself not wide, being confined to certain specified subjects. It is improbable that there should be any serious differences over federal legislation on such questions as the prevention of an influx of French *récidivistes*, the service of civil process, the enforcement of judgments and criminal process, or the extradition of offenders; while as regards general defences, bills of exchange, uniformity of weights and measures, mutual recognition of marriage and divorce, and other "matters of general Australasian interest," it is already settled that the Federal Council shall only legislate at the request of two or more colonies, and such legislation will only extend to those colonies or any others afterwards adopting it. The principle of "subsequent adoption" is therefore already in the Bill; and it is conceivable that, when the Council is really established, a colony that might at first have been disposed to apply the reservation to all federal laws may think it quite sufficient to extend it only to a few. So far as New Zealand is concerned, for instance, while the reservation would almost certainly embrace a federal law affecting "the relations of Australasia with the islands of the Pacific," it might not be at all required for a law relating to the service of civil process.

I would accordingly suggest that the power be so expressed as to allow of a colony either extending the reservation generally to all federal legislation, or making it only applicable to particular laws. A power so given would tend to heal the differences between the colonies, and help to make the Federal Council more of a reality than it can be now; and as it would do all that the power to retire from the federation secured, and do it in a better way, New Zealand would then no longer urge the retention of clause 31.

It is this healing of the differences among ourselves that is really wanted. A federation of Australia with New South Wales left out will never work; and a Federal Council "of Australasia" is a misnomer without New Zealand. It is only make-believe to invoke the unanimity of 1883 to hide the dissensions of 1885. If the Convention were sitting to-day, it is not too much to say that the Imperial Government would not be asked to pass this Bill at all; nor is it an unfair conjecture that, if Lord Derby had been asked to bring it in by only four of the colonies, Her Majesty's Government might have hesitated before empowering eight gentlemen to pass laws affecting, perhaps for years to come, the destiny of Australasia in the Pacific. If I am right in this, a suggestion tending to bring in all the colonies may not be unwelcome, and the proposal just made by Queensland may commend itself to Lord Derby and to Parliament.

The Under-Secretary of State for the Colonies, &c.

I have, &c.,  
F. D. BELL.

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No. 121.

The PREMIER, Tasmania, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Hobart, 4th June, 1885.

I have the honour to inform you that I have received from the Premier of Victoria copies of a letter addressed to you by him, on the 20th ultimo, with reference to the memorandum adopted by your Government on the subject of the Imperial Act for the constitution of an Australasian Federal Council.

Having carefully considered Mr. Services's letter, I desire to convey to you an expression of the general concurrence of this Government in the opinions therein expressed; and I trust that on reconsidering this important question you may find it not incompatible with the interests of New Zealand to modify your views as to the questions at issue.

The Hon. the Premier, New Zealand.

I have, &c.,  
ADYE DOUGLAS.

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No. 122.

The PREMIER, Brisbane, to the PREMIER, New Zealand.

SIR,—

Colonial Secretary's Office, Brisbane, 8th June, 1885.

I have the honour to acknowledge the receipt of your letter of the 2nd May last, enclosing a memorandum, written by Sir Julius Vogel and adopted by your Government, on the subject of

the proposed Federal Council Bill, by which the assent of the other Australasian Governments is invited to the proposal that a provision should be inserted in the Bill to the effect that no legislation of the Federal Council should be operative in any colony until adopted by the Legislature of that colony.

2. Although this Government is of opinion that any provision which would have the effect of lessening the authority of the proposed Federal Council or of facilitating its dissolution (such as the 31st clause proposed by Lord Derby) is open to grave objection; yet, recognizing that a Federal Union can only be secured by common agreement and mutual concessions, and attaching great importance to the adhesion of New Zealand to the proposed Council, I should have been willing, if it would have secured that object, to assent to the insertion of a clause making it optional on the part of the Legislatures (though I did not think that any colony but New Zealand would have taken advantage of the option) to make such a provision as suggested by you. I accordingly telegraphed to you on the 16th of May as follows:—"Federal Council Bill. Would it not meet your views if it were provided that any colony might enact in the Act adopting the Bill that the Acts of the Council should not be binding in that colony unless adopted by its Legislature? If this would secure the adhesion of New Zealand, I, for one, should be disposed to agree, but I have not had an opportunity of consulting any other colony, as your letter only received yesterday."

3. I found, however, that this suggested compromise, to which you expressed your willingness to agree, was not acceptable to the Government of Victoria, to which I first communicated it. Under these circumstances I did not feel at liberty to take any further steps, or to withdraw from the concerted action which has hitherto been taken by that colony and Queensland.

4. I do not think that the Federal Council Bill, as introduced into the Imperial Parliament, is fairly open to the objection that it interferes with the local autonomy of the several colonies on matters in which that autonomy is of any real importance.

The question was, as you are no doubt aware, very carefully considered in framing the Bill. For myself, I have always thought that the enactments of the Council, as the Bill is drawn, would virtually be equivalent to treaties made by the several colonies on matters concerning their relations with each other, the effect of the Bill being to make such treaties binding. And I entertain strong hopes that on further consideration, and after personal discussion with members of the other Australasian Governments, the Government of New Zealand will concur in this view.

I have, &c.,

The Hon. Robert Stout, Premier of New Zealand, Wellington.

S. W. GRIFFITH.

### No. 123.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 15th June, 1885.

In continuation of my letter of the 3rd instant, No. 677, enclosing the letter I addressed No. 120. to the Colonial Office respecting Mr. Griffith's suggestion on the Federal Council Bill, I beg to state that I have now learnt, through the Agent-General for Victoria, that upon Mr. Griffith communicating his suggestion to Mr. Service the latter objected to the proposal, and Mr. Griffith withdrew it, telling you he could not depart from the concert between Queensland and Victoria.

I take this opportunity of pointing out, with reference to the Cabinet memorandum transmitted to me by the Hon. the Treasurer on the 25th April, that inasmuch as it was dated more than three A.—1, No. 46. weeks before your telegram of the 18th May directing me to try for the introduction of the sug- A.—4c, No. 103. gested clause, I now read the telegram as modifying the memorandum to the extent of Mr. Griffith's suggestion. I may have to point this out when I circulate the memorandum, as my attention has already been called to the apparent contradiction between the memorandum and my letter to the Colonial Office of the 2nd instant. The letter has just been published as a parlia- No. 120. mentary paper, and I transmit a copy herewith.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

### No. 123A.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 16th June, 1885.

It may perhaps be convenient for reference in your office that I should transmit to you herewith copy of a letter I have addressed to the Hon. the Colonial Treasurer, in answer to one from him dated the 25th April, on the subject of the Federal Council Bill.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

### Enclosure.

The AGENT-GENERAL to the Hon. the COLONIAL TREASURER.

SIR,—

7, Westminster Chambers, London, S.W., 16th June, 1885.

I beg to acknowledge receipt of the Hon. Treasurer's letter of the 25th April last, transmitting a number of copies of a Cabinet memorandum on the subject of the Federal Council Bill, A.—1, No. 46. and directing me to circulate it among the members of both Houses of the Imperial Parliament and the Press; and also to send a copy of it to the Secretary of State. I immediately communicated a copy of the memorandum to the Colonial Office, and should have circulated it among the members

if the defeat of the Ministry had not suspended the progress of that as well as every other measure in the Imperial Parliament. It seemed to me that it would be more in consonance with your wishes if the circulation of the memorandum among members and in the Press were postponed until the political crisis is over, and the Federal Council Bill is again on the Paper. There is, however, no doubt that a Blue Book will soon be issued containing the memorandum.

The Hon. the Colonial Treasurer.

I have, &c.,

F. D. BELL.

### No. 124.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 19th June, 1885.

I transmit herewith an extract from the *Times* of to-day on the subject of the farewell visit paid yesterday by the Agents-General to Earl Derby, together with a leading article in the same journal thereon.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

### Enclosure No. 1.

[The *Times*, 19th June, 1885.]

LORD DERBY AND THE COLONIES.

THE Agents-General for New South Wales, Victoria, Queensland, South Australia, New Zealand, and the Cape, paid a farewell visit yesterday to Lord Derby at the Colonial Office. The High Commissioner for Canada was at Antwerp, or he would have accompanied his colleagues. Sir Arthur Blyth, as senior Agent-General, expressed in a few well-chosen words the thanks of the colonial representatives for the courtesy and consideration they had always received from Lord Derby and Mr. Evelyn Ashley, as well as Sir Robert Herbert. Lord Derby replied in the following terms: "Gentlemen,—I thank you for the courtesy of this visit and for the kindness of your language. When I came into this office two and a half years ago, I told you that I should not fail to have recourse to your experience and advice on every important occasion. I take no credit for keeping that pledge, since it has been for my own advantage and that of the department, but I have kept it, and I have no doubt but that my successor, whoever he may be, will do the same. I am glad to think that I leave this vast colonial empire at peace, and, speaking generally, in a satisfactory condition. In Canada the admirable management of the local authorities and the courage of the local forces have very nearly put an end to what promised at one time to be a troublesome if not dangerous conflict. As regards Australia, the despatch of troops to the Soudan by New South Wales has done much to strengthen the feeling of common interest between this country and the colonies; and, though troops were actually despatched only from one colony, England is well aware that the other Australian communities were equally ready to do their part had their assistance been needed. I do not affect to ignore the disappointment of some hopes and the consequent irritation for a time produced by the necessities of Imperial policy in the matter of New Guinea; but I believe that feeling will pass away when the people of Australia realize the facts that they have gained for English colonization about sixty thousand square miles of new territory, and that they are too numerous, too wealthy, and too powerful to be injured by the presence of a few foreign settlers at some hundred miles distance from their shores. The Federal Council Bill has been delayed by circumstances not in my control, but I cannot doubt that whoever succeeds to the management of this department will give it the same support which I have done. In South Africa I hope that we are beginning to see better times, and that the troubles and disturbances of former days are not likely to recur, or if they do, to recur only in a less aggravated form. The English and Dutch races must learn to live together. Neither is strong enough to drive out or to subjugate the other. There is room for both, and a good understanding between them will secure to the South African colonies that internal peace which is the one thing necessary to their future prosperity and greatness. It has been my agreeable duty to advise Her Majesty to recognize by the usual honorary distinctions four members of your distinguished body. I hope that the colonies from which you come will continue in the future as in the past to send us as representatives men distinguished for ability and for local service, and that your successors may give to mine advice and assistance as valuable as that which you have rendered to me."

### Enclosure No. 2.

[The *Times*, 19th June, 1885.]

The political crisis has been marked by many curious incidents; but few have been more curious than that of the solemn farewells which were yesterday exchanged at the Colonial Office between Lord Derby and the Agents-General. Lord Derby is, of all the outgoing Ministers, the one least given to sentimental outbursts, and least inclined to admit any enlargement of Imperial responsibility. Five years ago it would have seemed a self-evident proposition that Lord Derby, placed at the head of the Colonial Office, would be inclined rather to slaken than to tighten the bond between the colonies and the Mother-country. His ideal would be self-dependence, if not independence. Imperial federation would have appeared to him a mischievous dream, and a colonial Council rather a nuisance than otherwise. Yet here, under the pressure of events, we have Lord Derby calling the Agents-General around him, at the close as at the outset of his tenure of the

Colonial Office, and making them a speech, evidently intended to be read throughout the colonies, which is, as it were, the very consecration of the idea of common action between all the parts of the empire. He speaks of having always consulted them on important matters, and of such consultations having been "to his own advantage and that of the department." He runs through the principal colonies in order, dwells especially upon the co-operation between our soldiers and theirs in the Soudan, and speaks in a word, like the Minister of an empire rather than the superintendent of a number of isolated communities. Circumstances have been stronger than Lord Derby, and have brought about a state of things almost identical with what the late Sir Bartle Frere foretold and suggested in one of his latest writings—the Empire ruled from Downing Street by the Secretary of State in consultation with a body of skilled colonial authorities. It is not quite Imperial Federation, but it is not far removed from it.

When he came to speak of individual colonies, Lord Derby referred first of all, in language of well-deserved praise, to the suppression of Riel's rebellion by the Canadian forces. That, indeed, is an achievement of which it is scarcely possible to speak too highly. The danger to the colony was grave; the question whether the central authority was strong enough to assert itself all over that vast, thinly-peopled territory had never been so vigorously raised before. If the War Minister and General Middleton had failed, there would have been no guarantee whatever that the outlying regions would not have fallen away one by one; and the Dominion might have gradually broken up. The General and his men have saved the colony from that fate; and they have shown, moreover, that the Canadian has not in the least degenerated from the best English type. Other campaigns have been more showy, and will fill a larger place in history, but few have given a more striking example of endurance, determination, and promptitude. Something equally warm may be said, and was said by Lord Derby, of the Australian offers of help in the Soudan campaign. It is well, now that the New South Wales troops have been and have gone, to forget the coldness with which the idea of their co-operation was at first regarded by the Colonial Office. They came and were enthusiastically received by the English soldiers at Suakin; that is the essential thing. The campaign ended too soon for their complete satisfaction; but the example had been given, and the world had learnt that for the defence of the Empire England and her colonies are one. On other Australian topics Lord Derby said but little, though there is no fault to be found with his remarks, as far as they go. He spoke of the disappointment that had been felt in some quarters with regard to New Guinea, and begged the colonists to remember that they had got no less than sixty thousand square miles of new territory. In the presence of such a fact they may, as Lord Derby said, make themselves easy about the German settlement—if ever it comes into existence—on the northern side of New Guinea. Probably not much will be heard, at least for a long time to come, of that settlement. Germany has lately been passing through a hot fit as regards her colonies; the cold fit is likely to follow, and it will not be surprising if the disillusion about Northern New Guinea, Angra Pequena, and other places is as complete as that awakening of disappointment about Massowah which has just led the Italians to drive Signor Mancini from office. There is another point bearing on Australia on which Lord Derby naturally did not dwell—the labour traffic and such shocking incidents of it as those to which we called attention yesterday. The settlement of this question is a matter that concerns the welfare of Australia even more closely than does the extension of her borders. Lastly, what Lord Derby said about South Africa deserves attention. He is hopeful about that region, which has till now been so fruitful in disappointment. He believes that old difficulties are disappearing; he hopes that old animosities may die out. He appeals to the common sense of the two European races whose quarrels are and have been the most disquieting element in the outlook. "The English and Dutch races," he says, "must learn to live together. Neither is strong enough to drive out or subjugate the other. There is room for both, and a good understanding between them will secure for the South African colonies that internal peace which is the one thing necessary for their future prosperity and greatness." Those are words which will be echoed by every rational Dutchman as by every rational Englishman. The new Colonial Secretary, whoever he may be—and it is likely enough to be the brother of the last—can do no better than adopt them as his own.

There can be no doubt that recent events, as well as the emphatic testimony of men like Lord Rosebery, Mr. Forster, and Mr. Goschen, have done much to bring home to English people what the colonists for their part are not likely to forget—that the welfare of the Mother-country and of the colonies depends on their close union. We believe that this is the lesson which, above all others, requires to be taught to the workmen of the towns and the new electors of the counties. To show these men, who are naturally inclined to vote for limiting and cutting down the responsibilities of the country, that if the Empire is allowed to shrink, trade will shrink with it, is the first duty of those candidates for their suffrages who are really patriotic. There is no necessary severance between parties on this question. Those who urge that if we lose hold of India and the colonies we lose our trade, and that if we lose our trade our teeming population starves, are not necessarily either Conservative or Liberal. They are simply men who look at facts as they find them. The superficial Radical is inclined to take the other course; but it must not be forgotten that one of the leaders of the Radical party is the inventor of the phrase "Greater Britain." Sir Charles Dilke will hardly desert the lines of his first literary success, and the outgoing President of the Board of Trade will hardly head a crusade against our best markets. Meanwhile, for the benefit alike of candidates and of electors, we would call attention to an excellent little handbook of the question that has just appeared—four lectures on "Our Colonies and India" delivered to an audience of eight hundred working men by Professor Ransome, of Leeds. This little book, which is published by Messrs. Cassell, contains a plain, unvarnished statement of the steps by which we gained our colonies, and of the reasons, sentimental and commercial, why we keep them. It demonstrates, for example, that Australia, with three millions of inhabitants, takes much more of our goods than France, with thirty-eight millions; and nearly as much

as the United States, with fifty-seven millions; and that while Germany takes 9s. 3d. worth of our goods per head of the population, South Africa takes £2 worth. Mr. Ransome's conclusions with regard to the colonies may be stated in his own words; and similar arguments, with others based on even more important and higher considerations, are given with regard to India: "I should conclude, therefore," he says, "(1) that the colonies and India, in the aggregate, take more than one-third of the goods we manufacture for exportation; (2) that man for man they consume an amount out of all proportion to foreigners; (3) that their importance relatively to the rest of the world is increasing at a very great rate; (4) that if Protection is to be the rule in the large States of the future, the advantage to us and to the colonies of trade within the British Empire is likely to be still further enhanced; and (5) that sentiment has much to do with the matter, and therefore the conduct, not only of the English Government, but of the English people, both to the colonies as a whole and to the colonists as individuals, is of the greatest possible moment."

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No. 125.

The PREMIER, New Zealand, to the PREMIER, Hobart.

SIR,—

Premier's Office, Wellington, 20th June, 1885.

I have the honour to acknowledge the receipt of your letter of the 4th instant, informing me that your Government generally approve of the opinion expressed in the letter of the Hon. the Premier of Victoria, addressed to me on the 20th May last. As the matter will no doubt be fully discussed by our Parliament, now sitting, I refrain from saying anything further respecting it for the present.

I have, &c.,

The Hon. the Premier, Hobart.

ROBERT STOUT.

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No. 126.

The PREMIER, Victoria, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Melbourne, 25th June, 1885.

With reference to previous correspondence respecting the contributions by the Australasian Colonies towards the expenses of British New Guinea, I beg to forward herewith, for your information, a copy of a memorandum which I have addressed to His Excellency the Governor of this colony in reference to the memorandum submitted by His Excellency the Special Commissioner, for the consideration of the Governments of Australasia.

I have, &c.,

The Hon. the Premier of New Zealand.

JAMES SERVICE,  
Premier.

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Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

Premier's Office, Melbourne, 4th June, 1885.

THE Premier has the honour to advert to your Excellency's memorandum of the 15th April ultimo covering two letters from His Excellency Major-General Scratchley, Special Commissioner for New Guinea—one respecting the payment of this colony's quota of the £15,000 promised to be contributed by the Australasian Colonies towards the Government of New Guinea for the year ending 1st June, 1885; and the other on the subject of the cost of governing British New Guinea for five years further.

2. With regard to the former, your Excellency was apprised on the 12th ultimo of the payment of Victoria's proportion of the £15,000. This proportion was calculated on the basis of the populations of the several colonies at the date of the last census—viz., the 3rd April, 1881. This mode of apportioning the expense was suggested by Mr. Service in the absence of any other proposal. No objection to it has been made by any colony excepting Queensland, the Government of which proposes that the population at 31st December last should be the basis of calculation instead of that at date of last census. It is not a matter of much moment which method is adopted; the population at last census, however, is an ascertained quantity, while any statement of population at 31st December last can only be an estimate. As a matter of fact, however, this colony, and it is believed other colonies, have paid their contributions on the basis proposed by Mr. Service.

3. The following table shows the populations at date of last census and the proportions of the subsidy due by each colony under this scheme, viz. :—



Colony.	Population on 3rd April, 1881.	Proportion of £15,000.
		£ s. d.
Victoria ... ..	861,566	4,693 8 8
New South Wales... ..	749,825	4,084 14 4
New Zealand ... ..	489,933	2,668 18 9
South Australia ... ..	279,865	1,524 11 7
Queensland ... ..	213,525	1,163 3 9
Tasmania ... ..	115,705	630 6 2
Western Australia ... ..	29,708	161 16 9
Fiji ... ..	...	73 0 0
Total ... ..	...	15,000 0 0

It should be added that, by general consent, the contribution of Fiji was reckoned upon its proportionate revenue rather than upon population.

4. Mr. Service now begs to refer to the other letter of which your Excellency's memorandum transmitted a copy—a letter in which Major-General Scratchley encloses a memorandum for the consideration of the Australasian Governments relating to the estimated cost of governing British New Guinea.

In this memorandum the extent inland of the British annexation in New Guinea is alluded to. This point, however, has since been determined by the agreement between Germany and Great Britain, as communicated by Lord Derby's telegram of the 25th May ultimo. There remains, therefore, nothing further to be said on that subject, except to express the great disappointment felt by the Government and people of this colony at the meagre results of their efforts to secure the whole of eastern New Guinea for the British Crown. For good or for evil, the matter, with all the incidents which led up to it, passes now into history.

5. With reference to the estimates of the annual cost of governing submitted by Major-General Scratchley, Mr. Service desires, in passing, to call your Excellency's attention to the method adopted by Germany in reference to the islands recently annexed by that Power, a method which attains every object desired by Australia in the first instance, almost without any expenditure at all.

This Government, however, is not prepared to object to the estimates, nor to the clear and practical programme of proceedings sketched in Major-General Scratchley's memorandum. Mr. Service will, therefore, be prepared to ask Parliament to continue the contribution of this colony's proportion of a subsidy of £15,000 until the Imperial Government has time to decide what portion of the cost of the government of New Guinea shall be borne by the Imperial Exchequer.

6. Having regard, however, to the limited area of territory annexed, and lack of information as to the intentions of Her Majesty's Government, Mr. Service cannot ask Parliament to grant any increased contribution, either in respect of the annual expenditure or the capital or first cost.

7. Mr. Service will be glad if your Excellency will be so good as to communicate this memorandum to His Excellency the Special Commissioner for New Guinea, and also to the Right Hon. the Secretary of State for the Colonies.

JAMES SERVICE,  
Premier.

### No. 127.

The PREMIER, New Zealand, to the PREMIER, Queensland.

SIR,— Premier's Office, Wellington, 26th June, 1885.  
I have the honour to acknowledge the receipt of your letter of the 8th instant in reply to No. 120. mine of the 2nd May, forwarding the memorandum by Sir Julius Vogel on the subject of the proposed Federal Council Bill, and as our Parliament is now in session the matter will no doubt be taken into consideration.

I have, &c.,

The Hon. the Premier, Brisbane, Queensland.

ROBERT STOUT.

### No. 128.

The PREMIER, New Zealand, to the PREMIER, Victoria,

SIR,— Premier's Office, Wellington, 7th July, 1885.  
I have the honour to acknowledge the receipt of your letter of the 25th ultimo, with which No. 126. you forwarded copies of a memorandum addressed by you to His Excellency the Governor of Victoria, in reference to the memorandum submitted by His Excellency the Special Commissioner for the consideration of the government of Australasia.

I have, &c.,

The Hon. the Premier of Victoria.

ROBERT STOUT.

## No. 129.

The PREMIER, New Zealand, to the PREMIERS, Victoria, New South Wales, Queensland, South Australia, Western Australia, and Tasmania.

SIR,—

Premier's Office, Wellington, 8th July, 1885.

I have the honour to transmit herewith, for your information, the accompanying copy of a memorandum which I have addressed to His Excellency the Governor of this colony concerning New Guinea.

I have, &amp;c.,

The Hon. the Premiers of Victoria, &amp;c.

ROBERT STOUT.

## Enclosure.

## MEMORANDUM for His EXCELLENCY concerning NEW GUINEA.

MINISTERS have the honour to state to His Excellency their views regarding New Guinea, for submission to His Excellency Major-General Sir Peter Scratchley. They also suggest that a copy of the memorandum be sent to the Right Hon. the Secretary of State for the Colonies.

2. No definite lines for the administration of the affairs of New Guinea have been laid down in the instructions sent to Sir Peter Scratchley from the Colonial Office; and, without conference with the other colonies, Ministers do not consider that they are in a position to come to any positive decision on the subject.

3. Their opinion is that the annexation of New Guinea is of little direct importance to New Zealand. This colony, however, joined in the contribution up to £15,000 with the other colonies, to show its willingness to aid the Imperial Government in the extension of British interests in the Pacific, and also for the reason that it considered the annexation of New Guinea essential to the interests of Queensland, and that each Australasian Colony should, within defined limits, lend its aid to the other colonies. The contribution has been paid as requested in anticipation of its expenditure.

4. Ministers have now to consider two questions, viz.: (a.) What should be the future government of the new possession? (b.) What further monetary aid New Zealand should render?

5. In the opinion of Ministers the possession should, for the present, be created a Crown colony. They state "for the present," because they consider its contiguity to Queensland should, at no distant date, make its annexation to that colony a necessity. If, however, this were not desired, then, as a white population becomes settled, there should be granted to it such powers of local self-government as the Australasian Colonies possess.

6. Considering the strong bearing that the new acquisition has on the defences of the colonies generally, Ministers consider that a contribution, not exceeding £15,000 per annum, should, for a specified term of three years, be continued. This should not be applied to the cost of a vessel for the use of the Governor. Ministers submit that a vessel of the "Dart" type might be put at the disposition of His Excellency by the Imperial Government, as he will have to continually visit different parts of the coast and the Australian Colonies. At the end of three years the colony might be able to do without further monetary assistance, the use of the vessel above referred to being continued. If, however, it were found that further aid were required, the Imperial Government might fairly be asked to grant assistance, or the Colony of Queensland, aided to some extent by the other colonies, might undertake the whole government and management of the new territory. Ministers, desiring that New Zealand should act in unison with the other colonies, and considering it unfair to Queensland to ask that colony at the present time to undertake the responsibilities of the government of the new possession, are willing to submit to Parliament the following resolutions: (1) That, in the opinion of this House, the portion of New Guinea annexed to the Empire should, for the present, be created a Crown colony, with the view of its ultimately being annexed to Queensland, or created a constitutional colony; (2) that aid should be given by the Imperial Government to the new possession by placing at the disposal of the Governor a war vessel for his use; (3) that, for a term of three years from the first day of June, 1886, this colony will undertake to pay its share of £15,000 a year proportionately to population, on the condition that the other colonies of Australia join in the contribution on the same terms.

7. Ministers have named the first day of June, 1886, as it is believed that the money in hand will suffice to that time. If necessary, an earlier date could be substituted.

8. Ministers venture to suggest that the Australasian Colonies should be consulted as to the name to be given to the new colony.

Wellington, 7th July, 1885.

ROBERT STOUT.

## No. 130.

The COLONIAL SECRETARY, New South Wales, to the COLONIAL SECRETARY, New Zealand.

THE following message regarding the Federal Council Bill was sent by me to the Premier of Victoria last evening: Murray Smith's information not quite correct, for I did not suggest any delay; but, seeing that the Bill was to have been in Committee to-night, and that the Government was said to be inclined to accede to the omission of the 31st clause, and believing that that omission would prevent this colony joining even if other objections were overcome, I deemed it right to let our Agent-General know my views, and instruct him to place them before Minister in charge of the Bill. My references were to what I believe to be the latest edition of the Bill, in which there is a subsection 1 to clause 15, subsection H being a new one, giving the Queen power by Order in Council to refer at request of Legislatures, thus making the original H into I. Strong objection has been

made here to reference of important matters by two colonies only ; for although (only) [*sic*] the two colonies only would be bound thereby yet the decision would have gone forth—the pronouncement of the Federal Council ; and thus we would have one portion of the colonies ruled by Council law, whilst others were outside of it and might find themselves almost forced to adopt it against their better judgment. I have sent you by post the full text of my telegram. The alteration in 5th clause was suggested to enable the Council to recognize the strongly-expressed opinion that the body was too small, and enable it to rectify that objection. I think the 31st clause paradoxical, though it may appear to be a guarantee for continuance, as it will tend to keep the Council from proceeding to legislation which may be repugnant to the strongly-expressed opinion of any particular colony. In order that there may be no misunderstanding as to what the 31st clause is to which my telegram referred, I quoted it as follows, being taken from the most recent copy of the Bill sent out by Lord Derby: “ This Act shall cease to be in operation in respect to any colony the Legislature of which shall have passed an Act or Ordinance declaring that the same shall cease to be in force therein ; provided, nevertheless, that all Acts of the Council passed while this Act was in operation in such colony shall continue to be in force therein unless altered or repealed by the Council, or unless repealed as to such colony by the Legislature thereof.”

Sydney, 18th July, 1885.

ALEX. STUART,  
Colonial Secretary.

### No. 132.

The PREMIER, Victoria, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Melbourne, 23rd July, 1885.

I beg to acknowledge the receipt of your letter of the 8th instant, enclosing a copy of a No. 129 memorandum concerning New Guinea, addressed by you to His Excellency the Governor of New Zealand, and I have to thank you for thus communicating to this Government your views on the subject.

I have, &c.,  
JAMES SERVICE,  
Premier.

The Hon. Robert Stout, Premier of New Zealand.

### No. 133.

The PREMIER, Queensland, to the PREMIER, New Zealand.

SIR,—

Colonial Secretary's Office, Brisbane, 24th July, 1885.

I have the honour to acknowledge the receipt of your letter of the 8th instant, enclosing No. 129 copies of a memorandum concerning New Guinea addressed by you to His Excellency the Governor of New Zealand.

I have, &c.,  
R. J. GRAY,  
(for the Colonial Secretary.)

The Hon. the Premier of New Zealand, Wellington.

### No. 134.

The PREMIER, Tasmania, to the PREMIER, New Zealand.

SIR,—

Premier's Office, Hobart, 30th July, 1885.

I have the honour to acknowledge the receipt of your letter of the 8th instant, forwarding No. 129 copy of a memorandum addressed by you to the Governor of New Zealand, concerning the administration of the affairs of the British territory in New Guinea.

I have, &c.,  
ADYE DOUGLAS.

The Hon. the Premier, New Zealand.

### No. 135.

The CHIEF SECRETARY, South Australia, to the PREMIER, New Zealand.

SIR,—

Chief Secretary's Office, Adelaide, 30th July, 1885.

I have the honour to acknowledge receipt of your letter of the 8th instant, transmitting No. 129 copy of a memorandum addressed by you to His Excellency the Governor of New Zealand concerning New Guinea.

I have, &c.,  
JNO. W. DOWNES.

The Hon. the Premier, New Zealand.

### No. 136.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 1st July, 1885.

The new Ministry having now assumed office, I understand that it is their intention to go on with the Federal Council Bill, and I have accordingly sent a copy of Sir Julius Vogel's recent memorandum to every member of both Houses.

I learn from the Agent-General of Victoria that he has sent in a letter to the Colonial Office, objecting to the suggestion contained in my letter to Lord Derby, dated the 2nd June, in accordance with Mr. Griffith's recent proposal. I suppose it will be published as a Parliamentary paper, and I now transmit herewith a copy which Mr. Murray Smith has been good enough to supply to me.

The Hon. the Premier, Wellington.

I have, &c.,

F. D. BELL.

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Enclosure.

The AGENT-GENERAL for Victoria to the COLONIAL OFFICE.

SIR,—

24th June, 1885.

I have the honour to inform you that Sir Francis Dillon Bell has handed to me a copy of a letter addressed by him to yourself, suggesting a further alteration in the Bill now before Parliament for creating a Federal Council of Australasia, to the effect that any colony adopting the Bill might enact, in its adopting Act or Ordinance, that Federal Council laws should be subject to the subsequent confirmation of that colony's Legislature.

I have already, in conjunction with my colleague the Agent-General for Queensland, stated the objections entertained by the confederating colonies generally to the 31st clause of the Bill; but especially to that part of it which permits any seceding colony to abrogate within its own borders any legislation previously settled by the Federal Council in which it had been represented; and our Governments have received with great satisfaction the announcement that the Secretary of State for the Colonies proposes to abandon this proviso. The suggestion made by Sir F. D. Bell appears to me equally injurious to the prospects of the Federal Union. It differs, indeed, only in name from the proposition laid down by the New Zealand Government as a condition precedent to the entrance of that colony into the confederation, which is that the subservience of the Federal Council to the local Legislatures shall be general and not confined to any one colony, since it is obvious that if any one of the confederating colonies thought it necessary to claim for itself the powers proposed by Sir F. D. Bell, no other member of the confederation would venture to dispense with a similar safeguard.

The preamble of the Bill drawn up by the delegates of all the Australasian Colonies, including New Zealand, at the Sydney Convention of 1883, and which has been repeated in the Bill now before the Imperial Parliament, recognized as a basis for agreement the expediency of constituting a Federal Council for the purpose of dealing with such matters of common Australasian interest, in respect to which united action is desirable, as can be dealt with without unduly interfering with the management of the internal affairs of the several colonies by their respective Legislatures.

The demands of the New Zealand Government, as urged by the Agent-General, directly contradict this agreement, and in fact assume that there is no subject of common Australasian interest which can be finally dealt with by their Council without undue interference with the several colonies. Of what value would be the legislation of a Federal Council under such circumstances? It would become a mere Board of Advice, without even such authority as would be possessed by a conference of Premiers such as has frequently been held previously in Australasia with comparatively little result. The range of subjects on which the Federal Council is desired to legislate may be extended, or, as Sir F. D. Bell would appear to suggest, narrowed; but within that range I would submit it is essential to federal union that its authority should be paramount.

Sir F. D. Bell has referred to "the relations of Australasia with the islands of the Pacific," as a subject on which New Zealand would, even if a member of the Federal Union, reserve entire liberty of action.

I may point out that the necessity for settlement of this question was mentioned by the Secretary of State as a reason for the formation of a Federal Union; yet Sir F. D. Bell proposes that it should be withdrawn entirely from the ultimate control of the Federal Council.

It is a matter of extreme regret to the confederating colonies that New Zealand and New South Wales cannot be induced to enter the Federation, and they are sensible of the difficulties which such abstention imposes on the Imperial Government; but I would submit that they have a right, at any rate, to ask that their own agreement, complete and approved among themselves, should at the earliest possible opportunity be sanctioned, and rendered effectual by Imperial legislation.

I have, &c.,

The Under-Secretary of State, Colonial Office.

ROBT. MURRAY SMITH.

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No. 137.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London S.W., 14th July, 1885.

I transmit to you herewith a *Times* report of what passed in the House of Commons on the 9th instant, on the occasion of the second reading of the Federal Council Bill.

The Bill had been set down for Committee on the 16th, but has been put off for a few days in order to let further papers be presented, including the latest correspondence from yourself to me. In the meantime a parliamentary paper has already been issued, of which I enclose copies for your information.

The Hon. the Premier, Wellington,

I have, &c.,

F. D. BELL.

## Enclosure 1.

[The Times, Friday, 10th July, 1885.]

HOUSE OF COMMONS, Thursday, 9th July.

*Federal Council of Australasia Bill.*

COLONEL STANLEY, in moving the second reading of this Bill, which he said had been introduced by his noble relative in the other House, pointed out that the most convenient opportunity for discussing its contents would be upon the motion to go into Committee. The Bill was an enabling Bill, based on certain resolutions adopted by the colonies after considerable discussion, which gave power to the colonies to form a Federal Council for certain purposes, which without the sanction of the Imperial Legislature would be *ultra vires*. As a discussion of considerable importance and differences of opinion might arise on the clauses of the Bill, he would ask the House to postpone the discussion till the Committee stage. He did this, first of all, owing to the time of the year, and, secondly, because he desired to put the House in possession of papers containing information which he thought honourable members had a right to be in possession of. In these circumstances, he proposed to put Committee down for that day week, in the meantime doing the utmost in his power to have the papers presented, and to place them in the hands of members as soon as possible. He concluded by moving the second reading of the Bill.

Sir G. CAMPBELL said that although he had a notice on the paper with reference to this Bill he did not object to the course proposed. He doubted, however, whether this Bill was wanted or was approved by the colonies. He hoped that it was understood that the House was free to discuss these clauses, and to accept them or reject them as it saw fit.

Mr. HEALY believed that this Bill had been brought in without any distinct desire having been expressed for it on the part of some of the colonies. It was all very well to have a federation of the colonies, but when the States composing such a federation desired to leave it the real difficulties would begin. If this measure was to be a success, it ought to be made not an enabling but an imperative measure.

The Bill was then read a second time.

## Enclosure 2.

FURTHER PAPERS RELATING TO THE FEDERAL COUNCIL BILL.

No. 1.

Governor SIR G. C. STRAHAN, K.C.M.G., Tasmania, to the Right Hon. the Earl of DERBY, K.G.  
(Received 2nd June. 1885.)

MY LORD,—

Government House, Hobart, 17th April, 1885.

With reference to your Lordship's despatch of the 11th of December last, on the subject of the draft Bill for the establishment of a Federal Council of Australasia, I have the honour to forward a memorandum by the Premier, from which it appears that he telegraphed on the 7th of March to the Premier of Victoria, stating that he agreed to the alterations which the Victorian Government proposed should be made in the draft Bill after considering the amendments submitted by your Lordship for the consideration of the several Australian Colonies.

3. Your Lordship has been so informed by telegraph through, I understand, the Agent-General of Victoria; but, in explanation of the delay which has taken place in my communicating direct with your Lordship on the subject, I ought to state that, on forwarding your Lordship's despatch to the Premier for the consideration of Ministers, he requested leave to retain the despatch until he should have an opportunity of considering the views of the other Australian Governments upon the amendments suggested in your Lordship's despatch. After this, Mr. Douglas was in direct communication with Mr. Service on the subject, and arrived at the decision which he telegraphed to Mr. Service on the 7th of March.

It was only on my return from the north-eastern districts, and after seeing reference made in the newspapers to the concurrence of this Government in the views of that of Victoria, that I was reminded that I had not communicated with your Lordship direct upon the matter. Mr. Douglas then explained that, through inadvertence in his office, I had not been furnished at an earlier date with the memorandum which I now enclose.

I have, &amp;c.,

The Right Hon. the Earl of Derby, K.G., &amp;c.

GEO. C. STRAHAN.

## Enclosure in No. 1.

MEMORANDUM for His Excellency the GOVERNOR.

Premier's Office, Hobart, 15th April, 1885.

WITH reference to your Excellency's memorandum relating to the latter portion of Lord Derby's despatch of the 11th December, 1884, the Premier has the honour to state that on the 3rd February last he received the following telegram from the Hon. the Premier of Victoria, relating to the proposed amendments of the Federal Council draft Bill:—

"Mr. Griffiths and myself and colleagues had consultations *re* proposed amendments of Federal Council Bill, and arrived at complete agreement. I venture to wire you our conclusions for your consideration. Conclusion as follows: Amendments, clause one, merely verbal, agree; clause three should not be struck out, but provisos added as follows: subject to provisions herein contained in respect of the operation of this Act; clause five, disagree, question fully considered at Convention; clause fifteen, agree to omit line three, disagree with new subsection after G, as

substantially provided for under subsection H; agree to new subsection H; clause twenty, agree with amendments; clause twenty-six, agree amendment first line, disagree the other, matter fully discussed at Convention; clause thirty-one, new clause disagree with power to withdraw as objectionable and unnecessary, objectionable because suggestion of disintegration, and unnecessary because object in view—viz., the non-concession of minority by majority, amply provided for under subsection H, clause fifteen.”

After the matter had received the consideration of this Government, the following reply was forwarded to Mr. Service: “Draft Federation Bill. Agree to all your proposed alterations, except clause three, which should be struck out as proposed by the Home Government.”

Subsequently the Premier again communicated by telegraph with Mr. Service, agreeing to his proposed alterations without limitation.

AYDE DOUGLAS.

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No. 2.

Governor Sir W. C. F. ROBINSON, K.C.M.G., South Australia, to the Right Hon. the Earl of DERBY, K.G. (Received 3rd June, 1885.)

MY LORD,—

Adelaide, 21st April, 1885.

I duly communicated to my Ministers your Lordship's despatch of the 11th December, on the subject of the legislation necessary for the establishment of a Federal Council for Australasia, and on the 16th instant I received from the Chief Secretary the accompanying memorandum in reply. On the 17th I had the honour to telegraph to your Lordship the substance of Mr. Colton's memorandum.

I have, &c.,

The Right Hon. the Earl of Derby, &c.

WILLIAM C. F. ROBINSON.

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Enclosure in No. 2.

CHIEF SECRETARY TO GOVERNOR.

*Memorandum for His Excellency the Governor.*

THIS Government are satisfied with amendments agreed upon at the recent interview of the Agents-General with Lord Derby *in re* Enabling Bill.

JOHN COLTON,

Chief Secretary.

16th April, 1885.

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No. 6.

The AGENT-GENERAL for VICTORIA to COLONIAL OFFICE.

SIR,—

8, Victoria Chambers, Victoria Street, Westminster, S.W., 7th July, 1885.

In continuation of my letter to you of the 24th ultimo, on the subject of the Federal Council Bill, I have the honour to enclose a copy of a despatch addressed by the Premier of Victoria, on the 20th of May, to the Hon. Robert Stout, Premier of New Zealand. You will observe that the line of argument taken by Mr. Service is in agreement with that which I ventured to urge in my letter above referred to, in reply to the views advanced by Sir F. Dillon Bell.

I have, &c.,

The Under Secretary of State, Colonial Office.

ROBERT MURRAY SMITH.

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No. 138.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 16th July, 1885.

I have the honour to acknowledge the receipt of your two letters of 23rd May and 5th June, on the subject of the Federal Council Bill.

Immediately on receiving the first-named letter I sent the memorandum therein enclosed to the Colonial Office, and you will find it among the papers just presented to Parliament. On receiving your second letter yesterday I wrote a further letter to the Colonial Office, copy of which I transmit herewith.

The question has now become suddenly complicated in a new direction, by a series of amendments proposed yesterday, in telegrams from the Government of New South Wales. These amendments would so entirely change the character of the Bill as it came out of the Sydney Convention, that I do not think there is any chance of the Secretary of State even proposing them when the Bill gets into Committee. Until this point is cleared up I had better reserve several observations which I intended to have made to you on the present position of the Bill.

I have, &c.,

The Hon. the Premier, Wellington.

F. D. BELL.

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Enclosure 1.

The COLONIAL OFFICE to the AGENT-GENERAL.

SIR,—

Downing Street, 14th July, 1885.

I am directed by Secretary Colonel Stanley to transmit to you for your information two printed copies of correspondence which has been presented to Parliament with reference to the Federal Council Bill, and I am to inquire whether there are any other papers on the subject which you would wish to be presented before the Bill is further discussed in the House of Commons on Thursday next, the 16th inst.

I have, &c.

The Agent-General for New Zealand.

JOHN BRAMSTON.

## Enclosure 2.

The AGENT-GENERAL to the COLONIAL OFFICE.

SIR,— 7, Westminster Chambers, London, S.W., 15th July, 1885.

I have the honour to acknowledge the receipt of your letter of yesterday, transmitting a further parliamentary paper just issued, respecting the Federal Council Bill, and inquiring whether there are any other papers on the subject which I should wish to be also presented.

In reply, I beg permission to offer my thanks to Secretary Colonel Stanley, and to transmit herewith copies of two despatches I have received from my Government: one, referring to the memorandum which I had the honour to forward in my letter to you of the 9th June; the other, enclosing Mr. Stout's reply to Mr. Service's letter of the 20th May. I think it would be desirable to add these to the other papers.

I am so unwilling to prolong any of the differences which have arisen in regard to the Bill, that I will only offer one remark on the letter from the Agent-General for Victoria, dated the 24th June, which also appears in the parliamentary paper. I admit, of course, that it is quite open to argument whether the principle of the "subsequent adoption" of any federal law at all by a local Legislature, is, or is not, antagonistic to the principle of federation; but what we in New Zealand find it so hard to see is, why the principle of "subsequent adoption," which is already in the Bill, as regards federal laws on such subjects as general defences, marriage and divorce, and "other matters of general Australasian interest," must not be deemed hostile to the principle of federation so long as it is only applied to a law of that class, but becomes immediately destructive to the principle of federation when it is applied to a law on such subjects as the service of civil process, the enforcement of judgments, or the relations of Australasia with the islands of the Pacific.

I have, &amp;c.,

The Under-Secretary of State for the Colonies.

F. D. BELL.

## No. 139.

*Copy of a Telegram from the Agent-General to the Premier.*

The AGENT-GENERAL to the PREMIER.

FEDERAL Bill passed Committee; only amendment power repeal laws omitted.  
5th August, 1885.

F. D. BELL.

## No. 140.

The PREMIER, New South Wales, to the PREMIER, New Zealand.

SIR,— Colonial Secretary's Office, Sydney, 21st August, 1885.

I have the honour to transmit to you herewith, for your perusal and information, a copy of the correspondence which has recently passed between the Premier of Victoria and myself, on the subject of the Federal Council of Australasia.

I have, &amp;c.,

The Hon. the Premier of New Zealand, Wellington.

ALEX. STUART.

## Enclosure.

No. 53.

Telegram from COLONIAL SECRETARY, New South Wales, to the PREMIER, Victoria.

Sydney, 6th August, 1885.

I SEE the Federal Council Bill has passed. I cannot congratulate you, for it destroys all chance of this colony and probably of New Zealand joining you. I have telegraphed Samuel that its title should be "Federal Council of part of Australasia."

No. 54.

The COLONIAL SECRETARY, New South Wales, to the PREMIER, Victoria.

MY DEAR SERVICE,— Colonial Secretary's Office, Sydney, 7th August, 1885.

I sent you a telegram yesterday saying that the Federal Bill as passed would prevent this colony from joining. I deem it due to you to let you understand the grounds upon which I base this opinion; and I take this opportunity of assuring you that my endeavouring at the eleventh hour to get some alterations made in the Bill was not from any desire to prevent the Bill from passing, but solely with a desire to get it into a shape such as might disarm some of its adverse critics, and enable us with some prospect of success to bring the matter again before our Parliament. I am as anxious as you are to see some degree of federation amongst the colonies, but I have always felt that to insure a lasting federation it must be based on the widest possible popular sympathy, and must embrace all the colonies. There is no doubt whatever that the Bill as it stands does not, in this colony at least, command that wide sympathy which is essential to success.

I think a great mistake was made by all the colonies in not submitting the Bill as drawn by the Convention for discussion in their respective Parliaments. I am quite aware that the same course was pursued here in my absence; but it was always my intention, had I been able to submit the matter myself, to have put the resolutions in such a way as would have given Parliament an opportunity of discussing the Bill itself, and of embodying in the resolutions such amendments to the Bill as the House might deem desirable. In other words, I would have invited the House to give their assent to the Federal Council if such modifications could be introduced into the Bill.

4—A. 4c.\*

I never understood that at the Convention we guaranteed that our respective Parliaments would accept the Bill as it stood; and when asked in the House on the 25th March, 1884, on a motion by Mr. Heydon, that the Bill be submitted to the Parliament of this colony, I stated my entire concurrence with that motion, and explained that the Convention itself did not arrogate such superior wisdom in framing the Bill as to suppose that in its discussion by the seven Parliaments some suggestions might not be made of a most valuable character. The terms of the resolution in the Convention itself evidently implied that it was only to be used as the basis of a Bill which was to be prepared by the Imperial Government; and it did seem to me that any suggestions which might be made would come most naturally from the representatives of the various peoples whose consent was to be asked to the placing of power in the Federal Council. The Imperial Government have made certain alterations to suit their views, and why should they not have been asked to make alterations in accordance with the views of any individual Parliament?

This appears to me to have been a great mistake, and it has given rise—in this colony, at least—to a degree of suspicion regarding the whole movement which is much to be regretted.

As to the alterations which I suggested, I would like now to explain why I proposed them. In the 5th clause I proposed to give an elasticity to the numbers, because it is very strongly felt here that the Council is too small a body with which to intrust such important measures; and, secondly, that we made a mistake in not recognizing population to some extent as a basis of representation. As to subsection (i), it is strongly felt here that the force of Federal Council law, based upon an application of two colonies only, will be much weakened in comparison with what it would be if it were the result of application by all the colonies.

It is quite true that the Convention limited the operation of such law to the colonies which referred it; but still this does not remove the weakness to which I have referred, and it is felt that it would be better to delay a question until public opinion in each colony was ripe for referring it to the Council, rather than perpetuate a system of partial legislation which cannot be truly said to be "Federal." With regard to clause 31, the proviso now struck out might well have been retained without in any way destroying the efficiency of the Federal Council. The whole measure is but a tentative one, and had it been left open when a colony retired to abrogate the law which was passed while it was in the Council, it would, I think, have given greater confidence to every colony, and have had a restraining influence upon the Council when pressing any legislation which was known to be distasteful to any particular colony, for to be really a success the Council must acquire the entire confidence of the whole group of colonies in its sphere of action. I have taken this opportunity of giving you these, my views, because I feel a very strong desire to see all the colonies united upon some satisfactory basis; and, although these views are only the views of myself as an individual, yet I think they embody to a considerable extent the views of most men in this colony who have carefully thought the matter out, and they may serve, when your Council meets, to indicate the lines upon which you will have to ask for an amendment of your Constitution, if you have a desire, as I believe you have, to induce this colony to join with you.

Apologizing for the length to which I have trespassed on your time,

I remain, &c.,

ALEX. STUART

No. 55.

The PREMIER, Victoria, to the COLONIAL SECRETARY, New South Wales.

MY DEAR STUART,—

Premier's Office, Melbourne, August 11, 1885.

Yours of 7th received on Saturday (the 8th).

I have for a good while past been sorely perplexed to understand your real feelings towards the scheme of federation so auspiciously initiated in November, 1883, under your presidency. Dalley's action in your Legislative Council, and your letter to me enclosing notes of the speech you intended to make in your Assembly if you had been able to be present when the subject was discussed, showed clearly enough that up to that point you were with us heart and soul. But since then what a change!

Not only have you never spoken a word of sympathy with the rest of us who were struggling to carry to a successful issue the movement which was begun in your company, but you have gradually drifted into a position of antagonism to those of us who, owing to the defection of New South Wales, were left to bear the burden and heat of the day. In place of sending us an occasional note of encouragement, or speaking a seasonable word of sympathy, or aiding us with your counsel, or kindly telling us that on some points of the Bill you had altered your mind, and mentioning them for our consideration, we never heard either from or of you excepting *via* London, when our Agents-General advised us that you were taking certain steps which in our opinion could only operate to delay and defeat the Bill. And when the other day, at the eleventh hour (as you happily phrase it), you proposed certain alterations, how was it done? By sending us a copy of a telegram you had sent to Samuel with instructions to oppose the Bill unless these alterations were conceded! And the first news we got of that message to Samuel was not from Sydney, but from London. Now, that was hardly a reasonable course for you to take. Would it not have been more reasonable and friendly if you had first communicated your views and wishes to the other colonies, to see if they would fall in with your proposed alterations? Surely there can be no difference of opinion on this point. Instead of this, however, New South Wales transmits her ultimatum to Westminster, and says if these alterations are not granted she washes her hands of the whole affair! And the amendments you did propose, why was the discussion of them left till the eleventh hour, or rather the stroke of midnight? If they were of vital importance it was all the more necessary that they should have been fully considered. You are well aware that the other colonies were anxious to meet New South Wales in every way, and would have gone a long way round to have kept her in company, so that any suggestion made by you would have received instant consideration.



And now a word or two as to the nature of your objections to the Bill as it stands. Your two principal points are: First, the expunging of the abrogating power, and second the power conferred on two or more colonies to remit a matter to the Federal Council. As respects the first: How, for example, would the abrogating power work under your own proposed system of coastal defence, or indeed, under any joint defence arrangements whatever? The Federal Council, say, passes an Act to carry out your scheme, with which Act all the colonies entirely concur. It means not only joint contributions but a joint management. On the faith of this Act we all commit ourselves to the Imperial Government, but in a year or two some one colony withdraws from the union and abrogates this Act so far as she is concerned. Where would the rest of us be? As respects your second objection, I confess I cannot even imagine any evil result flowing from the power of two or more colonies to remit. What you say may be perfectly true, but is it a sufficient reason for declining to work the Bill? As you very properly say, the Bill is a tentative measure, and will probably require amending at an early date. But the important matter is to make a beginning, and having done that, we have constructed the machinery for making improvements.

By the way, about the fifth clause: I observe you have got your own way there. The power to increase the numbers is retained; and I am not sorry, for, with you, I think the present number too small, especially if all the colonies do not come in. But that is easily mended.

I cannot agree with you at all about the desirability of each Parliament making amendments, if it thought fit, in the Bill as originally drafted. How would that have worked? Suppose the seven colonies had made but one amendment each, all different but all important, and some possibly conflicting. Should we then have required another Convention to consider these, and agree about them? And if, as would have been certain, the new Convention would have amended them, agreed with some, perhaps, and disagreed with others, were their amendments again to be submitted to the respective local Parliaments and so on, *ad infinitum*? Or were the amendments of each colony to be sent direct Home to the Secretary of State, to let him pick and choose which he would insert and which reject, without any of the colonies having a word to say about any of these amendments, except its own?

That course was simply impracticable, and the more I reflect on the whole subject the more strongly I am impressed with the wisdom of the course we adopted, and with the perspicacity manifested by the Committee which drafted the model Bill.

In thinking over this matter you must not forget that not only did the Bill—substantially the same as now passed by the Imperial Parliament—meet your own approval and that of your colleagues at the Convention, but it received the indorsement of your own Legislative Council, which sent an address to the Queen, asking her to graciously give her assent to it.

It seems odd, does it not, that the Attorney-General of the Stuart Administration should have been that mover of the Bill in the Council, and of that Address to the Queen, only a few short months ago, and now the Prime Minister of that Administration does not see his way to make even a commencement under the Bill! How is it that New South Wales differs from all the other Australian Colonies on this question? Does she run any greater risk than the rest of us, of being injured by this Federal Union? What risk do any of us run? Our local autonomy is not interfered with in the least; and if we should differ in the Federal Council as to whether, for example, a warrant issued in one colony for the apprehension of an absconding debtor should be indorsed in another by a Police Magistrate or by a County Court Judge, what harm can arise to anybody?

In conclusion, as my letter is getting too long, I can see no earthly reason for New South Wales not taking her seat with the other colonies at the first meeting of the Federal Council, which I hope will take place at the beginning of next year. I never concealed from myself nor from you that the Union would be defective without her, and in saying that I am still ready to do anything reasonable to secure her co-operation. I know I am expressing the sentiments of the other colonies as well as those of Victoria.

Yours truly,  
JAMES SERVICE.

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No. 56.

Telegram from PREMIER, Victoria, to COLONIAL SECRETARY, New South Wales.

Melbourne, 12th August, 1885.

I REGRET your present feelings about the Federal Council Bill, but I still hope that on further consideration you will find that there are no substantial reasons why New South Wales should stand aloof from the other colonies.

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No. 57.

The COLONIAL SECRETARY, New South Wales, to the PREMIER, Victoria.

MY DEAR SERVICE,—

Colonial Secretary's Office, Sydney, 17th August, 1885.

I am sorry to hear of your ill-health, with which I can thoroughly sympathize, as I have been suffering for the past few days from influenza, and am hardly able to hold up my head.

I am desirous, however, that your letter of the 11th instant should not longer remain unreplyed to.

You think it strange that we postponed until so late a period our objections to the Bill. The fact is, that we had never fully realized that the matter would have been pushed on in the way that it has been; and my own long absence, and the multifarious duties which were awaiting my return, prevented me from giving it my earlier attention. This appeared to me to be of the less consequence when I realized the fact that New Zealand had still to be reconciled to the Bill; and I certainly may be excused from believing that without these two colonies (New South Wales and New Zealand) the forcing of the Bill would be proceeded with. When the change of Government at Home

took place, I considered that it was virtually shelved for this season, and I was in hope that I would therefore be able to bring the matter again before our Parliament, with the view of ascertaining how far we could raise a platform upon which we could cordially join with you; but when I saw by a telegram one day (a Tuesday, I think) that your Agent-General had interviewed the new Secretary of State, and urged him to bring the matter on immediately, and that he had assented to bring it forward on the following Thursday, and to omit the power to withdraw clause, I saw that there was no further time to be lost, and that to have communicated first with you and the other Premiers would have been useless. I therefore telegraphed direct to our Agent-General that unless certain alterations were made I felt it would be impossible for this colony to join. I instructed a telegram to be sent to you on the following morning—it was midnight when I telegraphed to Samuel—but by some misadventure it was not sent until the following day, and did not reach you until after your telegram from London, although its doing so within a few minutes of the other must have shown you that there was no intention whatever to conceal from you what I had done.

The whole question, however, resolves itself into this: Which was the better plan, to get a Bill (no matter whether generally acceptable or not) passed quickly, or to have been content that it move more slowly and carry with it the general assent of the people of all the colonies? It was not Mr. Stuart nor Mr. Dalley whom you had to carry with you, but the body of the people who might have been influenced by the arguments brought forward by these gentlemen. It is true, as you state, that our Legislative Council, under the influence of Mr. Dalley, addressed the Queen in favour of it; but it is equally true that our Legislative Assembly, led by Mr. Dibbs in my absence, declined to take it into consideration at that time, and this, I think, was as direct an intimation as could be given that they declined to accept the measure as it then stood, although they were not prepared to go the length of altogether negating it; or, at all events, that they did not think that sufficient thought had been given to it. I never myself doubted, and I think I so told you when I had the pleasure of seeing you as I passed through Melbourne, that with some modifications they could be induced to accept it; and I certainly intended to give them the opportunity of considering it again, and of suggesting what those modifications should be. The best way of getting Sydney's assent would have been by delaying action until then, and not by forcing it on without their assent. The haste with which the Bill has been rushed through the Imperial Parliament makes that now, I fear, impracticable, or at all events greatly increases the difficulty.

I regret that you do not agree with me that it would have been desirable to have elicited the views of all the Parliaments upon the draft Bill itself. It possibly would have necessitated another meeting of the Convention; but it certainly would not have necessitated the constant reference backwards and forwards which seems to have troubled you. You have, I think, overlooked the fact that we (the Convention) were a self-constituted body, and not the creation of the Parliaments; but if the Parliaments had referred the matter back to us to consider various amendments, which they or some of them had suggested, we would then have been able to act with an authority which we did not possess before; and even though all the amendments had not been adopted, the various Parliaments would have felt that they had had an opportunity of expressing their views, which they certainly have not now had.

The case you mention with regard to the consideration of the naval defences, as illustrative of the danger of allowing the abrogating clause to remain, seems to me a singularly inconclusive one, unless you intend to work the Federal Council Bill in a way which I clearly never understood.

The Federal Council, as I understand it, is to have no power of taxation, but is to depend upon the respective colonies, by their own laws, carrying out the Acts of the Federal Council. In the case you take as an example the Federal Council would have given its approval to a certain plan of outside naval defence; this plan being considered by the various Colonial Legislatures, would have received its vitality by their passing Acts which would recognized a contract with the Imperial Government, which would still remain in force even if the colony withdrew from the Federal Council, and, therefore, the evil which you fear could possibly occur; but as you have taken one supposed instance to show what you fancy would be the evil of retaining the abrogating clause, allow me to take another to show the necessity of having it. Suppose two colonies or more were to refer the matter as to whether the principle of protection or free-trade were best for the interests of the Australian Colonies generally, and suppose the Federal Council were to record its determination that it was essential for the well-being of the Australian Colonies that a protective policy should be generally adopted, and suppose that New South Wales were to continue to hold its strong views in favour of free-trade, it appears to me that its representatives would be obliged to separate themselves from their brethren, and to recommend to their own Parliament to withdraw entirely from the Federal Council. Would it not then be most unjust that this colony should be compelled to keep on records that such was the desirable policy for the Australian Colonies generally, the very policy which compelled its withdrawal; and what possible good could such do even to the others who might choose to remain and adopt the policy?

But enough of this! The more I think of it the more I am convinced that the Federal Council to be a real benefit to the community must carry with it a more hearty assent of the people than present Bill does in this colony; or else that it be surrounded by such safeguards as I intimated in my telegrams to Sir Saul Samuel

I remain, &c.,

ALEX. STUART.