

immigrant for what it would have been impossible for him to prevent, especially if the excess should have been occasioned by the embarkation of additional passengers at some of the ports of call. Whether, then, the action of the Australian Executive in refusing to allow the immigrants to be landed be considered from a conventional or international or a statutory standpoint, it would appear to be equally unjustifiable, and this all the more because of the immigrants having been embarked at Hongkong, a British colony, the authorities of which not only assented to their shipment but sanctioned it. It must be presumed that when the Hongkong authorities did this they were fully acquainted with the regulations of the British colonies whither the emigrants were proceeding, and that had there been any obstacle to their landing they would not only have notified it to the emigrants, but have refused to sanction their embarkation; but this they did not do.

In the case of the "Afghan," on the 25th of March Sir William Des Vaux, the Governor of the colony, officially authorised the shipment of the emigrants, and on the 27th of the following month the Governors of two other British colonies arbitrarily refused to allow the emigrants to land, thus denying them even that modicum of justice and hospitality which, not to mention other grounds, they were entitled to by the laws of the colonies themselves.

I commend these views to the favourable consideration of your Lordship, and in reiterating the request of my Government that the prohibition may be cancelled I venture to express the hope that, in the event of any of the emigrants, whether of those per "Afghan" or other ship, having already been sent back to China, Her Majesty's Government, taking into account the peculiar hardship of their case, may be pleased to consider it as one for compensation—compensation not only for the money the emigrants may have paid or may yet have to pay for passage to and from Australia, but for any other losses they may be proved to have sustained in consequence of what the Imperial Government regret to have to characterize as the arbitrary and irregular proceeding of the colonial authorities.

The Marquis of Salisbury, &c.

I have, &c.,

LEW, Chinese Legation.

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TELEGRAM from SECRETARY of STATE. Received 24th July, 1888.

REFERRING to proceedings of Conference, communication made in accordance with Chinese Government on subject of Chinese Emigration Treaty. In the meantime instructions have been sent to Governors of Hongkong and Straits Settlements with a view to suspend Chinese emigration Australian Colonies.

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(New Zealand, No. 87.)

MY LORD,— Government House, Wellington, 1st September, 1888.

With reference to my Despatch No. 54, of the 14th June last, forwarding a printed paper showing the changes wrought in "The Chinese Immigrants Act Amendment Bill, 1888," by amendments of the Legislative Council, I have the honour to report that on the 28th ultimo the House of Representatives, after a Free Conference between the Chambers, agreed without discussion to accept the Bill, with one alteration, as passed by the Council, and that I have accordingly given my assent thereto.

The alteration referred to is in clause 2. As passed by the Council this clause ran as follows: "For the purposes of this Act the term 'Chinese' does not include 'natural-born or naturalised subjects of Her Majesty; and in this Act 'naturalised' means naturalised in the Colony of New Zealand." In section 2 of the Act the first sentence of the clause is omitted, inasmuch as the specification of "natural-born" subjects was a superfluity, and that of "naturalised" subjects, other than those described in the section as it at present stands, would have granted to Chinamen naturalised in other British possessions than New Zealand exceptional treatment as compared with naturalised subjects of other nationalities, according to the principle laid down in section 7 of "The Imperial Naturalisation Act, 1870."

The section, as it stands, gives to Chinese naturalised in New Zealand privileges not provided for in the Chinese Immigrants Act of 1881.

I have, &c.,

W. F. DRUMMOND JERVOIS.

The Right Hon. Lord Knutsford, &c.

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(New Zealand, No. 58.)

SIR,—

Downing Street, 27th November, 1888.

I have the honour to acknowledge the receipt of your Despatch No. 87, of the 1st September, respecting "The Chinese Immigrants Act Amendment Act, 1888," the authenticated copy of which was received, with other Acts, in your