

Should any unpleasant results follow I must throw all the responsibility on your Excellency and your Advisers, as I respectfully submit that I have done all that can be done, and all that I am required to do by Act of Parliament, and the difficulty only arises from the peculiar views held by Mr. Ballance and his Cabinet on the labour question—a question with which, I submit, he has nothing whatever to do in the present case, the Pacific Ocean not being within his jurisdiction, and the advice of a Governor's Responsible Advisers on a question of principle not being required by the Act.

I trust, however, on giving the matter the careful consideration that you kindly promised me this morning, that your Excellency will sign the license without the recommendation of your Advisers, the matter being purely an Imperial question, and seeing that the recommendation is withheld on general principles and not on personal grounds; and, if it is forwarded to the Collector of Customs, Auckland, by the mail leaving here by the "Te Anau" to-morrow (Saturday) afternoon, it is just possible it may reach me before I leave by the "Richmond."

I propose to bring the whole matter before Lord Knutsford and the High Commissioner for the Western Pacific, in order that the point now for the first time raised by the Executive Government of New Zealand shall be decided; and, should the license not arrive in Auckland before I leave in the "Richmond" on Tuesday afternoon, shall for my own protection, in case of eventualities arising, also cable to Lord Knutsford that I am free from all responsibility for the vessel sailing without the said authority, the requirements of the Act not having been complied with on the part of the Governor of New Zealand, while they have been fully carried out on mine.

I beg to hand you at foot copy of a letter from Lord Knutsford, dated the 10th October, 1890, by which you will see that the Imperial Government does not want any needless difficulties thrown in the way of the carrying-out of the Act.

Apologizing for trespassing on your time with so long a letter,

To His Excellency Sir James Prendergast, K.C.M.G.,
Acting Governor of New Zealand.

I have, &c.,

JOHN T. ARUNDEL.

Sub-enclosure.

[Copy of Letter from Lord Knutsford to John T. Arundel.]

SIR,—

Downing Street, 10th October, 1890.

I am directed by Lord Knutsford to acknowledge the receipt of your letter of the 29th May last, written from Auckland, respecting the difficulties attendant on the procuring of licenses under "The Pacific Islanders' Protection Act, 1872."

His Lordship has communicated your letter to the Governors of the colonies specially concerned in the matter (New South Wales, New Zealand, Queensland, and Fiji), and has no doubt that your representations as to the inconvenience caused by delays in issuing licenses will receive all due attention.

I am to observe that the Act of 1872 requires any British vessel carrying native labourers to take out a license, and it appears to be immaterial whether they are being carried from or to their native island.

The license required by the Act can only be issued by a Governor or a consular officer, and a Deputy Commissioner could not be authorised to take upon himself this function.

J. T. Arundel, Esq.

I am, &c.,

R. H. MEADE.

Enclosure No. 2.

MEMORANDUM for His Excellency the ADMINISTRATOR of the GOVERNMENT.

I HAVE the honour to forward to your Excellency an application from Mr. J. T. Arundel for a license to be granted to his schooner "Ivanhoe" to carry natives in the South Sea Islands.

Your Excellency has power to grant this license, if you should think fit, on being satisfied that bond has been given by the master and one surety (see the Pacific Islanders' Protection Acts, 1872 and 1875 (Imperial): *New Zealand Gazette*, 1875, page 801).

I would, however, draw your Excellency's attention to an interchange of minutes, in 1887, between Sir Julius Vogel, then Commissioner of Customs, and Sir W. Jervois (these minutes will be found on Customs Record C. 1887/180, herewith), relating to an application similar to that now made.

Your Excellency will observe that Sir W. Jervois laid down the principle that the Government should advise whether or not a license should be granted in any particular case.

It being thus my duty to deal with the present application, I have the honour to state that I cannot advise your Excellency to grant a license for Mr. Arundel's vessel. My inability to do so does not arise from any personal considerations so far as that gentleman is concerned, or from any defect in the vessel or her master, but solely on grounds of policy, my Government being opposed to the labour traffic in the South Seas.

I must therefore leave the matter in your Excellency's hands.

Wellington, 30th April, 1892.

J. BALLANCE,
Commissioner of Trade and Customs.