

1894.  
NEW ZEALAND.

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## BENMORE CORRESPONDENCE.

(COPY OF CORRESPONDENCE BETWEEN THE COMMISSIONER OF POLICE AND MR. THOMAS MIDDLETON, MANAGER OF BENMORE STATION.)

*Laid on the Table by the Hon. Mr. Seddon, with the leave of the House.*

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### No. 1.

Mr. MIDDLETON to Constable BRADSHAW.

DEAR SIR,—

Benmore Station, Oamarama, 27th August, 1894.

Shearing will commence here the first week in December, and I should much like if you could arrange so that the men who are coming to work may not be subjected to insult or violence while passing through Kurow, or on their way up the river.

Friends inform me that the "rash spirits" amongst the members of the Shearers' Union advise strong measures being taken to prevent shearing commencing here peaceably.

Judging by what is being committed by unionists in Australia against those whom they choose to injure, and from the fact of the failure of their mischievous attempt last season to prevent the shearing here, there may be sufficient in the rumour to conclude that there is trouble in store for me.

Over and above protection being given the men, I think it urgent that any attempt to destroy property on the station should be guarded against by the authorities. I need not point out to you the helpless position we would be in on the station in the event of any preconcerted disturbance arising, say, on the day shearing was to begin, and without sufficient police protection.

I have known in past years to have had nearly one hundred men gathered up on the station more than were required on the evening before the roll was called. At that time there may not be more than three or four permanent hands at the home station; the shepherds are invariably fifteen or twenty miles away on the ranges, mustering.

Then, again, there is no telegraphic communication with the nearest police-station (Kurow, 45 miles distant), so that I earnestly entreat you will take measures whereby we will be protected from illegal molestation.

Constable Bradshaw, Kurow.

I have, &c.,

THOS. MIDDLETON.

### No. 2.

Constable BRADSHAW'S REPORT on Mr. MIDDLETON'S LETTER.

REPORT of Mounted Constable Bradshaw relative to Mr. Middleton's application for police protection during shearing:—

I beg to attach a letter received from Mr. Thomas Middleton, manager at Benmore Station for Messrs. Robert Campbell and Sons, with reference to anticipated disturbance during ensuing shearing season.

As the wet-sheep dispute of last season has been the subject of so much newspaper correspondence throughout New Zealand and Australia, and has also been mentioned more than once this session in the House of Representatives, it is probably not necessary for me to refer to the cause of the dispute, beyond mentioning the fact that, on account of men coming over purposely for the Benmore shearing from Australia, at considerable expense, losing their wages and season's work, it has no doubt created a very bitter feeling; but at the same time I do not think the shearers here would interfere in any way with the shearing at Benmore if left to themselves; but the warning received by Mr. Middleton comes from Australia, and it is from Australia that a large proportion of the shearers employed on the Waitaki come, after they have finished the Australian shearing, in November, and it is quite possible that they may import a very different feeling into

the district. Mr. Middleton has made arrangements with one Alexander McCallum, an Oamaru shearer, now in New South Wales, to bring over sixteen men. The remaining places on the "board," twelve in number, will be filled up by Mr. Middleton.

McCallum, when he left Oamaru, was certainly not on good terms with the members of the workers' union, and the fact of his engaging these men is well known to shearers; and I may say I was informed of the fact by a shearer before Mr. Middleton told me that such was the case.

LIONEL BRADSHAW,

Second-class Constable, No. 441.

Kurow, 28th August, 1894.

### No. 3.

The COMMISSIONER of POLICE to Mr. MIDDLETON.

Police Department (Commissioner's Office), Wellington,

21st September, 1894.

SIR,—

Your letter of the 27th ultimo, to Constable Bradshaw, *re* police protection for Benmore Station during shearing time, has been duly submitted to the Hon. the Defence Minister, who has directed me to inform you that from inquiries made it appears that if there is any disturbance it will undoubtedly arise from your injudicious action in arranging with one Alexander McCallum, an Oamaru shearer now in New South Wales, to bring over sixteen shearers from that colony, and therefore in this matter you must take the responsibility of your own actions; but the Police Department most distinctly decline to assist in bringing about a quarrel between shearers and employers, and therefore you must not depend upon this department for protection under those circumstances. From all that can be learned, it appears that this Alexander McCallum has not for some time past been on good terms with the workers' union, and it appears to be well known in New Zealand that you have commissioned him to bring over sixteen men, and therefore this department cannot acquiesce in or support dangerous actions which may lead to very great difficulties all over the colony.

I have, &c.,

A. HUME,

Commissioner of Police.

Thomas Middleton, Esq., Benmore Station.

### No. 4.

Mr. MIDDLETON to the COMMISSIONER of POLICE.

Benmore Station, Oamarama, Otago, 3rd October, 1894.

SIR,—

I have the honour to acknowledge receipt of your letter of 21st ultimo. It is surely an extraordinary state of affairs that the head of the Police Department should intimate to any citizen that because he has ventured to employ what he considers the best and surest method of getting his work efficiently done he must consider himself beyond the pale of police protection, and that if lawless men choose at their pleasure to attack, and perhaps kill, himself and his employés the police will not interfere, and he must take his chance. I have done no wrong. I was worried and annoyed over my last year's shearing almost beyond endurance, and my employers were subjected to very considerable loss, and this through the action of men many of whom I had employed year after year at the shearing here; and this year, simply because I have taken steps to prevent my employers and myself from being at the mercy of these same men, I am to be told that I must not look to the police to afford me or my men any protection.

Surely things have come to a pretty pass in New Zealand when, notwithstanding all the people pay annually for protection of life and property, they are to be told by the police, "You must not depend upon us for protection, because you have ventured to employ a man who is not on good terms with the workers' union."

Sir, I call upon you to do your duty in this matter. If the lives of men who are coming to earn a living at peaceful avocations are to be endangered by lawless spirits, even though they do not belong to the workers' union, it is your duty to protect them, and if you fail to do so the consequences will rest on your head. In calling your attention to the threatened danger I am only doing my duty; and, if you will not protect myself and my employés, you must be held responsible for the consequences if we are driven by your refusal to protect us to take the law into our own hands, and protect ourselves.

I have, &c.,

The Commissioner of Police, Wellington.

THOS. MIDDLETON, Manager.

### No. 5.

The COMMISSIONER of POLICE to Mr. THOMAS MIDDLETON.

SIR,—

Police Department (Commissioner's Office), Wellington, 9th October, 1894.

I have the honour to acknowledge the receipt of your letter of the 3rd instant, which reached me yesterday (the 8th). Its arrival, however, was preceded by its publication in the Press on the 4th.

The Minister directs me to say that you are at liberty to take any course you think fit in this matter, but, in publishing the correspondence, it might justly be urged that, in fairness, your letter to Constable Bradshaw should also have been published.

From inquiries made, the Government has ascertained from a competent and reliable officer that the New Zealand shearers would not in any way interfere with the shearing at Benmore; that

the warning received by you comes from Australia, and that it is from Australia that a large proportion of the shearers employed on the Waitaki come, after the shearing is finished, in November.

As stated in my previous letter, you have made arrangements with a person named Alexander McCallum, an Oamaru shearer now in New South Wales, and have authorised him to bring over sixteen men. In your letter under reply you have not denied that this is the case. This being so, the conclusion is correct that what has been reported is absolutely accurate. You are also aware of the fact that during this session of Parliament the Arbitration and Conciliation Bill has been passed, and that, Parliament having made provision to meet the disputes as between employers and employes, action in the direction you asked was unnecessary.

Knowing that your agent is not on good terms with the shearers in the district, the action taken by you might reasonably be construed to be a deliberate attempt to provoke hostilities, and what gives colour to this is your application for protection two months in anticipation of the time the shearers are expected to arrive at Benmore Station.

Had the Minister thought fit to grant your request it would have been inferred that the Government was encouraging you in the extreme and inadvisable course you have embarked upon, and, armed with the promised protection, your agent would no doubt have been communicated with and told to take action without regard to consequences.

I am directed to inform you that the Minister looks upon your conduct in this matter as that of a man who has made up his mind on a given date to set fire to his premises, and, as a prelude thereto, notified the fire-brigade that he so intended to destroy his property. A wiser course would be to refrain from applying the match. The Government having been assured that there was no likelihood of the shearers breaking the law, or interfering with the work on your station, the Minister therefore directed me to inform you that it is unnecessary to comply with your unusual and unreasonable request.

The Government further resent the very grave reflection you have cast upon the shearers of New Zealand by stating they are lawless spirits. They have ever proved themselves to be law-abiding colonists, and the Government is of opinion that your fears as to the lives of the men who are coming, or your own life and property being in danger, are entirely unfounded.

You are, of course, aware that it is against the law for any person to deliberately and of malice aforethought provoke a breach of the peace. Any one doing so is held to be an offender against the commonwealth. After what has been reported to me in connection with this matter, and which has not been denied, the Minister directs me to inform you that he does not think it is the duty of the State to encourage you in the unusual course you have evidently made up in your mind to pursue.

Should, however, the occasion arise, and the peace be broken in any way, the Government will do its duty as it has already done in similar cases. At the same time, anything that would tend to cause the serious troubles that have occurred elsewhere, and the loss of life consequent thereon, should be strenuously avoided by every right-thinking colonist.

In your letter to Constable Bradshaw, of the 27th August, you say there are "rash spirits" amongst the members of the Shearers' Union, and you further refer to what has occurred in Australia. You also refer to the mischief attempted last season to prevent shearing at the Benmore Station. This being so, conciliation and not provocation would, the Minister thinks, have been the most reasonable way of ending your difficulties once and for all, and that in a manner satisfactory to you, and with profit to your employers. It would have been considered by me more in keeping with a desire to promote peace and good-will had you acted with moderation, and first informed the Government of your intentions in regard to authorising Mr. McCallum—whom you do not deny is on bad terms with the shearers in the district—to import some of the men you have designated as "rash spirits," instead of hastily instructing him to procure the men you have mentioned. Having thus acted, you feared the result of your own actions, and for the first time acquainted the Government of the course you had taken.

The Minister directs me to say that he does not question your right to obtain men from Australia or elsewhere should you consider yourself justified in so doing. If, however, the consequences are to be such as you fear may be precipitated owing to the introduction of men, and the consequent disturbance of the peace and other serious evils, it might with force be urged that such a course, unless in an extreme case, should be avoided. Further, so far as the Minister is aware, the men coming from Australia are entirely in ignorance of the fact that they will be subject to the law which has been passed this session, and that in case of a dispute both employer and employes will be compelled by law to place their case before the Court of Arbitration. The Government considers the Compulsory Arbitration and Conciliation Act to be all-powerful; hence, relying upon this, it is considered there is no necessity for special police protection.

I have, &c.,

A. HUME, Commissioner.

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