

1891.

PARLIAMENT OF TASMANIA.

NEW HEBRIDES:

CORRESPONDENCE RESPECTING AFFAIRS IN.

Presented to both Houses of l'arliament by His Excellency's Command.

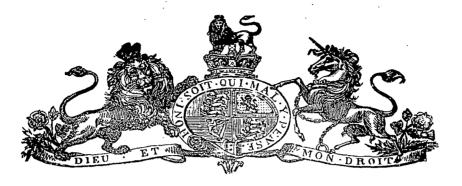
ABSTRACT.

	F			I.	
Number.	From whom.	To whom.	Subject.	Date.	Page.
2138	Mr. Munro, Chairman of the Standing Committee of the Federal Council of Australasia	H.E. Lord Charles T. Scott, C.B., Rear-Admiral Commander-in-Chief on the Australian Station		1891. 16 June	5
2139	Mr. Munro	H.E. Sir J. B. Thurston, K.C.M.G., High - Commissioner for the Western Pacific	Circular, in compliance with resolution of Federal Council, asks information on certain points respecting the New Hebrides	16 June	5
2140	Mr. Munro	Rev. A. Hardie, Convener Foreign Missions Committee, Presbyterian Church of Victoria		16 June	5
P. 91/1 7 54	Rev. A. Hardie	Mr. Munro	Informs of intended visit of Rev. F. R. M. Wilson to the New Hebrides, who will report on his return as to affairs there	19 June	5
P. 91/1784	Lord Charles Scott	Mr. Munro	Furnishes information as to native teachers, titles to land, and trade in arms, ammunition, and alcohol	22 June	6
2350	Mr. Munro	Lord Charles Scott	Suggests that officers of ships cruising round the New Hebrides be asked to report on the condition, settlement, &c., of the islands	26, June	6
P. 91/1889	Lord Charles Scott	Mr. Munro	Will forward information, as desired, as occasion arises	30 June	7
2647-9	Mr. Munro	Members of Standing Committee	Forwards copies of his letter of 26th June (2350), and of the Rear- Admiral's reply (P. 91/1889); suggests their being communi- cated to the press	13 July	7
P. 91/2420	Rev. A. Hardie	Mr. Munro	Forwards report by Rev. F. R. M. Wilson on the numbers of French and British residents in the New Hebrides and on removal of native teachers	15 Aug.	8
Enclosure	Rev. F. R. M. Wilson	Rev. A. Hardie	Report	13 Aug.	8
P. 91/2812	Rev. F. R. M. Wilson	Mr. Munro	Furnishes names of civilised residents of the New Hebrides	10 Sept.	8

4

Abstract—(continued).

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Number.	From whom.	To whom.	Subject.	Date.	Page.
P. 91/2905	Sir J. B. Thurston	Mr. Munro	In reply to Mr. Munro's letter of 16th June, comments generally on the affairs of the New Hebrides, drawing special attention to the office for recording titles established in 1886; gives information as to British and French settlement in the New Hebrides; makes observations as to purchase of land, arms, ammunition, and alcohol; believes that the Western Pacific Orders in Council are under consideration for revision in certain matters	1891. 17 Sept.	11
Enclosure	The Assistant Colonial Secretary of Fiji	Clerk of the New Hebrides Mission Synod	Replies to a letter from the New Hebrides Mission Synod, for- warding copy of a minute of the Synod, dated 3rd June, 1891	13 Sept.	16
P. 91/3042	Sir J. B. Thurston	Mr. Munro	Forwards copy of his letter to the New Hebrides Mission Synod in reply to the Synod's minute of 25th June, 1890, relative to the supply of intoxicants, firearms, &c., to the natives of the New Hebrides	28 Sept.	19
Enclosure (1)	Minute of New Hebrides Mission Synod		Relating to the sale of intoxicants, firearms, and ammunition in the South Sea Islands, and especially in the New Hebrides	3 June	19
Enclosure (2)	Secretary to the High Commis- sioner	Clerk of the New Hebrides Mission Synod	Acknowledges the receipt of the above minute. Matter will continue to receive His Excellency's cordial support	16 Sept.	20



CORRESPONDENCE.

No. 2138. My Lord, Premier's Office, Melbourne, 16th June, 1891.

As Chairman of the Standing Committee of the Federal Council of Australasia, I have the honour to invite Your Excellency's attention to a debate which took place at the last session of the Council on the subject of the New Hebrides; and I beg to forward herewith a copy of the proceedings of the Council, in which certain portions are marked.

Your Excellency will observe that two of the three principal points referred to in the discussion, viz., the subjects of titles to land, and trade in arms, ammunition, and alcohol, formed the subject of

an address from the Council to Her Majesty.

The third point, viz., the removal of natives from one island to another, and also the general subject of British and Froutien settlement in the New Hebrides, were very fully discussed, and, finally the following resolution was carried (page 51 of Proceedings):—

"That the Standing Committee be instructed to inquire into the present position of British and French settlement in the New Hebrides, and the disabilities attending the removal of native teachers from one island to another, and to take such action thereon as they may deem expedient."

Information of a reliable nature regarding the New Hebrides is exceedingly scarce and difficult to procure, but in proceeding, on behalf of the Committee, to make inquiries, as directed by the Council, regarding these two points, it has occurred to me that, from the frequent visits of the officers under your command to the islands, you will probably be able and willing to furnish information which would be most valuable to the Committee, and which would serve as a guide in any action that it may be thought well to take.

I shall accordingly esteem it a favour if Your Excellency will communicate to me, for the

information of the Committee, any particulars likely to be of service.

I have the honour to be, My Lord, Your Excellency's most obedient servant,

> JAMES MUNRO, Chairman of Standing Committee of Federal Council of Australasia.

His Excellency the Rear Admiral, Commander-in-Chief on the Australian station.

(Letters asking for similar information were also sent, on the same date, to His Excellency the High Commissioner for the Western Pacific, and the Rev. A. Hardie, Convener of the Foreign Missions Committee of the Presbyterian Church of Victoria.)

P.91/1754.

Presbyterian Church of Victoria, Foreign Missions Committee, 19th June, 1891.

THE HONORABLE THE PREMIER, VICTORIA.

HONORABLE AND DEAR SIR,

I have the honour to acknowledge yours of 16th, "Re Resolution of Federal Council as to the present position of French and English Settlement in the New Hebrides, and the disabilities attending the removal of native teachers from one island to another," as also having received copies of the debate.

In reply, I am directed by the Committee to say that, in order to obtain the latest and most reliable information, they have asked Rev. F. R. M. Wilson, who leaves for the islands on Monday, first, to inquire and report, which he will do on his return, in about six weeks. Our general

impression is that at present settlement is largely in favour of the French, who are vigorously securing land and placing settlers, and causing Her Majesty's ships to enforce the regulations against British trade that led nearly all the early traders to enrol under the French flag. The Croydon has just been fined £5 for carrying a case of arms as cargo—at the instance of the French.

There has been no interference with our removing teachers; but that is, we presume, because the law is expended in our fewers.

the law is suspended in our favour.

I have the honour to be, Your obedient servant,

ANDREW HARDIE,

Convener.

P.91/1784.

H.M.S. Orlando, at Melbourne, 22nd June, 1891.

In reply to your letter of the 16th June, it appears to me that the best information I can give you on the subjects referred to is contained in the printed records of the proceedings of H. M. ships stationed in the New Hebrides. I now enclose a copy of the records for the last few years.-[1885

2. I would like to draw your attention to the fact that from May to November there are two of H.M. ships constantly cruising round the islands, visiting missionary and trading stations. Last year and this year a surveying ship has also been at work examining and charting the New Hebrides. The French have only one man-of-war cruising among the islands.

3. As regards native teachers moving from one island to another, this has never been interfered with by captains of H.M. ships, who always interpret the Act on the subject of natives being conveyed from one island to another in a liberal spirit.

4. As regards the titles to land I can give no information, and the captains of H.M. ships and of French men-of-war are forbidden by the Anglo-French Convention (of which I enclose a copy) from interfering in any disputes on the subject of land.

5. The trade in arms, ammunition, and spirits is, I am afraid, a great stumbling-block. The captains of H.M. ships are obliged to enforce the Pacific Orders in Council as regards British ships, but this does not prevent the injurious trade being carried on by other nations. It would, in my opinion, be very greatly to the benefit of the Pacific Islands that all nations should agree to prohibit such trade.

6. I thank you very much for sending me the official record of the debates of the Federal

Council, 1891, which I have read with great interest.

I have the honour to be, Sir, Your obedient servant,

C. T. SCOTT, Rear-Admiral, Commander-in-Chief.

The Honorable James Munro, Chairman of the Standing Committee of the Federal Council of Australasia.

List of Records forwarded with the accompanying Letter.

Australian Station.—New Hebrides Islands, 1886. General Report on Trade, &c., by Lieut.

and Commander Charles H. Cross, H.M.S. Undine.

Australian Station.—New Hebrides, 1885. Correspondence respecting Outrages by Natives, 1885. Lieut. and Com. Charles H. Cross, H.M.S. Undine. Lieut. and Com. John L. Marx, H.M.S. Swinger.

Australian Station.—New Hebrides, 1886 to 1888. Correspondence respecting Outrages by

Australian Station.—New Hebrides, 1889. Correspondence respecting Outrages by Natives. Senior officers of the New Hebrides Division—H. M. ships Opal, Calliope, Rapid, Swinger.

Australian Station.—New Hebrides, 1890. Correspondence respecting Outrages by Natives.

Senior Officer of the New Hebrides Division—H.M. ships Royalist, Lizard, Dart.

Australian Station.—New Hebrides, 1890. Supplementary correspondence to the above.

No. 2350. My Lord,

Premier's Department, Melbourne, 26th June, 1891.

I beg to thank you for your Excellency's letter of the 22nd June, and for the printed documents which accompanied it.

One of these, I notice, is a report of a general character on the Islands by Lieutenant and Commander Charles H. Cross, H.M. Undine, but it is dated several years back. It has occurred to me that if Your Excellency should see fit to call upon some officer or officers of the ships cruising round the Islands to furnish a report on the progress, condition, and prospects of settlement, the result might prove valuable and interesting. In such a report, perhaps I may suggest that it would be well to include as precise information as possible with respect to the numbers of each nationality in the Islands and any other particulars which the intelligent observation of the officers may enable them to supply.

I am obliged for the information in the 3rd, 4th, and 5th paragraphs of your letter, which

will be valuable to the Standing Committee.

I have the honour to be, My Lord, Your Excellency's obedient servant,

JAMES MUNRO

Chairman of the Standing Committee.

His Excellency Rear-Admiral Lord Charles Scott, C.B. &c., &c., &c.

P.91/1889. Sir,

Orlando, at Sydney, 30th June, 1891.

I have the honour to acknowledge the receipt of your letter of the 26th inst., and, in reply, to acquaint you that any information of the nature described which can be obtained by officers of Her Majesty's ships under my orders shall be forwarded to you as the occasion arises.

> I have the honour to be, Sir, Your obédient servant,

> > C. T. SCOTT,

Rear-Admiral and Commander-in-Chief.

The Honorable James Munro, Chairman of Standing Committee of Federal Council of Australasia.

No. 2647-9. SIR.

Premier's Office, Melbourne, 13th July, 1891.

In my letter of the 19th June ult., No. 2204, I had the honor to inform you of the steps I had taken to carry out the inquiry respecting the New Hebrides, which was enjoined by the Federal

Council resolution of 22nd January last.

I now beg to forward for your information, a copy of a reply, dated 22nd June, 1891, by the Rear-Admiral Commander-in-Chief on this station, to the letter which I had addressed to his Excellency. Copies of the printed inclosures (of which a list* is sent herewith) I am unable to supply, but the documents are probably already in the possession of the Government of Tasmania. They principally consist, however, of reports and correspondence in the suppression of outrages by the islanders.

It will be observed from Lord Charles Scott's letter that there is practically no restriction on

the passage of native teachers between the islands.

With regard to the traffic in spirits, arms, &c., you will already have received with my letter of the 13th of June last, No. 2120, the return to the Address of the Federal Council of Her Majesty on the subject.

As the correspondence respecting the New Hebrides is of such public interest, I propose, unless you see any objection, to communicate it to the press without waiting for a meeting of the Federal

Council, which may not take place for a considerable time.

I also transmit, with the letter, further correspondence (consisting of two letters, dated 26th and 30th June), from which it will be seen that fuller information from the officers of Her Majesty's navy may be expected.

I have the honour to be, Sir, Your most obedient servant,

> JAMES MUNRO, Chairman of the Standing Committee.

The Honorable A. Inglis Clark, M.P.,
Member of the Standing Committee of the Federal Council of Australasia.

(Similar letters were sent to The Honorable Sir S. W. Griffith, K.C.M.G., Q.C., M.P., Brisbane, and to The Honorable Sir J. G. Lee-Steere, Perth.)

^{*} See list appended to Lord Charles Scott's letter of 22nd June.

P. 91/2420.

Presbyterian Church of Victoria, Manse, Richmond, 15th August, 1891.

THE HON, THE PREMIER.

Hon. and Dear Sir,

I have the honour to forward forward a report regarding the relative numbers of French and British residents in the New Hebrides furnished by Rev. F. R. M. Wilson, who has just returned from a visit round the group. Half-caste illegitimate children are not included. The list of names will be forwarded if required.

I remain, hon. and dear Sir, Your obedient servant,

ANDREW HARDIE,

Convener.

(Enclosure.)

Rev. A. Hardie, Convener for Foreign Missions Committee Presbyterian Church of Victoria.

MY DEAR SIR,

Kew, 13th August, 1891.

As requested by the Committee, I have, while travelling among the New Hebrides Islands last month, ascertained as correctly as I could from the missionaries and traders and the officials of the A.U.S.N. Co. and the Vic. New Heb. Co., and drawn up a list of the names, occupations, and nationalities of those residents who belong to civilised countries, with a view of determining the present position of British and French settlement in the New Hebrides. I found that there are 83 French residents at present on the Islands, and 2 who are absent just now; and that there are 111 British residents at present on the islands, and 31 who are absent just now; most of those who are absent being children at school in other lands. There are about 7 Scandinavians, 5 Dutch, 3, Portuguese, 2 Americans, and 1 Spanish. Besides those residing on the islands, there are on board the schooner Friendship 6 British, on board the Croydon 12 British, and on board H.M.S. Dart 59 British.

As to the lands claimed by individuals of the several nationalities, I had no opportunities of ascertaining particulars. I was told, however, by the Rev. R. M. Fraser, at Burumbah on Epi, that some short time ago a French ship passed along the coast close by his station and put up marks of boundaries of land with regard to which they had not had any dealings with the natives at all.

As to disabilities attending the removal of native teachers from one island to another, all the Presbyterian missionaries in the group agree that, whatever may be the regulations, there has never practically been any disability. The commanders of British men-of-war have known of the removal of native teachers from one island to another, both by the *Dayspring* and by the interisland steamer, and have never made any difficulty.

I am, my dear Sir.

Yours truly,

F. R. M. WILSON.

P.S.—If necessary, I can forward the list of residents which I have drawn up. I may say that I have omitted the half-caste illegitimate children from the list.

P.91/2812.

SIR,

Kew, 10th September, 1891.

In your letter of 3rd September to Rev. A. Hardie, which he forwarded to me, you express the wish that you be furnished with the list of the civilized residents in the New Hebrides, which I offered through him. I send it accordingly

offered through him. I send it accordingly.

Since I wrote to Mr. Hardie, on 13th August, giving the number of the nationalities of these residents, I have received from a correspondent additional information about the French in the New Hebrides, which, by including the crews of the French Company's schooner, &c., brings up the total of French subjects in the group to 103 souls.

I have the honour to be, Sir, Your obedient servant,

F. R. M. WILSON.

The Hon. the Premier, Melbourne.

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P.91/2905.

High Commissioner's Office, Western Pacific. Suva, Fiji, 17th September, 1891.

I have the honour to acknowledge the receipt of your letter of the 16th June, together with a copy of the printed record of proceedings at the fourth session of the Federal Council of Australasia.

Temporary absence from the colony upon duties connected with Western Pacific High Commission, and frequent absences from the seat of Government upon pressing local affairs after my return to the colony have prevented my replying earlier to your communication.

my return to the colony, have prevented my replying earlier to your communication.

I have read with much interest those portions of the proceedings in Council relating to the New Hebrides to which you have invited my particular attention. After their perusal I can readily conceive that trustworthy information regarding those islands is, as you observe, scarce and

As an instance of this, I may be permitted to advert to the speech of Mr. Shiels, in moving certain resolutions standing in his name. Mr. Shiels stated, p. 24 of report—"At the present moment, if one is to strictly construe the language of the regulations published under the Orders in Council—the Western Pacific Orders in Council—the missionaries cannot transfer any one of the natives from one island to another to labour in a different sphere."

And, again, in reply to a very pertinent inquiry of Mr. Macrossan—"Have they been prevented?" Mr. Shiels said—"I am not able to say positively whether it is so or not. Under the regulations it is the duty of the Naval Commissioners to prevent the natives from going from one island to another by the Dayspring or by any commercial line of ship."

Then these two points pressed with much appearant force of appearant I began to the pressed with much appearant to the pressed with the pressed wi

Upon these two points, pressed with much apparent force of argument, I have to inform you-

 That no such regulation, as alleged, exists or ever has existed.
 That missionaries have never experienced any official difficulty in transferring natives from island to island in connexion with the affairs of their mission.

3. That, as no such regulation exists, Naval Commissioners are not under the obligation of duty attributed to them. I might, perhaps, add that if regulations were passed preventing the emigration of natives from one island to another for the purposes of labouring upon plantations it is not likely that such regulations would apply to the native agents of any Christian church, for such agents are not "labourers" in the common acceptation of that expression. Nor is there anything in the actual circumstances of the New Hebrides justifying the apprehension on this score of the representatives of any such church or of any persons speaking on their behalf.

I believe that the Naval Commander-in-Chief is in perfect accord with me on this point.

The Pacific Islanders Protection Acts of 1872-5 prohibit, amongst other things, the carrying on board any British vessel of any native labourers of Islands in the Pacific Ocean not being part of the crew of such vessel unless the master, with a sufficient surety, shall have entered into the bond provided for by the Act. But I doubt that it was ever intended by the Imperial Parliament that the word "labourer" should in its meaning include the native agents of any mission occupying itself in the spiritual welfare of the Pacific Islanders. I am in this case also disposed to believe that no fair construction of the language of the Statutes would support the opinion expressed by the mover of the resolutions in Federal Council, and it is at least certain that in fact no such construction has been placed upon the particular provisions referred to during the twenty years which have practically elasped since the Pacific Islanders Protection Acts came into operation.

In view of these circumstances, I cannot but feel that the mission referred to by Mr. Shields

has no reasonable ground for apprehension or complaint.

With the object of affording you as much information as is possible upon the subject of the transport generally of natives among the Islands, as well as upon others, I beg leave to enclose for your perusal a copy of one of my public despatches which last year was addressed to the clerk of the New Hebrides Mission Synod.

In the despatch in question you will observe that I anticipated much of what fell from Mr. Macrossan in Council upon the subject of the removal of natives of one Island to another. will gather from that despatch that I regard such removal as being detrimental in the highest degree to the welfare of the islanders themselves, and that, even if such removal could be regarded as permissible under proper restrictions, there are no means whatever of giving effect to such restrictions or of insuring the proper treatment of natives after removal.

You are, perhaps, aware that I have had considerable experience of the "labour traffic," and with this experience, extending over a period of nearly 30 years, I do not hesitate to say that, in the present state and condition of the New Hebrides, any hope in the efficacy of restrictions and

regulations would be perfectly illusory.

Before concluding my observations upon the subject of the removal of natives from island to island in the group, I should like to refer to the apprehension in respect of the employment of subsidized steamers, expressed by the Rev. Mr. Hardie, convener of the Foreign Missions Committee of the Presbyterian Church, in a letter addressed to the Hon. Mr. Gillies, and dated the 13th January, 1890.

In this letter Mr. Hardie observes—" While we used the Dayspring our taking teachers and servants for the missionaries was never brought under the law, but now that we are using a subsidized

commercial line there may be difficulty.'

I have already expressed myself to the effect that there have been no difficulties in the past, and that none are likely to occur so far as the mission is concerned in the employment of subsidized

steamers or any other class of vessels for the sole purposes of the mission.

But you will learn from the enclosure—though, perhaps, the fact is already within your know-ledge—that the interests of the Presbyterian Mission in the New Hebrides is not confined to itself, but that it has moved on behalf of private persons throughout the group wholly unconnected with the mission, and who it may not be unfair to say, are quite capable of acting for themselves. It is, I believe, owing very much, if not entirely, to this action that I have during the last twelve or eighteen months received inquiries whether natives might not be carried on board commercial steamers trading in the group, and whether natives of the New Hebrides were prohibited from taking passage on board of British steamers.

I have not attempted to conceal from myself that the use of the expression "native passengers" was nothing but a verbal expedient to avoid a direct reference to the term "native labour." have therefore felt unable to encourage a hope that the transport of native labourers—euphemistically

called "passengers"—from one Island to the other without any securities-

1. For their proper treatment while on board,

2. For their proper treatment while under employment, and

3. For their final return to their homes,

can be permitted in the present state of the law.

I have read with the greatest interest, and with the fullest concurrence, the remarks of Sir Samuel Griffiths on the subject of the Pacific Island labour traffic, as reported on pages 45 and 46 of the debates of the Council; and I think it right to support that gentleman by stating that even in Fiji, after seventeen years of established government, continual vigilance is necessary to secure that native labourers are treated with fairness and proper consideration. And these remarks apply not less to the conveyance of native labourers by sea, both in sailing vessels and steamers, than to their treatment while under engagement.

In illustration of what is said touching the conveyance of labourers, I may quote the following extract from a report just placed in my hand, as Governor of Fiji, from the Agent-General of

Immigration. That officer writes as follows:—
"On Wednesday, 19th August, 1891, I left per s.s. Maori for Mago, Lomaloma, and thence to Vuna Point. The Maori had on board 50 Polynesian immigrants, fine weather these people would have been both in a distressing and dangerous situation. I shall communicate with the agents and employers on this matter. I am of opinion that steamers should not be allowed to carry indentured Polynesians or Indian Immigrants unless they afford proper covered shelter for them.— See Sec. 71, 72, Ordinance 21, 1888."

With the experience to which I have already adverted, it cannot be supposed that I can encourage British subjects in establishing a labour traffic between the Islands of the New Hebrides without any supervision whatever; and that, it appears to me, is what is desired. In so writing, I do not of course lose sight of the fact that the resolution submitted to the Federal Council in respect of the engagement of natives includes the words "subject to proper restrictions." But such restrictions are impossible, and I can therefore only regard the words quoted as a redundancy

having no practical meaning or value.

With regard to the question of titles to land in the New Hebrides, I would refer to that which I have written in my communication to the Presbyterian Mission (a copy of which is

enclosed.)

The object sought by the resolution on this subject, and moved by Mr. Shiels, is, I submit to you, impossible. And this fact seems to have been clearly seen by several members of the Council. The only thing that can be done under existing circumstances has been done. And you will observe from a printed copy of a return to an address to Her Majesty, adopted by the Council on the 23rd January, 1891, that the subject of the registration of claims and documents relating to land receives my close attention. At the expense of the High Commission I am now gathering from the several consulates in the Western Pacific copies of the recorded claims to land in the islands, those in Samoa excepted.

Mr. Macrossan, in his speech on the subject before Council, said—"If the mover of the resolution was to ask instead of the proposal now submitted that there should be an agreement between the natives and the purchaser of the land, and that this agreement should bear on the face of it whatever title the purchaser possesses, and also set out the limits and bounds and description of the land, and if at any future time the present agreement between these two countries—England and France—lapses, then let these titles be dealt with for what they are worth."

This—without any reference to political or diplomatic questions or agreements between the Governments of Her Majesty and any other power-is pratically the plan adopted by the High Commission since the year 1886.

The enclosed notification relating to claims to land in the Pacific, dated 8th November, 1886, has long since been communicated to all the Governments of Australia, and has been circulated as fully as possible among the Western Pacific Islands.

Advantage of the facilities offered by this notification has, I believe, been very generally availed of, and there is no reason known to me preventing British subjects claiming to own land in any part of the Western Pacific from registering in the office of the High Commission their claims, together with all the documentary evidence they possess in support of them. To remove as far as possible any difficulties, you will observe that original documents are not necessarily required for registration, but that certified copies are accepted, provided that their accuracy as copies are attested by any Judicial or Deputy Commissioner for the Western Pacific or by any commanding officer of Her Majesty's ships of war on the station.

This registration does not, of course, constitute a title. I observe that the word "legal" appears to have been omitted from the resolution, which was finally adopted as follows:—"That provision should be made for enabling British subjects to procure a more certain official record of agreements made by them for the acquisition of land in the New Hebrides."

I have given very careful consideration to this resolution as it passed the Council, and I am unable to see what further provisions than those existing can be made for the more certain official

record of the agreements in question.

If I may be permitted to quote from your own speech in Council, I would note that you urge "such agreements should appear on the face of whatever title the purchaser possesses, and which shall set out the limits and bounds and description of the land." "We" you observe "are asking no more than that. We are not asking for a legal title; we are only asking for some place where the title shall be recorded and registered, and where they can be referred to in the future. present there is no such place."

With reference to this, I have the honor to again inform you that the High Commissioner's office was constituted such a place of record on the 8th November, 1886. That on the 9th December of the same year, the enclosed notification before referred to, respecting claims to lands, was sent to all the Australasian Governments with a request that due notice thereof might be published in their Government Gazettes respectively. A number of the notifications were at the same time sent to the Naval Commander-in-Chief, in order that the respective officers under his command might be made acquainted, and make others acquainted, that claims, deeds, and documents relating to land in the Western Pacific could be recorded for future reference in the office of the High Commissioner. Similar information was at the same time transmitted to her Majesty's Consuls in New Caledonia and elsewere.

During the five years that have elapsed since this record office was opened a large number of claims and deeds have been duly recorded.

Every record of a claim to land is entered under the following heads:-

- 1. Claimant's name.
- 2. Name of land.
- 3. Situation of same.
- 4. Area of same.
- 5. Boundaries of same.
- 6. Date of original purchase.
- 7. Original vendors.
- 8. Consideration.
- 9. Deeds and documents produced in support of the claim.

I do not know that I can furnish you with any further information upon this point; and I think you will share my views that due publicity has been made by the High Commission as to the establishment of a record office.

Having referred to the subject of titles to land and the carriage of natives in British vessels, it only remains for me to refer to the present position of British and French settlement in the New Hebrides, upon which the Standing Committee desires to have information. So far as the subject of French settlement in the New Hebrides is concerned, I regret that I can give no particulars; and, as regards British settlement, I can afford little more than may be gathered from the several reports published by the Naval Commander-in-Chief upon the proceedings of Her Majesty's ships among the Islands.

So far as I can gather from the most recent information at my command, the European or white population of the New Hebrides is approximately as follows:

British—Men, 57; women, 20; children, 28. French—Men, 56; women, 6; children, 6. Other Nationalities, 9.

This return includes missionaries of all nationalities and their families.

I have no information as to the comparative areas of land claimed by foreigners resident in the group. But, as regards acquiring a title to any lands claimed, British subjects are in no worse position than foreigners.

It has been stated, and perhaps with some degree of truth, that the ability of foreigners to deal in arms and ammunition places them in a position of comparative advantage to British subjects in the acquisition of land. I think this advantage has been much exaggerated. At all events, I have had submitted to me within the last twelve months a document purporting to be the evidence of sale of 10,000 acres of land to a British missionary, in which the consideration moving was £12 in cash and not exceeding 40s. worth of ordinary articles of barter. I can, therefore, hardly think that the difficulties are so great as have been stated.

I may, perhaps, here remind you that, at the Intercolonial Convention of 1883, it was resolved "that in the opinion of the Convention no purchases, or pretended purchases, of land made before the establishment of British jurisdiction or dominion in New Guinea, or other Islands in the Pacific not having a recognised Government, should be acknowledged, except in respect of land actually occupied for missionary or trading purposes."

I may also mention that by the final Act of the Conference of Berlin on the affairs of Samoa, signed on the fourth June, 1889, it was agreed that all claims to land or to any interest therein should be rejected and held invalid where the conveyance (whether sale, mortgage, or lease) was made upon the consideration of a sale of firearms or munitions of war or upon the consideration of intoxicating liquors, contrary to the Samoan law of the 25th October, 1880, or contrary to the Municipal Regulations of the 1st January, 1880.

I cannot presume to express an opinion as to whether the Federal Council of Australia would, in the light of further experience, support in its entirety or modify the resolution of the Convention of 1883. But I should very strongly urge that if, in the lapse of time, it should so happen that British authority has a voice in the settlement of claims to land in the New Hebrides or any other islands in the Pacific such claims should be rejected and held invalid in all cases wherein it was shown that arms, ammunition, or intoxicants were the considerations moving in the purchase.

In the case of Samoa it is true that the effects of such a resolution are limited to a particular date nearly twelve years ago. But seeing that there appears a very general consensus of opinion that the sale of arms, ammunition, and intoxicants is radically wrong when dealing with natives, I

do not think the interests—and in some cases, perhaps, the very existence—of the natives of the New Hebrides should be disregarded for no stronger or better reason than that the natives themselves, being uncivilized people, have been unable to make any local laws for their own protection. people are, I submit, very much in the same position as minors, and no transaction with them should be recognised by civilized authority unless the nature of such transactions can be justified by their honesty and propriety.

In the New Hebrides, as elsewhere, one evil unchecked begets another. A dozen muskets or

rifles or, may be, a case or two, are to day given in the purchase of a block of land.

The recipients do not want to admire, but to use these arms. At one part of the coast the people hear that a tribe dwelling in the next bay has secured a supply of firearms. These people must also thereupon procure rifles for defence and offence. And so this miserable trade, originated and fostered by men subject to the jurisdiction of civilized states, goes merrily on; and even such partial restrictions of the iniquity as do exist are sought to be removed unless they can be made

In a recent journal of New South Wales, dated 15th ult., I read that "in point of fact the French have obtained large quantities of valuable land on Santo and other islands in exchange for

firearms."

I can only hope that all such purchases may fail to obtain recognition.

In a former part of this communication I have stated that a British subject had acquired, apparently to his own satisfaction, a large quantity of valuable land, and I may add here that that land was also on Santo.

Although it leads me into a a digression from the subject of lands, I may further advert to the journal before me. In it is an interesting extract from a report of the Rev. J. Lyal, who has recently visited the New Hebrides. That gentleman notes that it has been held "that the natives in large numbers were already possessed of firearms; that there are not more murders now than in the days of bows and arrows; and that if a man were to be killed, he would prefer to die from a

musket ball rather than from a poisoned arrow.'

Such representations have also been made to me. But, in respect of the last subject, I have always found it difficult, when considering the tendencies of the uncivilized native, to attach any weight to such niceties of choice as may lie between murder by arrow or by bullet. I have also thought that if the efforts of the mission churches now engaged in the New Hebrides had not been in a large measure neutralized by the vendors of firearms, the number of murders admittedly taking place would be infinitely less, instead of not more, than in the days of bows and arrows.

In all other respects than that relating to the prohibitions placed upon the sale of firearms and intoxicants I am of opinion that the present position of British settlers in the New Hebrides is

superior to that of other nationals.

As one illustration of this, and as bearing upon the legitimate conduct of trade and commerce, I may refer to the advantages conferred by the Western Pacific Orders in Council, copies of which I have the pleasure of enclosing. These orders provide a civil and criminal jurisdiction as well as

for probate and administration.

In the prosecution of trade and commerce it is of great moment to the principal parties that recovery for debt is possible. I need scarcely point out that, where recovery by recourse to law is impossible or doubtful, the vendor will naturally calculate the risk he incurs in dealing with a debtor under such circumstances. The debtor also suffers under the disadvantage, and this has been one of the impediments to the fuller development of British trade.

The fact that a debtor can be sued in the Court of the High (Commissioner is, in fact, of as much advantage to the one party as the other, and it places the British trader in a better position with his mercantile correspondents in the Australian colonies than the trader of other nationality

who is subject to no jurisdiction whatever.

There are many other subjects of equal importance, but which I am unable to touch upon within the limits of this despatch.

I have reason to believe that certain amendments of the Orders in Council are under consideration by Her Majesty's Government, relating to marriage and the registration of births, deaths, and marriages, and other subjects, which will still further improve the position of British subjects in the New Hebrides and elsewhere in the Western Pacific.

Trusting that the foregoing information may be of some interest and use to the Standing Committee of the Federal Council,

> I have the honour to be, Sir, Your most obedient servant,

Hon. J. Munro, Chairman of Standing Committee, Federal Council of Australasia. JOHN B. THURSTON.

(Enclosure.)

THE ASSISTANT COLONIAL SECRETARY TO THE REV. D. McDonald.

2858/1890. Sir. Colonial Secretary's Office, Suva, Fiji, 13th September, 1890.

I am directed by the Governor to acknowledge the receipt of your letter of the 10th July, 1890, enclosing, for his information, a copy of a minute of the New Hebrides Mission Synod; and I am to say that your communication would have received earlier attention but for the fact that it arrived at this office during His Excellency's absence from Fiji.

His Excellency notices that the Synod is of opinion that the time has now arrived when it would be conducive to the civilization of the natives of the New Hebrides, especially those who have embraced Christianity, that British subjects should be encouraged to settle in the group as traders and planters. And it points out that the present laws affecting the islands are so inadequate

and unequal as to deter the most desirable class of colonist from settling in them.

With the view of giving offect to the opinion advanced by the Synod, it strongly urges that the Imperial Government be moved to provide (1) means by which British subjects in the New Hebrides may obtain legal titles to their lands, (2) means by which British subjects may lawfully engage natives belonging to one Island of the New Hebrides to labour upon another. The Synod expresses the further opinion that the sale of firearms and ammunition to the natives of the New Hebrides should either be rescinded or applied universally to the subjects of all nationalities; and that, with reference to the labour traffic from the group itself, such traffic should be wholly prohibited. The reasons for this opinion are as under:—

(1) That, as the Queensland branch of the traffic is about to cease, justice to Queensland and the New Hebrides requires that it should cease in all other directions; and

(2) the more especially so as the settlers in the New Hebrides will have need of at least all the available labour which it can afford.

The Governor has read and considered the minute with interest and careful attention, and, although it is silent with regard to the reasons which have originated the opinion that the time has now arrived when British subjects should be encouraged to settle in the New Hebrides, the Governor feels assured that they are satisfactory and sufficient.

With respect to the inadequacy or inequality of the laws affecting the New Hebrides group, I am to point out that, as the islands are not under the government of any civilized power, but owned and occupied by a congeries of savage tribes of people, it follows that laws, in the ordinary sense of the term, affecting such group are non-existent rather than inadequate and unequal, a fact which is perfectly well known to all persons settling in them. And it is difficult to see how, in the present circumstances of the islands, the ample and uniform jurisdiction desired by the Synod can be established.

It is true that, in the interests of humanity and good order, certain regulations have been passed under the authority of Her Majesty's Western Pacific Orders in Council, prohibiting the sale by British subjects of arms, ammunition, and liquor to the aboriginal natives of the New Hebrides as

well as to those of other groups of islands in the Western Pacific.

The grounds upon which such regulations have been made are, His Excellency believes, well known to you. But, if not, he may refer you to his despatch to the Right Honorable the Earl of Derby, dated the 27th February, 1884, and published in the Western Pacific Blue Book, c. 5240, 1887. The perusal of that book will show you that the Governor, as High Commissioner, has, for many years, used his best efforts to bring about an international agreement upon this important question. And it would appear that, but for an unfortunate inability (which further consideration might remove) on the part of the Government of the United States to fall in with the proposals made by Her Majesty's Government, those efforts would have been attended with success.

The Governor notes the opinion of your Synod that the prohibition in question, if it cannot be applied to the subjects of other nationalities in the New Hebrides, should be rescinded as regards

British subjects.

His Excellency is aware that statements have been made that these prohibitions are unnecessary, and that they impose upon British traders and settlers such disabilities as to place them at a disadvantage with the subjects of other nations.

But it may be well to consider—(1) Are the restrictions really unnecessary? and (2) Do the

so-called disabilities bring about the results declared?

Taking the last question first, as in some respects the simpler of the two, the Governor would submit to your Synod that these statements are not borne out by facts. There is reason to believe that there is no part of the Western Pacific (the New Hebrides included) in which the trade of British subjects is not progressing more favorably than that of the subjects of other nationalities. In the New Hebrides strenuous efforts are made by the subjects of another State to procure support upon the alleged grounds that British trade is obtaining predominance in the group.

This alleged growing predominance is being brought about notwithstanding comparative disadvantages of a greater though different character than any imposed by the prohibition against

arms and liquor adverted to.

In dealing with the first question, it will be necessary to consider what is the nature of the trade the restrictions upon which as regards British subjects are complained of.

In his despatch to the Earl of Derby, before referred to, the High Commissioner observed:— "Upon first contact with him we find the native of the Western Pacific savage, brutal, and cruel where he dares to be so. Europeans of adventurous disposition or of damaged reputation visit or settle down among the islands. They then trade with the natives for copra, bêch-de-mer, tortoise-shell, &c., and not unfrequently in men and women. In return they, among other things, supply arms, powder, lead, dynamite, and spirits. And, impossible as some people declare it to be, the general effect of such intercourse is to make the savage more untruthful, treacherous, and bloodthirsty than he was in his original state. The area over which his feuds extends is enlarged, the number of his individual murders increase, and, in many cases, mere existence under the new condition of things brought about by civilised men becomes impossible. Tribes, reduced in number,

become the slaves of the conquering party. Small islands are occasionally wholly depopulated."

The opinions expressed in the foregoing extract with reference to the effects of introducing arms and alcohol among savage or semi-savage people have undergone no change; and the Governor observes that your own missionaries, writing at a recent date, affirm that the introduction and sale of ammunition and intoxicating spirits is bringing about the ruin and demoralization of the natives of the New Hebrides and the speedy depopulation of the islands.

It may, however, be said that all mission societies would support the reasons advanced by the Governor why dealings with natives of the Pacific in arms, ammunition, and liquor should be

It will, therefore, be convenient to ascertain whether these reasons are supported by the action of authority that is at once secular and foreign. His Excellency believes that inquiry will show conclusively that the trade in question is regarded as malum in se, and not merely malum prohibitum, by the representatives of the two great nations having interest in the Western Pacific. In proof of this, it will be observed that so long as places in the Western Pacific are not brought under the actual jurisdiction of civilized powers no effort is made by such powers to restrict the trade in question. But directly such places are brought under such jurisdiction, and responsibilities in connexion with the sovereignty are assumed, all traffic in arms, ammunition, and liquor is prohibited

under severe pains and penalties.

Thus, when the islands of New Britain and New Ireland, with their adjacent islets, and also the north coast of Eastern New Guinea, were brought under the dominion of the Imperial German Government, trade in arms, ammunition, and liquor was at once prohibited. When the Northern Solomon Islands passed a little later, under the same authority the prohibition was extended to And now that a serious attempt is being made by the Governments of Germany, Great Britain, and the United States to establish a better-ordered government in the Navigator Islands (Samoa) similar prohibitions have been agreed to there. Or, to put the matter in another form, the Governments of the United States and Germany have agreed to adopt in this matter the long pre-existing policy of Great Britain.

If inquiry is turned to the French colony of New Caledonia, situated some few days' sail from the New Hebrides, it will be found that the sale of arms and ammunition to the aboriginal natives of that island has long been prohibited. Experience and close observation have more recently led

the Governor of that island to prohibit to them the sale or supply of alcohol in any form.

At the opening of the Legislative Council in August, 1889, the Governor in his speech dwelt

upon the subject, and His Excellency's remarks are worthy of the closest attention:

"L'administration s'inspirant d'un vœu du Conseil Municipal de Nouméa, en date du 3 décembre, 1884, et d'une délibération du Conseil Général, du 6 décembre, 1888, a entredit sons des peines, sévères de vendre, donner, ou procurer des boissons alcoholiques aux indigènes. Cet arrêté vient recevoir la haute approbation et la sanction du Gouvernement, qui pour augmentez encore sa portée morele l'a transformé en décret. Des réglements analogues existent d'ailleurs dans toutes les colonies Anglaises du Pacifique, et les peines prononcées sont infiniment plus élévées. Quoiqu'il en soit, l'arrêté du 22 fevrier, 1888, a donné tant à l'interieur qu'à Nouméa les

resultants les plus remarquables. Rigoureusement appliques, il a prevenu les scènes de desordres trop fréquentes autrefois; le commerce local n'y a rein perdu, les indigènes employant à des achats utiles l'argent qu'ils dissipaient dans l'ivrognerie. Les Chefs Canaques sourtout ont accueilli avec une vive reconnaissance une mesure dont ils comprennent parfaitment l'utilité au point de vu de la santé et de la vie des indigènes, et du maintien de leur autorité dans les tribes.'

It is worthy of remark that since February, 1888, the interdiction in New Caledonia has had the effect both in town and country of putting an end to the former scenes of drunken disorder, while benefiting instead of injuring the local legitimate commerce. There, again, the just and humane policy of Great Britain is adopted, and adopted to the public advantage.

It would therefore appear that secular authority in the Western Pacific unites in recognising

the trade under consideration as a grave and gross evil in itself, the differential treatment of the evil being that it is only prohibited by foreign powers when it may be said to affect their immediate and exclusive interests, while Great Britain prohibits it in a spirit of that broader and higher policy which led it to emancipate slaves held by British subjects and to prohibit further dealing with slaves notwithstanding that it placed its subjects at a comparative disadvantage with other nationals.

For these reasons the Governor is unable to sympathize with the proposals expressed in the

minute of the New Hebrides Synod.

The traffic in arms and liquor being so acute an evil in itself, His Excellency could understand the Mission uniting all its forces and inviting every conceivable aid in urging upon the Great

Powers, through the medium of Her Majesty's Government, a re-opening of the question so unfortunately suspended in 1885 by the inability of the Government of the United States to join in the international understanding proposed. But His Excellency is quite unable to understand why the Mission should suggest that British subjects should, for no better reason than that it is carried on by subjects of other nationalities, be allowed to engage in that which, under the circumstances, is a criminal trade.

Holding these views, and satisfied that there can be neither peace nor prosperity in the New Hebrides, nor any hope of Christianity and civilization being established in those islands until the importation of firearms, ammunition, and alcohol is stopped, or, at least, its gift or sale to natives prohibited by effective penalties, His Excellency feels it opposed to his sense of duty to support the minute of the New Hebrides Mission so far as it relates to existing regulations. The regulations minute of the New Hebrides Mission so far as it relates to existing regulations. The regulations themselves and the policy under which they have been made are, alike, just and right; and His Excellency does not believe that the material interests of British subjects will suffer because they are prevented from joining in a traffic which the Mission affirms is bringing about the extermination of a helpless and ignorant people. The Governor notices that the language of the minute you have transmitted for his information does not include the word "liquor," but as the baneful effects of alcohol among savage or semi-savage races are even more insidious than those of firearms and ammunition he attributes the omission to an oversight.

With regard to the labour traffic, I am to say that the Governor concurs to a very great

extent in the views expressed in the minute, and would have no objection to its general prohibition.

I am, however, to say that His Excellency is unable to share the opinion that the labour traffic (as it is called) should be prohibited, in justice to Queensland. In so far as the Governor is aware, the proposed cessation of Polynesian immigration to that colony is not based upon the principle of self-sacrifice or upon any high sense of native welfare, but quite the reverse. The reference intended here is to the pressure brought upon the Queensland Government by public opinion for the purpose of excluding all colonial labour from the colony. The immigration of New Hebrideans to Fiji has practically ceased for some years past, and it is not likely under any circumstances that it will again rise to any appreciable extent. But, notwithstanding these facts, His Excellency is unprepared to admit that there are any grounds at present for prohibiting this immigration, and the more so in view of the opinion expressed by the Synod that settlers in the New Hebrides should be enabled to engage and employ the natives of one island of that group to labour upon another. If such a system is legalized, His Excellency can see no sufficient reason why emigration in this direction should be stopped. At present there exists no means of supervising the local labour trade from one end of the New Hebrides to the other, nor, so far as can be seen at present, is there likely to be. Nor could the existing irregularities which are known to His Excellency, and which it is presumed are within the knowledge of the Synod, be checked and remedied by any authority less ample than that of an established Government, having both the authority and the means of preventing wrong-doing. the authority and the means of preventing wrong-doing.

The islands constituting the New Hebrides group extend over an ocean area of nearly 400 miles in length—that is to say, a distance identical with that existing between the southern islands of the New Hebrides and Fiji. There is little or nothing in common between the natives of the several islands, or between the inhabitants of the several parts of one of the larger islands; and the removal of these natives from one island to serve as labourers upon another would, so far as they were concerned, be a migration equivalent to their going to Fiji. Any actual difference between the two cases would be against the security and welfare, both moral and material, of the natives

transferred from one island to another of the New Hebrides.

There is not a plantation or place of employment in Fiji where one cannot find within an hour's walk of it, probably less, a Christian community and a christian church. The Fijian language has long become the lingua franca of the Western Pacific, and a native of Santa Anna, Mallicolo, or

Espiritu Santo would be as much at home at Fiji as at Efate.

In Suva and also in Levuka there have existed for years past schools for the exclusive training and teaching of the New Hebridean and Solomon Islanders. And the Governor deems it but just to say, on behalf of those Ministers and others who have called them into existence and maintained such schools, that Fiji has operated, and is operating, as a powerful though perhaps unrecognized, ally of the New Hebrides Mission.

The Governor is therefore not prepared to admit that Polynesian migration to Fiji should be

prohibited for the reasons advanced.

There remains yet one subject untouched upon. The Synod strongly urges that Her Majesty's Government should provide means by which British subjects in the New Hebrides may obtain legal rights for their land. The Synod does not indicate the nature of the means it desires Her Majesty's Government should take in this matter. Purchasers of land in the New Hebrides or in other islands of the Western Pacific know perfectly well that such islands are not within the jurisdiction of Her Majesty's Government, and they know that Her Majesty's Government cannot provide With a view of them with a legal title to land in such islands and under such circumstances. providing British subjects with a formal method of registering and recording their claims, regulations have been issued by the High Commissioner, of which a copy is attached.

The Governor is not prepared to offer any opinion as to what steps (if any) Her Majesty's Government will be prepared to take, but a copy of the Synod's minute will be transmitted for its

consideration.

The Governor observes in the Melbourue Argus, of the 26th August, 1890, the report of a lecture by Mr. McGillivray, at the Presbyterian School, Essendon. Among other things the lecturer is reported to have stated that the area of land owned in the New Hebrides by the Presbyterian Church comprises 20,000 acres. His Excellency understands that Mr. McGillivray is a member of the Presbyterian Foreign Missions Committee, and therefore presumes that he speaks with authority.

In conclusion I am to ask you to lay this reply before the proper authorities of your Mission, and convey to them the assurance of His Excellency's cordial willingness to co-operate with them in the question of the labour traffic upon its intrinsic merits, and the expression of his hopes that the Mission will modify its view in respect of the trade in arms, ammunition, and liquor, and co-operate with him in its suppression to the greatest degree at present attainable, and altogether, if possible

in the future.

I have, &c.,

J. STEWART, Assistant Colonial Secretary.

P.91/3042. Sir, High Commissioner's Office, Western Pacific, Suva, Fiji, 28th September, 1891.

Referring to my despatch of the 17th September, with which I enclosed a copy of a letter addressed by me to the New Hebrides Mission Synod in reply to a minute of the Synod, dated the 25th June, 1890, I think it well to enclose copy of minutes of the Synod forwarded to me, dated the 3rd June, 1891, and of my reply thereto.

You will observe that the Synod, in fact, adopt the advice I have all along ventured to give

upon the subject referred to.

It is perhaps unnecessary to add that the object sought will continue to receive my cordial support, and I trust it may receive the united and strong aid of the Australasian Governments.

I have the hononr to be, Sir, Your most obedient servant,

JOHN B. THURSTON.

Hon. J. Munro,
Chairman Standing Committee
Federal Council of Australasia.

(Enclosure 1.)

At Arelgauhat, Aneityum, New Hebrides, 3rd June, 1891.

Which day the New Hebrides Mission Synod met and was duly constituted, inter alia:—
56. The committee appointed, minute 28, submitted the following as its amended report:—
1.—The Synod would respectfully urge on Her Majesty's Government to obtain the universal

1.—The Synod would respectfully urge on Her Majesty's Government to obtain the universal prohibition of the sale of intoxicating liquors, firearms, and ammunition in the South Sea Islands, and especially, in the New Hebrides; and, further, as it is understood that the only Government which has hitherto refused to concur in this prohibition was that of the United States of America, a special appeal be made to that Government through its president, and through the Supreme Courts of the leading Presbyterian Churches of that country to assist in the suppression of the said traffic. 2. The Synod is astonished to learn that a doubt should have arisen in the mind of any one that the Synod should have departed from the position of strenuous opposition which it has always maintained to the sale of intoxicating liquors in these islands. The report was received and adopted as the deliverance of the Synod. The clerk was instructed to forward copies of it to the Secretary of State for the Colonies, to the Premiers of each of the Australasian Colonies, to Her Majesty's High Commissioner for the Pacific, to the President of the United States, to the conveners of the committees of foreign missions of the various churches interested in this mission, and to the Moderators of the leading Presbyterian churches in the United States of America, with an explanatory letter where necessary.

Extracted from the Records of the New Hebrides Mission Synod, by me-

W. WATT, Clerk of Synod, New Hebrides Mission Synod.

(Enclosure 2.)

SIR,

High Commissioner's Office, Western Pacific, Suva, Fiji, 16th September, 1891.

I am directed by the High Commissioner to acknowledge the receipt of your note of the 25th July last, enclosing a copy of a minute passed by the New Hebrides Mission Synod at its last meeting relative to the supply of intoxicants, firearms, &c., to the natives of the New Hebrides.

His Excellency desires me, in reply, to say that he can readily understand how it came about

that a former minute of the Synod was generally misunderstood.

The supply, or prohibition, of arms, ammunition, and intoxicants to the natives of the New Hebrides are questions which His Excellency believes must stand or fall together. Arms and intoxicants supplied to natives are, in their general effect, equally pernicious to the best interests of the natives, and any attempt at differentiation can only lead to misconception in many quarters and to a want of unanimity in that public and private support which your mission is entitled to look for.

The High Commissioner desires me to add that he has read the present comprehensive minute of your Synod with the greatest satisfaction, and that you may rest assured that the objects you have in view, and which for many years past have been pursued by His Excellency, will receive

his cordial support.

I have &c., WILFRED COLLETT, Secretary.