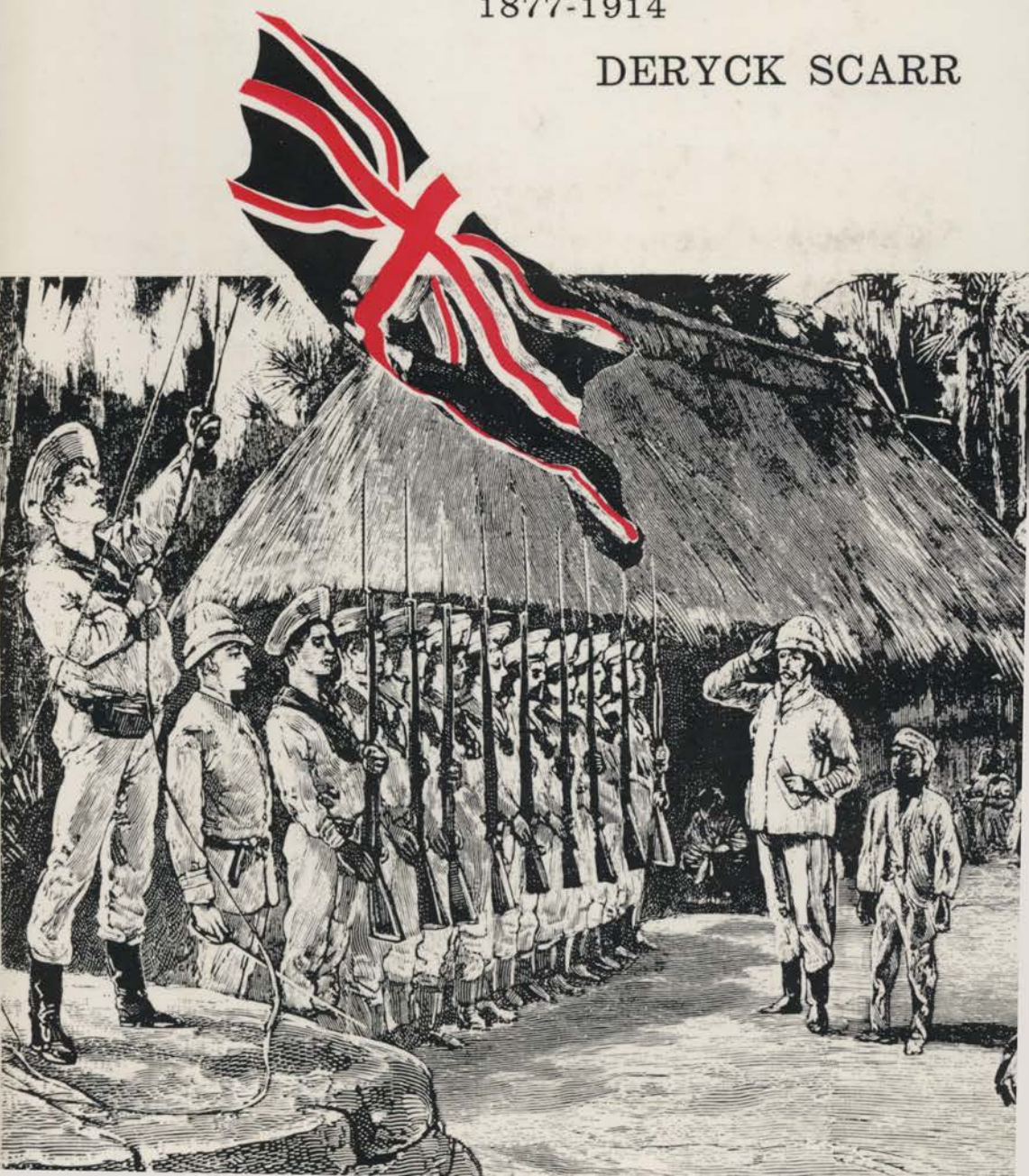


FRAGMENTS OF EMPIRE

A HISTORY OF THE
WESTERN PACIFIC
HIGH COMMISSION
1877-1914

DERYCK SCARR



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*A History of the Western Pacific
High Commission, 1877-1914*

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DURING the nineteenth century Britain's overseas administrative responsibilities related not only to her major colonial dependencies but also to a multitude of small territories and islands, whither her citizens were drawn by evangelism or the lure of trade.

Pre-eminent among such areas were the Western Pacific islands, where Britons seeking to collect copra, grow cotton, and recruit labourers for plantations in Fiji and Queensland constituted a problem in law and order. In 1877 the Governor of the recently ceded Crown Colony of Fiji was appointed High Commissioner and Consul-General; his duties included the control of the operations of his own nationals as well as treating with and advising the embryonic native governments of Samoa and Tonga.

The present book is largely concerned with the various High Commissioners' efforts to carry out their difficult task, made more difficult by inadequate financial resources. The author has looked at the local scene in detail: the fluid socio-political system of Samoa, the rigid hierarchical structure of Tonga, the relations between islanders, traders, recruiters, and planters in the New Hebrides, Solomon, and Gilbert Islands.

This well-documented study reflects the author's thorough acquaintance with local conditions and with the intricacies of imperial policy which should be of great value to the scholar, while the colourful nature of the subject and the vigorous way the story of the islands is unfolded will appeal greatly to the general reader.

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DERYCK SCARR graduated in history at the University of Exeter in 1961, took his Ph.D. at the Australian National University, and is now a Research Fellow in the Department of Pacific History, Institute of Advanced Studies, A.N.U. Whilst working on the book he travelled extensively in the Pacific islands; he has recently been back to Fiji to work on his biography of Sir John Bates Thurston, the merchant seaman who became Governor of Fiji and High Commissioner for the Western Pacific and who figures largely in the present work.

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To the memory of my mother

Acknowledgments

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D. S.

Australian National University
Canberra
February 1967

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Abbreviations

<i>A 1</i>	Correspondence Files, Annual Single Number Series, 1903-1938 (Commonwealth of Australia)
<i>A 35</i>	Correspondence relating to the New Hebrides, collected by the Department of External Affairs
<i>Adm</i>	Admiralty Records
<i>Agent and Consul, Tonga</i>	Records of the Agent and Consul (formerly Vice-Consul and Deputy Commissioner), Tonga
<i>AJHRNZ</i>	Appendix to the <i>Journals of the House of Representatives of New Zealand</i>
<i>BM Add 49199-49276</i>	Stanmore Papers
<i>BCS</i>	Records of the British Consul in Samoa
<i>CO 83</i>	Colonial Office Original Correspondence, Fiji
<i>CO 201</i>	Colonial Office Original Correspondence, New South Wales
<i>CO 209</i>	Colonial Office Original Correspondence, New Zealand
<i>CO 225</i>	Colonial Office Original Correspondence, Western Pacific
<i>CO 234</i>	Colonial Office Original Correspondence, Queensland
<i>CO 309</i>	Colonial Office Original Correspondence, Victoria
<i>CO 422</i>	Colonial Office Original Correspondence, New Guinea
<i>CO 537</i>	Western Pacific Supplementary Correspondence, 1876-1897
<i>COCP</i>	Colonial Office Confidential Print
<i>CP 78, Series 2</i>	Governor-General's Office. Miscellaneous Correspondence, 1900-1911
<i>CP 146</i>	General Correspondence of the Department of External Affairs
<i>CP 717</i>	Prime Minister's Department. Collected Papers relating to the Pacific Islands, 1897-1920
<i>CP 880</i>	Papers of the Department of External Affairs relating to the New Hebrides
<i>CPP</i>	Commonwealth of Australia. <i>Parliamentary Papers</i>
External Affairs Records	Correspondence of the Commonwealth Solicitor, Vila, now held in the Department of External Affairs, Canberra
<i>Fiji</i>	Records of the Governor of Fiji
<i>Fiji CSO</i>	Records of the Colonial Secretary's Office, Fiji
<i>FO 58</i>	Foreign Office Original Correspondence, Pacific Islands
<i>FOCP</i>	Foreign Office Confidential Print
<i>GBPD</i>	<i>Parliamentary Debates</i> of the United Kingdom of Great Britain and Northern Ireland
<i>GBPP</i>	<i>Accounts and Papers</i> [of the House of Commons]
<i>Hertslet's Treaties</i>	<i>A Complete Collection of the Treaties and Conventions, and Reciprocal Regulations at present subsisting between Great Britain and Foreign Powers. . . .</i> Compiled from authentic documents and edited by Sir Edward Hertslet (London, 1840-1925)

Joint Court Records	Applications, supporting papers and judgments of the Joint Court of the New Hebrides Condominium
<i>LMS, SS Letters</i>	London Missionary Society, South Sea Letters
<i>NSWVP</i>	<i>Votes and Proceedings of the Legislative Assembly of New South Wales</i>
<i>PRO 30/6/44</i>	Carnarvon Papers, Vol. 44
<i>Queensland CSO</i>	Records of the Colonial Secretary's Office, Queensland
<i>QVP</i>	<i>Votes and Proceedings of the Legislative Assembly of Queensland</i>
<i>RNAS</i>	Great Britain, Royal Navy—Australian Station. Records of the Commander-in-Chief
<i>S of S</i>	Secretary of State for the Colonies
<i>USCP</i>	United States Congressional Paper
<i>VPP</i>	<i>Victoria. Papers presented to Parliament</i>
<i>WPHC</i>	Records of the Western Pacific High Commission
<i>WPHC, Consul-General</i>	Records of the Consul-General for the Western Pacific (High Commission archives)
<i>WPHC, Samoa</i>	Records of the Deputy Commissioner in Samoa (High Commission archives)

A Note on Orthography

Local orthography is used for names of people and places.

In Fijian orthography

b is pronounced as *mb* in number

c is pronounced as *th* in that

d is pronounced as *nd* in end

g is pronounced as *ng* in sing

q is pronounced as *ng* in finger.

In Samoan orthography *g* is pronounced as *ng* in bang.

In Tongan orthography *b* and *p*, *g* and *ng* were used indiscriminately until some twenty years ago, when the government standardised official usage as *p* and *ng*.

For other places in the area I have attempted to follow official usage.

Introduction

The net of British protectorates which, in the 1880s and 1890s, was cast over some island groups in the Western Pacific Ocean, represented the reluctant acceptance, under pressure of circumstances, of responsibilities to the avoidance of which official policy had hitherto been directed. Informal influence, attempts to maintain the indigenous authority structure of countries subject to the incursion of British adventurers, and measures designed to place the latter under metropolitan control had been employed to combat what a Secretary of State for the Colonies once described as 'that process of absorption which seems to accompany our rule wherever we come in contact with tribes of savages'.*

This latter process, with the added responsibilities which it entailed, was to be strongly deprecated, since Treasury displeasure was certain to be aroused by any proposal to increase the vote for imperial expenditure on colonial possessions. In the case of Africa, this major characteristic of British imperial policy—parsimony—was at variance, in the final analysis, with the humanitarian considerations which were also a powerful element in Victorian public life. Commerce, Christianity, and civilisation stood little chance of triumphing over the slave trade without active official support; but when, for instance, the Consul-General at Zanzibar exerted his influence to obtain its suppression, internal politics were disturbed and the structure of indigenous authority was weakened rather than strengthened.

In the islands of the Western Pacific, however, the slave trade had no counterpart demanding interference in the internal affairs of island communities. In several of the main island groups, Christian missions were enjoying sufficient success to enable them to doubt the wisdom of inviting overmuch official interference. The Western Pacific islands thus constituted an area ideal for the application of those expedients in imperial policy that were designed to obviate the necessity of accepting territorial responsibilities. It was considered sufficient if steps were taken to provide some means of controlling British subjects who resorted there. It was hoped that, if metropolitan control were extended over British subjects, the indigenous authorities would be encouraged to establish governments on western lines, which would be able to maintain internal peace and with which consuls and naval officers could treat.

Before August 1877, these steps consisted solely in enacting a statute

* Duke of Newcastle, April 1861; quoted C. W. de Kiewiet, *British Colonial Policy and the South African Republics, 1848-1872* (London, 1929), p. 146.

by which the Supreme Courts of New South Wales and Van Diemen's Land were empowered to try British subjects for offences committed in the Pacific, and in appointing consuls to reside in Samoa and Fiji. A variant of this system in New Zealand in the 1830s had not proved capable of dealing with the complications following on European settlement. Nor was the system more successful when, thirty years later, Fiji was subjected to the attentions of considerable numbers of Europeans—of whom the majority were British subjects—bent on acquiring land, growing cotton, and turning the Fijians into plantation labourers. In 1874 Fiji had to be annexed; and in order that so complete a solution, repugnant to the imperial Treasury from the expense involved, should not have to be repeated in other groups to which British subjects were now resorting in increasing numbers, the opportunity was taken to assert a more developed authority over British planters and traders in the neighbouring islands. By an Order in Council which, after nearly three years of discussion, was issued at last in August 1877, the Governor of Fiji was made High Commissioner for the Western Pacific, with jurisdiction over his fellow nationals in the surrounding groups. In the statute on which the Order depended, the independence of the islands and the authority of their chiefs had been explicitly recognised. In order to enable him to deal formally with the indigenous authorities, the High Commissioner was given the additional office of Consul-General. He was, in practice, to function in the latter capacity only in Samoa and Tonga; these groups alone—with the possible exception of some of the Micronesian islands—possessed a sufficient degree of political integration to enable them to be recognised as independent states.

It is the object of this study to show how the newly-created authority, the embodiment henceforth of a British official presence in the Western Pacific islands, interpreted and discharged its duties. Within the High Commissioner's jurisdiction were areas which differed significantly from one another in their indigenous culture and in the forms of European activity to which they were subjected. He was called upon to conduct official relations with the élites of the Polynesian kingdoms and to deal with the British nationals who resided in them. He had to supervise labour recruiters and traders in Melanesia and Micronesia. And he had to formulate a policy towards the extension of British enterprise and settlement in the Western Pacific islands at large.

In no part of the jurisdiction—whether the comparatively sophisticated Polynesian islands, remote Micronesia, or wild Melanesia—did the intervention of successive High Commissioners meet with the success that had been hoped for it. In Samoa and Tonga their attempts to guide events were

often frustrated by the intrigues of local European residents, by the existence of foreign interests other than those of Great Britain, and—in the former group—by the concentration of the indigenous élite on pursuing traditional objectives and rivalries. Elsewhere in the jurisdiction their efforts were largely nullified by the inadequacy of their financial resources, which prevented them from appointing effective resident deputy commissioners to places where they were sorely needed.

There was no hope of augmenting these resources, except on terms to which the High Commissioners themselves were vehemently opposed. The Colonial Office's instinctive aversion to approaching the Treasury for imperial expenditure on any crypto-colonial area was hardened, in the case of the Western Pacific, by the fact that it regarded the islands as primarily the responsibility of a federated Australasia. It looked to the self-governing colonies to unite and meet the cost of the forward policy in the islands which New Zealand, Queensland, and Victoria were especially vociferous in advocating. In return for financial assistance which would enable the High Commissioner's existing extra-territorial jurisdiction to be effectively administered, the Colonial Office was prepared to give the Australasian governments a voice in the administration of the Western Pacific Orders in Council. This was not acceptable to the colonial governments themselves, which demanded the actual annexation of certain islands in return for the financial contributions which they offered. And it was anathema to the forty High Commissioners.

The latter, from experience in dealing with the racism of Fiji's European settlers, held positively to the view that no colonial government, responsible to a legislature filled with men whose views on native policy had been bred in frontier conditions, should be given any authority in the islands of their jurisdiction. The Western Pacific islands were not, in their opinion, to be devoted to the advancement of the white man at the expense of the islander, any more than was Fiji itself. The same considerations led them to oppose—and, in great part, to prevent—large-scale British settlement in the Western Pacific.

Of the men who held office as High Commissioner for the Western Pacific between 1877 and 1914, two at least—Sir Arthur Gordon and Sir John Thurston—possessed insight into the problems which arise when a meeting occurs between people of greatly different cultural background, and shared very determined views as to how conflict and injustice should be avoided. Their reaction to events in the islands of their jurisdiction and the attempts which, within the bounds of their limited authority and resources, they made to control them, are an important part of this study.

The spectrum of European activity in the Western Pacific islands in the

late nineteenth century was a broad one. Much of it came within the High Commissioner's cognizance and is therefore recreated here. The following pages are concerned with official attempts to deal with unofficial activity on a periphery of unsought, unwanted empire. The characters involved are British government representatives and indigenous leaders, European politicians on the beach, traders and labour recruiters, planters and commercial men.

In many instances the British representatives in question were naval officers commanding ships from the Australian Station of the Royal Navy, on whom the High Commissioner depended to make his jurisdiction felt in those areas where he had no resident deputies. And, since his jurisdiction did not extend to offences committed by islanders against British subjects, commanders were called upon to cover this lacuna by naval act of war. They were an integral part of the British system of control in the Western Pacific throughout most of the period under review. By 1914 protectorates had been declared over certain island groups whose developing administrations were gradually obviating the necessity for naval intervention and were dealing with problems different from those which had arisen during the era of extra-territorial jurisdiction.

The Structure of British Authority before the Cession of Fiji

I

European lawlessness was the problem of the Western Pacific islands as it was understood by officials in London. The islands themselves were regarded, without recognition of cultural differentiation, as independent states with ruling and responsible chiefs who could be held to account for their peoples' misdeeds and with whom, if they failed to make satisfactory reparation, a state of war could be declared.

Throughout the nineteenth century the position of the Pacific islands in international law was decidedly anomalous. They were sovereign states in obligations, but less than sovereign in rights. When in 1869 there was need to confer magisterial authority over British subjects upon the consul in Fiji, the Treasury felt confident in assuming that the islands were 'territories which, being inhabited only by Savages, may be acquired by any Civilized Power, but which Her Majesty has not thought fit to acquire'. But when, in 1875, the Commodore of the Australian Station expressed his intention of removing from any island where he might find them two British nationals acquitted in Sydney, for lack of evidence, on a charge of murder which had occasioned their deportation from Efate, administrative convenience ensured that the theory of indigenous sovereignty should prevent it. An official in the Foreign Office observed:

unless we are to exercise a virtual protectorate over all the South Sea Islands, I do not see how we can remove a man . . . whom the natives do not force to leave, simply because he was accused of murder . . . on a previous occasion & because it is not improbable that he may again get into trouble in the same way.¹

The official attitude went beyond the initial assumption that indigenous authorities could properly be held responsible for the misdeeds towards Europeans of the communities supposedly answerable to them. It was further assumed that those authorities were also competent, possibly with some assistance, to deal with British offenders where the latter's own authorities could not touch them. There were many offences committed

by British subjects in the Pacific for which there was no obvious remedy in statute law, and many aspects of living which required a more extensive authority than could be exerted by naval officers and consuls.

The history of British relations with Polynesia throughout the nineteenth century was one of contact with indigenous authorities which, with one exception, failed to meet the requirements and challenge of growing trading and planting communities of Europeans. The history of relations with Melanesia was one of intermittent warfare.

In the Melanesian groups, west of 170° west longitude, society provided no basis on which could be reared any structure appropriate to the theory which—in the absence of any marked inclination on the part of European powers to assume responsibility for the islands—guided relations with them. Authority was scarcely, if at all, institutionalised, but was rather diffused throughout the activities of the community. Leadership there was, but not of a kind that would bear the responsibilities and obligations which Europeans expected of heads of states. Nor was there anything approximating to states, but only comparatively self-contained villages along the coasts and in the interior of high, wooded islands, villages often at war with each other, and with a sharp distinction between the people of the sea coast and those of the bush.

Melanesian society was indeed graded, on the basis of rank in the men's clubs which was achieved, grade by grade, through the giving of feasts, the ceremonial slaughtering of pigs. On Malekula there was evidence that men could be regarded in some sense as chiefs who had attained the upper ranks of the Nimangki society—which in the Seniang district of the island boasted thirty-two grades, each with its own insignia in a particular style of body painting, an amulet or a leg band.² On Bougainville also there was a similar leadership system, based on fame acquired through the accumulation and skilful redistribution of wealth in pigs and shell-money; renown, and hence influence, came 'from utilizing capital in such a way that loyalties are mobilized, obligations created, prestige enhanced, and authority exercised *in traditionally acceptable ways* . . .'.³

In the Solomon Islands, local dignitaries at other places were more prominent. Certain lineages seem to have enjoyed a degree of seniority which gave their members some authority, and other individuals acquired authority from their prowess as warleaders. In the 1880s warships cruising the Solomons came, like the traders and labour recruiters, to know and value the authority of Gorai in the Shortland Islands, of Taki at Wango on San Cristobal, and of Kwaisulia at Ada Gege, Malaita.⁴ But nowhere in Melanesia was there any super-local indigenous structure capable of meeting the obligations imposed by European diplomacy, no individual to whom consuls could be accredited. Nor, at the very simplest level, was there

authority capable of handling an offensive European—except, as Commodore Goodenough observed, ‘by the short process of killing him’.⁵

In Micronesia and Polynesia, however, authority seemed to be institutionalised sufficiently to fit the theory, although there was rarely occasion to apply it to the former area before the 1870s. No consuls were accredited there, warships seldom appeared in the lagoons, islanders and a few European residents and traders worked out their relations without official interference. But in Polynesia—especially in Tonga and Samoa—there was both scope and occasion for ingenuity in adapting indigenous authority systems to merit some of the civilities and no fewer of the responsibilities of government in European terms.

Polynesian society was obviously hierarchical. The leading members of senior descent groups formed the upper stratum of an intensely aristocratic and formalised social system. Chiefs were marked out from commoners by physical appearance and bearing, were surrounded by elaborate etiquette, distinguished by ornamentation, approached often through a special language and crouchingly, and seemed to enjoy an immense and sometimes totally arbitrary authority.⁶ Ranked societies in which the formal stratification was thus so marked appeared substantially to justify the assumption so lightly made in London, and somewhat less lightly acted upon of necessity by naval officers and consuls on the spot; but only in the case of Tonga did reality come to accord closely with theory.

Tonga’s, indeed, was perhaps the most markedly stratified of all major Polynesian societies. Gifford found that ‘the key to the organization of Tongan society in every stratum’ was ranking of individuals in the family.

From . . . top to bottom of the social ladder one general scheme of family organization prevails. As the Tui Tonga is *eiki* (chief) to his younger brothers, so in every Tongan family the older brother is chief to his younger brothers.

In no family were there two individuals equal in rank, and the same was true of the society at large. ‘In reckoning the interrelationship of all the individuals descended from a common remote ancestor, the range in rank from the lowest to the highest becomes greater still . . .’⁷

Society was composed of lineages ranking thus internally, and ranking also in relation to each other, with that of the Tu’i Tonga at the apex. For the health of a lineage a line of great chiefs was needed as a nucleus; failing this, its members became gradually realigned into other, rising lineages. In that of the Tu’i Tonga, the senior lineage of the society, some modified fission of this sort had, by consent, twice occurred. The Tu’i Tonga had originally exercised sovereign powers, both spiritual and temporal; but about the fifteenth century, following the murders of at least three

of his predecessors, a Tu'i Tonga set up his brother as temporal ruler, with the title of Tu'i Ha'a Takelaua, to shelter him from intrigue and to exercise the more arduous functions of kingship. Apparently he was expected to function only in Tongatapu, since governors were appointed for Ha'apai and Vava'u. Two centuries later the Tu'i Ha'a Takelaua followed suit, appointing his son to the title of Tu'i Kanokupolu, with similar duties. The genealogies show the steady rise of the Tu'i Kanokupolu, to the gradual eclipse of the two more senior titles.⁸

It was this, the Tupou lineage, which in the nineteenth century unified Tonga and provided the royal house of a European-type kingdom. In 1845 the Tu'i Kanokupolu Aleamotu'a, baptised as Josiah Tupou, was succeeded by Taufu'ahau, grandson of his elder brother murdered in 1799, who in his own right was governor of Ha'apai and who in 1837 had obtained control of Vava'u. This was the man who ruled Tonga, until his death in 1893, as George Tupou I, and who, in 1891, when over ninety years old, was described as being still the most powerful personality in the kingdom and 'a man who would have been remarkable in any country'.⁹ Through his vigour, ability, and longevity the theory of indigenous sovereignty in the Western Pacific was made so much of a reality as to be, on occasion, a source of embarrassment to the neighbouring repository of British authority.

The Tongan social structure was able to support and survive a formal constitution and a degree of westernisation which some observers found excessive, but which naval officers in particular thoroughly applauded—the more so since herein the Tongan kingdom was in marked contrast to its eastward neighbour; for, whilst Tongan society showed a certain rigidity—springing, in part, from primogeniture—that of Samoa was hall-marked by flexibility. This in purely social terms was attractive; but it did not make for stability in politics.

Operating at different levels in Samoan society were to be found three distinct principles, involving recognition of the rights and privileges of the village community as represented in its *fono* of senior men, of the principle of hereditary rank, and of the functions and privileges of kinship groups. Politically, the latter was at first sight the most important element. With each kinship group, the *'āiga*, was associated a title to be held by its head, who arrived at that position, not automatically by descent, but by decision of the *'āiga*; this, in the case of a high title with super-local connotations, might not be arrived at without argument and, sometimes, fighting. To hold a title was at once a responsibility and a challenge. High titles with super-local importance were supposedly graded, assigned a fixed status in the order of precedence for drinking kava and delivering speeches; but in practice they were subject to subtle changes of status, altering in value after the personal qualities of those who held them. The orators who acted

as the repositories of traditional lore were open to manipulation, were themselves personally committed to the fortunes of particular title-holders, and were capable of altering the status of a title to suit circumstances.

Occasion for doing so frequently arose, for the normal condition of Samoan politics at the national level was one of actual or incipient faction. Although the ideal of unity existed, expressed in one great *fono* for all Samoa, in practice there was division, rivalry, and warfare between districts, each district supporting the highest title, the greatest lineage group, therein represented. In the A'ana and Atua districts of Upolu—the politically dominant island and battle-ground of the group—reposed two ancient titles, the bestowal of which rested with orators at the political, *pule*, centres of each district, the towns respectively of Lufilufi and Leulumoega. These titles—Tuia'ana and Tuiatua—were invariably held by branches of the Sā Tupuā, one of the two major lineages of all Samoa. The other, the more recent Sā Malietoā, was based on Tuamasaga—the central district of Upolu, in which was the European settlement at Apia Bay—and could generally count on the support of most of Savai'i, as well as of Manono, which was important for its fleet. The supreme prize in the contest between these contenders was the title of *tafa'ifā*—*tupu*, or King of Samoa—for which four preliminary titles, including all the great ones, must be held. And although genealogically no great problem was involved, since from their interrelationships most candidates could produce a claim to each, yet politically it could scarcely be achieved, except through warfare, which revived old scores and stirred up new ones. It was then held precariously and still carried none of the executive powers which consuls and naval officers required of the kings they were accredited to and saluted.¹⁰

Samoan politics at the national level, then, 'were conducted . . . in terms . . . of the seeking and conferring of dignity, and of the advancement of the maximal lineages'.¹¹ These were elements of concern which bore little relationship to what Europeans considered should be the major preoccupations of government, and they never adapted themselves to these; for whilst the Samoans absorbed many European values and customs, which they readily made *fa'a Samoa*, they never constructed anything approaching an efficient, centralised administration.

The various self-styled governments—whether composed of acephalous bodies of chiefs and orators, or of district representatives under the titular leadership of the Malietoa title-holder—which at various times after the late 1860s occupied Mulinu'u Point, were, in their choice of a site other than one of the *pule* centres, entering a claim to be acknowledged as free from district affiliations and representative of all Samoa. But they were no more rooted in Samoan traditional life than the Point itself was of ancient national political significance and they could not compel acceptance or

command obedience at the district, still less at the village, level. They were regarded by Samoans as governments whose business was largely with the foreigners in the settlement east of the Point. But even at that level they merited more attention and support than they received from Samoans.

The main centres of European settlement in the Western Pacific—Apia, Nuku'alofa and Levuka—represented the forces of what must inevitably be far-reaching change. These settlements were under very exiguous metropolitan control. It was in Fiji that the effects were most strikingly apparent. Here, except in the western parts and interior of Viti Levu, society was Polynesian in its stratification. The great chiefs of the east—Tui Bua, Tui Cakau, the Vunivalu of Bau—exercised far greater direct authority than their Samoan counterparts; but they were not able to control unaided the intensive European settlement to which Fiji was subjected in and after the late 1860s.

II

Before the annexation of Fiji and the institution of the Western Pacific High Commission, British residents and traders in the area were subject only to the New South Wales Act, the jurisdiction—part-authorised, part-assumed—of naval commanders, and whatever influence could be exerted by the consuls at Levuka and Apia. By 4 Geo. IV c. 96, s. 3, with its companion statute 9 Geo. IV c. 83, s. 4, the Supreme Courts of New South Wales and Van Diemen's Land were empowered to try 'all Treasons, Piracies, Felonies, Robberies, Murders, Conspiracies, and other Offences of what Nature or kind soever committed . . . in the Islands of New Zealand, Otaheite, or any Island . . . situate in the . . . Pacific . . . , and not subject to His Majesty, or to any European State', by any British ship, or any British subject landed from such a ship. It was simply an extension of the Admiralty jurisdiction, and represented one of the first steps towards the attitude adopted by the imperial government that the Pacific islands were Australia's responsibility.¹²

The statute was almost totally ineffective, partly because colonial authorities were notably lethargic in tracking down¹³—and, where the offence was committed on a native, colonial juries notoriously loth to convict¹⁴—even those island criminals who appeared in their ports; and partly because it was doubtful whether in law bench warrants could be issued in Sydney for the arrest of offenders who were still in the islands.¹⁵ In the *Young Australian* kidnapping case of 1869, the New South Wales Attorney-General declared that they could not properly be so issued.¹⁶ When the only permanent British representatives in the islands were the consuls, with no magisterial authority, the offender there who kept clear of the more summary methods of naval commanders was, therefore, safe from his national justice.

The consuls had been placed on their respective beaches with no more authority than was enjoyed by those in states with effective governments. They had some formal powers under the Merchant Shipping Acts, relating solely to breaches of mercantile discipline, and for the rest were expected to keep order among their nationals, and to settle any disputes which might be submitted to them, simply 'by a judicious exercise of the influence which should attach to Her Majesty's Consulate'.¹⁷ Their relations with the indigenous authorities were always supposed to be consistent with the spirit of the communication which George Pritchard, when sent from Tahiti to Samoa in 1845 as first British Consul in the western Pacific, was instructed to make to the chiefs of Tutuila:

that Her Majesty anxiously desires to see the authority of the Native Rulers . . . strengthened, and would rather aid them in maintaining a sense of their own independence, by leaving the Administration of the Country in their own hands, than make them feel dependence on a foreign Power, by receiving them under the Protection of Great Britain. . . .¹⁸

This, in practice, meant that the consul might advise the formation of a native government and the issue of a code of laws, but was precluded by his Foreign Office superiors from giving overt practical assistance to those ends.

In Fiji especially, the occasion for it was already becoming apparent when the first British Consul—W. T. Pritchard, son of the consul to Samoa—was appointed there in 1858. The ascendancy established in the early nineteenth century by the chiefs of Bau, which might conceivably have provided a cohesive authority system for most of the group, was broken by disputes within the ruling family. And when Henry Ma'afu, cousin of King George Tupou, arrived in Lau to take control of the Tongans established there and to intrigue for control of all Fiji, there was still greater need for some external guidance in native politics. This W. T. Pritchard provided, supporting Cakobau against Ma'afu and not only securing the first offer of cession to be seriously considered by Britain, but also guiding affairs with some success whilst the answer was pending.

It was European settlement, however, which most needed supervision. Pritchard represented his interference herein as being at the will of the chiefs, who, through the increase of the European population,

feel their inability to control and guide their state affairs. And while they profess to be conscious, that if abandoned to themselves, they must inevitably sink under the weight of that foreign population, they conceive that if the political power be vested where there is ability . . . to manage and control the foreign element, they have still a fair prospect of maintaining their status, socially and commercially as well as politically.¹⁹

In September 1861 he created the 'Mercantile Court of Fiji', which associated three European residents with the consul in hearing commercial disputes and which enabled sanctions to be imposed. His object was to provide 'protection from the violent personal jealousies too frequent in small communities'. On the need for some formal magisterial control over the foreign population, he was eloquent. Fiji was ridden with

men whose sole rule of conscience is a judicial decision, flying from where the law rules supreme, [who] imagine themselves . . . beyond the reach of any power which can legally restrain their licentiousness; and who . . . endeavour to bring into contempt and disrepute, with both whites and aborigines, the authority of the Consulate, as well as anything else that bears a semblance to law and restraint.²⁰

Later events justified his protest, on being reprimanded for improperly involving his government in Fiji's affairs, that he had intervened to prevent subsequent large-scale official entanglement, which would follow the collapse of the indigenous authority system.²¹ But his Foreign Office superiors were too alarmed at the constitutional implications and possible international repercussions of his interference to recognise the long-term value of the assistance he was giving. Some of his monetary transactions as consul were of a suspicious nature. He was withdrawn, and his successor was pointedly reminded that

a British officer must be especially careful not to involve either his Government or himself in difficulties by pursuing a course which is not sanctioned by his own National Law, or by International Usage.²²

The consuls in their ramshackle residences on the Levuka and Apia beaches could not rely on much practical support from their London superiors even in their efforts to maintain order among the foreign communities themselves. To their constant requests to be given magisterial authority and to be empowered to erect a gaol, the usual reply was that they should settle those cases with which they could properly deal simply by arbitration.²³ Although in many instances this seems to have been adequate, W. T. Pritchard was not the only consul who could quote occasions when he was scandalously and with impunity defied.²⁴

The amount of actual violence on the beach, however, was probably not very large; there was a limit to public tolerance beyond which it was unsafe to venture. When, as in Pritchard's time at Levuka, the foreign element was a small, commercial one, it was notable more for fraud, theft, barratry, and alcoholism than for knife-play. In 1865 Consul Jones, describing a white population of about 350 people, reported to the same effect. Life was safe enough, but offences involving property were common and 'Drunkenness is almost universal'.²⁵ Even in the early 1870s, when Levuka had

expanded to meet the requirements of large-scale settlement based on cotton-planting, it was the chronic inability of its residents to hold their liquor gracefully which particularly outraged Consul March, and for which he vociferously sought magisterial powers. The beach was full of grog-shops, some uncomfortably close to the consulate, from which he was frequently obliged to retreat 'by a backdoor to avoid visitors, who if not actually intoxicated to that degree of being unable to walk, are too maudlin or impertinent to be spoken to'.²⁶

On the Apia beach, the British Consul—usually in association with his American and German colleagues—did in fact quietly exercise magisterial functions without Foreign Office sanction. In important cases, representative Europeans were apparently associated with them and the verdicts were generally acquiesced in, although by 1871 Consul Williams was complaining that

they dispute our right to summons anyone which we cannot but admit, consequently the Consuls are often placed in a not very enviable position and the injured party has to submit to the injury . . . unless he feels he can appeal to physical force.²⁷

At Apia, however, the consuls' authority was augmented by that of a foreign residents' society which, originating in the 1840s from the need to maintain the settlement's neutrality when the Samoans were at war, developed into a town government of the public meeting variety; it boasted a chairman (often one of the consuls), rules for the maintenance of order and the conduct of commercial relations, elected councillors, and a judge.²⁸ Such an organisation, backed by public feeling, ensured at least a standard of commercial morality elevated enough to allow a business community to exist; but it would only function when there was a major degree of unanimity on the beach. When the residents were divided into factions, in which the consuls were invariably involved, external arbitration was required.

In the early 1850s the Apia community was divided between the adherents of the U.S. Commercial Agent, Aaron Van Camp, and those of George Pritchard. Van Camp ran a profitable sideline in condemning sound ships as unseaworthy in his consular capacity and as auctioneer disposing of them to associates at knock-down prices. This excited the jealousy of his commercially less successful rival.²⁹ Captain Fremantle, R.N., investigated several commercial disputes at Apia in 1855; some he settled by arbitration, some collapsed for want of evidence, and 'some were utterly unsolvable from the perjury and conflicting testimony which was put forth'. The Van Camp affair was one of the latter. His good character was much in doubt, but there was so much personal enmity shown by his accusers, chief

amongst whom was Consul Pritchard, and 'none of whom were free from criminality in some shape or other', that a decision was impossible.³⁰

The visits of warships were major events in the Western Pacific islands. The men and guns of the men-of-war despatched from the Pacific and Australian Stations constituted the ultimate sanction to the representations and threats of British Consuls, whether addressed to obnoxious British subjects or to indigenous recalcitrants on whose list of priorities respect for foreign property, or foreign life, did not come high. The informal powers habitually exercised by naval officers filled somewhat the gaps left by the New South Wales Act's inadequacy and the consuls' lack of magisterial authority. Commanders advised the indigenous élites, with whom they conferred, to form governments with which civilised nations could properly treat and, given the opportunity, were quick to impress on their nationals that, where just laws were enacted by or for native governments, they owed them full obedience.³¹ The instructions under which naval commanders acted in the islands were, in fact, a characteristic embodiment of the theory of indigenous sovereignty and responsibility.

They emerged from correspondence initiated in January 1845 by James Busby, late British Resident in New Zealand, who suggested to the Foreign Office that George Pritchard's forthcoming appointment to Samoa would be an appropriate opportunity to send the consul on a tour of the Western Pacific in a warship. The object would be

to assure the inhabitants of the friendly disposition of Her Majesty's Government, and to exhibit at once the power to punish such outrages as have frequently occurred, and the wish to protect both the Islanders and Her Majesty's Subjects from a recurrence of them.³²

This remark was particularly seized on by Rear-Admiral Sir Thomas Cochrane, Commander-in-Chief, Pacific Station, who received a copy of the letter for his 'information and guidance'. The object of naval visits was, he considered,

to convince Europeans that although absent from their own country, & beyond the immediate operation of their own laws, yet that they are still not beyond the reach of Retributive justice for any acts opposed to humanity, in their social relations with others—and to convince the natives that we will protect them where clearly aggrieved.³³

He required specific instructions how to proceed. It was essential that commanders be fully informed as to the authority they could exercise, and the degree to which they should interfere when Europeans and islanders appealed to them for assistance. The Foreign Office, with the concurrence of the Queen's Advocate, returned an answer which served as a guide to naval officers until the early 1880s. Where a British subject sustained

injury at the hands of natives, commanders 'should be authorised to demand and exact Redress from the Ruling & responsible Chiefs'. Where natives laid complaints against British subjects and the latter refused to make reparation,

the captain should tell the Chiefs, that if they should chuse, in the exercise of their own Authority, to expel such British Subjects, he (the Captain) would receive him on board . . . and carry him away from the Island.³⁴

The second provision was generally adequate for Polynesia; but the insistence that it must be the chiefs', not the captain's, authority on which a man was deported was inapplicable to Melanesia and was not in practice generally observed there. It was the first provision, however, which drew immediate attention. The Senior Officer on the then Australian Division* pressed to be instructed how far he might proceed to punish acts of deliberate murder of Europeans by natives, where the culprit was known, 'or where the Chief under whom he acted can be secured'. The Law Officers were very unhappy with the question. They thought that where a commander actually witnessed such a murder,

or any atrocious Crime, he would be justified in peremptorily demanding redress and the punishment of offenders from the Chief . . . to whose jurisdiction the Criminals belong; and, if no reparation can be obtained, in securing and detaining for a reasonable time the . . . Chief . . . and in resorting to hostilities against the Natives immediately dependent on the same authority as the Criminals.

Where the commander had not been a witness, the difficulty of obtaining reliable evidence and of ascertaining that no provocation had been given was such that they could 'only recommend the exercise of the utmost caution and forbearance before resorting to any exercise of force whatsoever'.³⁵ This, in effect, was to recognise the existing system of naval punitive action, of proceeding to a general act of war against a community if it refused to hand over the individuals actually responsible for a particular murder; when they were surrendered, the practice was for a commander to satisfy himself of their guilt and then to have them executed by 'their own authorities'.

Within the terms of these instructions, commanders were their own masters in the islands, responsible only to their naval superiors. Under standing naval regulations, they were to give due consideration to consular requisitions for aid, but were to exercise their own judgment whether to afford it. For any action taken on a consul's representations, the naval commander was himself responsible.³⁶ Therefore the success with which consuls

* The Australian Division did not become a separate station under an officer with the rank of Commodore until 1859.

appealed for naval intervention depended entirely upon the judgment and character of the officer who gave them their regulation salutes and received their lists of insults suffered.

There were those who held that this was unsatisfactory and whose remedial proposals amounted to the subordination of the naval to the civil authority. W. T. Pritchard advised that, if his cession of Fiji were refused, the consul there should be made Consul-General for the surrounding groups. For the proper administration of justice there was need for 'an intimate acquaintance with the local interests of both foreigners and natives'. The flying visits of warships could not

produce that lasting effect, or generate that commanding influence, which may be attained by the *regular* and *repeated* visits of an officer resident in a near and central position, and who . . . becoming personally known to the various chieftains, would ultimately secure their fullest confidence.³⁷

The truth of this was obvious and there had been justice in the complaint of Sir George Grey, eleven years before, that since there was no guarantee that successive naval commanders would adopt the same line on a particular question islanders were 'continually involved in doubt, as to what is expected from them, or what line of conduct will be adopted towards them'.³⁸ Yet, in practice, there seems to have been a fairly clear impression in their minds as to naval procedure.* And to have deprived commanders of their independence of judgment *vis-à-vis* the consuls—the only British civil representatives in the islands—would have been disastrous, given the character of some consular officials.

Able men—such as W. T. Pritchard, Captain Jones, J. B. Thurston—preferred to rely on the influence with leading chiefs which they took a pride in establishing, rather than constantly to invoke naval guns. The consuls who most vociferously called for naval support—George Pritchard at Apia, Edward March at Levuka—were those who were least capable of using it judiciously.

Pritchard, for instance, had only been a few months in Samoa when he began pressing for a warship, declaring that, in the absence of any executive government in the group, there was no point in his remaining unless he received full naval support.³⁹ For the next thirteen years he maintained

* See, for example, encl. Admiralty to C.O., 27 January 1877, CO 83/15: 'A short account of the difficulties with the Samoan Government caused by Captain Stevens of H.M.S. "Barracouta" . . .', written by a Samoan and issued by the Ta'imua. (For the *Barracouta* incident, when British marines clashed with Samoans on Mulinu'u Point, see below, p. 61). The Ta'imua explained that they had armed themselves because they saw armed boats pulling in from the warship and were alarmed, 'for it is not in accordance with your customs, you first send information by letter of what is going to be done, but this was not done so'.

a constant demand for ships to advance the interests of the beach and to instruct the Samoans—against whose social depravity and political incapacity he never ceased to inveigh—in their duty towards Europeans.⁴⁰ He was totally unabashed by Captain Erskine's rebuke, in 1851, that Samoa was more frequently visited than any other group—seven ships since 1845—and that Pritchard's constant threats of naval punishment, levelled at a people whose sophistication should have enabled him to exercise sufficient influence by peaceable representations, were very undesirable.⁴¹ Samoa continued to be well visited but, with few exceptions, commanders formed a uniformly unfavourable impression of the consul: that he was deeply involved in the quarrels of the beach, concerned especially to advance the interests of the trading firm of Pritchard & Sons, with no influence among the Samoans—except that which derived from supplying rival factions with firearms—and totally out of sympathy with them.*

Naval commanders readily learned to point the contrast between the Samoans and the European community. They were impressed by the order and sophistication of Samoan society—as distinct from what they regarded as Samoan political ineptitude—in comparison with the state of affairs on the Apia beach. The Samoans, Captain Fremantle observed, were 'fully capable of distinguishing between good breeding and vulgarity'; it was

no wonder that they feel aggrieved . . . when they find such an incongruous community as the Foreigners at Apia, ready to smother their animosity and to coalesce from covetous motives to urge their complaints . . . and to threaten them with chastisement from the guns of a man of war.

It was decidedly difficult to enjoin on a Samoan respect for the British Consul, 'when in reality and upon tolerably just grounds he entertains sentiments directly the reverse'.⁴²

Commanders recognised the need to secure the neutrality of Apia against Samoan war-parties and were ready to inflict fines where property was proved to have been damaged; but they felt that there were, as Commander Blake said, other considerations besides exacting reparations, 'such as justice, charity, and moderation'.⁴³ And if the pressure they exerted, where they felt that claims were just, tended to submit Samoan political institutions to unaccustomed strains, the tension was generally a centripetal one and therefore added point to the advice given *ad nauseam* by naval officers—that a government should be formed by Samoans which could be recognised by foreign powers and whose laws could properly be imposed upon

* See, for example, Fremantle to Admiralty, 15 November 1855, *Adm* 122/12. An exception was Captain Worth, H.M.S. *Calypso*, whose attitude in 1848 had proved much to Pritchard's taste (R. P. Gilson, 'The Politics of a Multi-Racial Community', Chapter IX).

foreign residents. Above all, being fully aware of the 'inclination to brow-beat the natives' common among resident Europeans, commanders were at pains not to be made the tools of it. The manifestations of that inclination they sometimes found grotesque. Even Pritchard and Van Camp, observed Fremantle, would 'make common cause to obtain an advantage over the Samoans, though they could hardly be trusted in the same room together to discuss a matter in which there happened to be any rivalry between themselves'.⁴⁴

III

This pointed to a fundamental conflict which became more obvious as European settlement increased and which by 1870 undeniably demanded new measures. It was by then no longer a question of policing settlements of small traders and runaway seamen, established at a few places where there were convenient anchorages, but of dealing with the incursion of planters over comparatively wide areas. Between the southern states of America and the tropical area of northern Queensland there appeared—in Fiji, on Upolu, on Tana and Efate—patterns of European settlement which owed much to the example of both these areas. From them, island planters took over an article of culture, in cotton, and an ethic, which was characterised by Sir Arthur Gordon as 'the doctrine that a superior race may rightfully oppress and utilise for its own benefit . . . a subject one';⁴⁵ for European planting in tropical islands involved, as an essential prerequisite, the recruitment and employment of native labour.

In 1870, Fiji was the main area of European settlement in the Western Pacific. The banks of the main rivers of Viti Levu were given over to cotton-planting—the Rewa intensively, the Ba and the Sigatoka not much less so. Taveuni was extensively planted and several small islands in Lomaiviti were being worked by individual families. From his capital at Lomaloma on Vanua Balavu, Ma'afu, Tui Lau offered planters land on leases and contrasted the order of his dominions with the lack of it in those to leeward of his rival, Cakobau, Vunivalu of Bau, styled Tui Viti. Levuka now boasted a municipal charter, granted by Cakobau, a harbour board, a reading room much used for public meetings, and a newspaper. The Hennings brothers, merchants and planters, headed a local aristocracy and the growing community was able to support such members of the professions as it managed to attract. After the Polynesia Company obtained from Cakobau his signature to extensive claims on Viti Levu in 1868, settlers in shiploads of a hundred at a time came in, from Melbourne in particular. In August 1870 March reported that six hundred Europeans had arrived in the past six months; in October he estimated the European population at three thousand.⁴⁶

The neighbouring groups were now assuming, under more intensive European influence, the distinctive character which each was to display until the end of the century—in despite, very often, of the efforts of British authority. Where Fiji was the centre of settlement, Samoa was that of speculation. The efforts of the Melbourne Polynesia Company in the former group were eclipsed in the latter by those of the Central Polynesia Land and Commercial Company of San Francisco. Working through agents who were more remarkable for energy and enterprise than for moral scruples and taking advantage of the war which broke out in 1869, the C.P.L.C.C. by 1872 claimed to have purchased 300,000 acres of land. This was an area equal to almost half Samoa, and deeds to it were mostly acquired in return for arms recovered from Civil War battlefields. This company's pretensions, the sheer weight of its deeds, were a factor in the politics of Samoa for a generation henceforth;⁴⁷ but the most tangible signs of European enterprise in the group, and a vital factor in politics, were the interests of J. C. Godeffroy & Son of Hamburg, whose plantations were now being extended—by means no less dubious, though more selective, than the Americans employed*—by Theodore Weber, local manager of the firm. By 1872 Godeffroys claimed over 25,000 acres, some already planted, and henceforth the ordered lines of coconut palms, the several hundred Gilbertese and Melanesian labourers, and the big ships anchored off the Apia waterfront, contrasted significantly with the grandiose pipe-dreams and minor actual achievement of British and Americans.

To these two groups, chief objects of European enterprise, the lesser archipelagos through geographical contiguity, the prevailing winds, and mutual requirements, were to some extent complementary. Apia served as a place of trans-shipment for copra and other island produce from Godeffroys' stations in Micronesia. From the Line Islands at this time the firm obtained most of its labourers.

Labour was the major article of currency in the relationship between Fiji and her neighbours. Fijians were no more disposed than Samoans to work regularly on European plantations near their own villages and, even when they could be induced to engage for work at a distance, would usually only do so for a shorter period than the planter considered practicable.

* For German methods of land-buying, which were no doubt those generally in use, see *Samoa Weekly Herald*, 3 August 1895. This reports a Supreme Court land case, Samoans versus Deutsche Handels- und Plantagen-Gesellschaft, successors of Godeffroys. The Samoans were claiming back 500 acres of the Vailele plantation as descendants of the occupants who, in the war of 1869-71, took the side of Tuamasaga and were driven off by Tupua Tamasese; he then sold the land to Weber. According to the deed of sale the purchase price was \$1,250, but in reality this was paid over in the form of forty Springfield rifles, eleven muskets, two bags of bullets, two kegs of powder, and one box of caps, which enabled Tamasese to carry on the war.

From 1864 onwards, therefore, labour was sought in the New Hebrides, Gilbert and Solomon Islands.⁴⁸

The kingdom of Tonga stood alone, topographically unattractive to planters and made more so by its strong central government under the mission-inspired George Tupou and by its long-standing prohibition on the sale of land to foreigners. Nuku'alofa, firmly policed and with the Reverend Shirley Baker avidly enforcing lower middle-class standards of decorum, was noted for a total absence of the rowdiness which characterised Levuka and Apia.

In both the Solomon and Gilbert Islands were to be found resident European agents for several small firms dealing in the primary articles of island produce: native-made copra, *bêche-de-mer*, shark's fin, pearl- and turtle-shell. The New Hebrides were already developing those characteristics which, for over forty years after 1870, were to make them a veritable cockpit, in which British adventurers strove with French and the islanders with both.

In the 1870s the Queensland sugar industry was heavily dependent on the group, drawing from it during that decade rather more recruits than from the Solomons. Queensland recruiting seems actually to have stimulated settlement in the New Hebrides; during the 1860s, several European residents—perhaps remnants of the sandalwood era—were intermediaries in the traffic, acting as recruiting agents and providing native boats' crews, usually of Tana men. Of these, Ross Lewin at least set up as a planter on Tana. They were followed by men with more claim to respectability, encouraged presumably by the example of planters in Fiji and finding land cheaper—though life more dangerous—in the New Hebrides. In August 1874 there were reported to be sixteen plantations on Tana, Eromanga, Aneityum, and Efate. Havannah Harbour, on the north-west coast of the latter island, was the European commercial centre.⁴⁹ In the islands between the Solomons and New Guinea trading stations were being established in the 1870s, whilst Australian speculators and adventurers were becoming interested in New Guinea itself.⁵⁰

In the late 1860s the need of tropical planters for native labour and the expedients—in canoe-smashing, kidnapping, and murder—to which certain recruiters were prepared to resort in order to profit from that need, drew the attention of the imperial government upon the Western Pacific. By assenting to the Queensland Act of 1868, which regulated the recruitment of labour for the colony, the British government had approved in principle Pacific islanders' recruitment into a colony for work on plantations. In sanctioning the labour traffic, the Colonial Office relied on the Immigration Commissioners' experience of coolie immigration and ignored the more relevant advice of the Admiralty, which from naval reports had the gravest

doubts whether the nature of the contract and the implications of plantation work were understood by recruits, even when recruiters were honest.⁵¹ Even after a series of proven acts of kidnapping had necessitated the making of an imperial statute—the Pacific Islanders Protection Act, 1872—to bring within the cognisance of the courts kidnapping when unaccompanied by actual violence, the classic defence of the labour traffic was being committed to minutes in the Colonial Office. In November 1872 R. G. W. Herbert* observed that he was reluctant to leave islanders 'to their former savage lives if it is possible to protect them in labouring abroad . . .'. And the Parliamentary Under-secretary, Hugesson, thought that: 'To forbid the "movement" of natives would be . . . to place a barrier between them and all social, moral & religious progress . . .'. On the assumption that these attributes were to be attained through the civilising influence of the Queensland canefields and in the faith that, with supervision, the act of recruitment could be kept free from fraud and coercion, imperial countenance was given to a traffic which thirty years' experience was to prove inseparable from abuse.⁵²

A crescendo of recruiting abuses by ships from Levuka between 1870 and 1872 directed humanitarian, and hence official, attention to Fiji. Here were concentrated all the circumstances which made final intervention almost inevitable. Planters were under virtually no supervision in their employment of labourers and there was no control over the act of recruitment beyond that which the consul—the inefficient March⁵³—could exercise by questioning recruits on their arrival at Levuka. In the traffic to Fiji, therefore, the most unscrupulous operators thrived. At Levuka the *Carl* was captured, her bloodstained hold white-washed sufficiently to deceive a naval boarding-party, but with bullet marks still showing.

It was in terms of kidnapping that the British government approached events in Fiji. When it was learned that, at a surprise meeting in Levuka in June 1871, certain Europeans had set up a government on Cakobau's authority, London's immediate reaction was that a bargain should be struck with it—*de facto* recognition if it would enact labour legislation on the lines of the 1872 Pacific Islanders Protection Act.⁵⁴ In neither Colonial Office nor Foreign Office was there understanding of the exact nature of the conflict which rose to a peak in Fiji whilst Cakobau's government was in being. This conflict sprang from tensions between Fijians and

* R. G. W. Herbert (1831-1905) was Colonial Secretary and, later, first Premier of Queensland, between 1859 and 1865. After being Assistant Secretary at the Board of Trade from 1868, he moved in 1870 to the Colonial Office as Assistant Under-secretary; in 1871 he was promoted to Permanent Under-secretary and, during the twenty-one years that he held the appointment, was probably the most influential official in the department.

immigrant Europeans—backed by their imported labourers—whose natural self-confidence became rabid arrogance as their numbers increased.

Still less was there imagination sufficient to analyse the novel phenomenon—presented in Fiji after May 1872—of a number of Europeans who were attempting to use the new government-machine to protect the Fijians against the incursions of their fellow settlers.* It was immediately assumed that they were concerned simply to enrich themselves and that the government was—as W. H. Wylde of the Foreign Office consular department asserted—composed ‘of Adventurers of all Classes’, preying on the planters, ‘many of whom are Gentlemen and constitute in fact the only respectable part of the Population’. The type of Wylde’s gentlemen-planters was apparently his acquaintance, Montague Cholmondeley Johnstone, a leader of the Ba revolt against the government, who in October 1872 was revelling in the ‘lynch-law’ which, as he wrote, was then ‘the order of the day’ in Nadroga.⁵⁵

However just may have been the objections of European residents to being governed by S. C. Burt and G. A. Woods—founders and first leading ministers of Cakobau’s government—these did not apply to the man who, dragged reluctantly from his Taveuni plantation, became Chief Secretary in May 1872. John Bates Thurston—merchant seaman, castaway, acting-consul, planter, future Governor of Fiji and High Commissioner for the Western Pacific†—had no record of petty fraud and was a consummate administrator in the making. He was also remarkable for his sensitivity to, and respect for, Fijian society. It was this which, immediately after he took office, set a barrier between him and many of his fellow Europeans. Thurston committed himself to the heresy that ‘Justice to the Fijian nation . . . is of more consequence than cotton growing’.⁵⁶ And so far as he was able, he acted upon this principle.

The immediate issue was the relative position under government of Fijians and Europeans. For the latter the matter was quite uncomplicated. They fortified their exile with the presumption that ‘in order to make way amongst a barbarous race, it is often necessary to treat them altogether as inferior’ and the conviction that Fijians ‘must be made subservient to the whites, they must be the motive power under European supervision,

* The following estimate of the character of the Cakobau government as led by J. B. Thurston is based on my article, ‘John Bates Thurston, Commodore J. G. Good-enough, and rampant Anglo-Saxons in Fiji’, *Historical Studies, Australia and New Zealand*, XI, xliii, 1964, pp. 361-82. I am at present working on a biography of Thurston.

† Thurston had turned to planting in 1869 when March relieved him at the consulate; when the government was first formed he was on a recruiting voyage in the New Hebrides and, on his return, declined the offer of a place in it, since he had hopes of being once more appointed consul (Thurston to Hope, 6 September 1871, Letter-Journals of Captain C. W. Hope).

and unless they are made such they are utterly useless'. The rationale of this was a Darwinist sense of inherent racial superiority and the confidence that the Fijians would—as the special correspondent of the Melbourne *Argus* assured prospective settlers—'melt away before the sturdy descendants of the British Isles'. The *Fiji Times* was the supreme exponent of the racist ethic, proclaiming in January 1873: 'The white settlers of Fiji . . . are today the ruling power of the group, and the chiefs and the natives are merely their puppets'.⁵⁷

To this assertion the 1871 constitution gave some substance. According to the Constitution Act of August, the Legislative Assembly was to be elected by 'every male subject of the Kingdom'; but in December the Electoral Act added the proviso 'such male subject to mean all residents . . . other than Native-born subjects and Natives of any Polynesian islands'. As the *Fiji Times* protested, when Thurston proposed to apply the Constitution Act in full: 'The clause under which natives are empowered to vote is against the spirit of the intentions of the delegates'. And as the Thurston-inspired *Fiji Gazette* sardonically agreed, they 'no more thought of carrying out the expressed intent of the Constitution than they did of flying or swimming back to their constituencies'.⁵⁸ Fijian representation was confined to high chiefs in the Privy Council. The Assembly was given over to faction fighting for offices and to passing bills to protect insolvent planters against their creditors; measures designed to protect Fijian interests were met with derision. There were even those who could not stomach the trappings of majesty which Cakobau was accorded; was it not, demanded a planter,

an insult . . . to every white man in the country to have an old nigger like the King set up, as he is being set up? King indeed . . . he would be more in his place digging or weeding a white man's garden, when he would be turned to profitable account.⁵⁹

In word and action the majority of Fiji's European residents justified Thurston's charge that in race relations they would tolerate no restraint except on Fijians alone. The stand which he took against them led a settler, eight months after Thurston took office, to regret the old days when they were troubled by no government and when 'every one felt free, independent, and that he was superior to any native that ever trod the soil of Fiji'.⁶⁰ Thurston insisted that it was the function of government to 'protect the social, political and territorial feelings of the Fijians' and to 'respect the Fijians' attachment to the soil'. Government should protect Europeans and secure them opportunity to pursue their affairs; but its 'main object . . . should be to improve and assist the aboriginal inhabitants in their progress towards civilization'. Above all, he held, Fijians must be associated with Europeans in the administration, which therefore must be the kind of

administration whose principles and purpose they would appreciate. It became the burthen of complaint against Thurston that not only were the chiefs left to govern their own people—to which, of course, there was no practical alternative—but also that the high chiefs, governors of provinces, were authorised in principle to deal with Europeans also. Fijian magistrates were appointed to hear mixed cases with Europeans, a chief sat with the Chief Justice at Levuka. The government—which settlers had assumed would be by and for Europeans, under a specious cloak of comprehension—was asserting its independence of a particular racial interest. It was claiming to be truly a mixed government for a mixed people.⁶¹

This was not the kind of government which Europeans were prepared to accept. Their reaction was to raise bitter cries of 'Judas' and to organise armed revolt. Early in 1873 the Ba planters rose in arms, asserting that government policy was 'a systematic attempt to demonstrate the possibility of placing the superior race in a state of utter subserviency to the inferior race', in which attempt they—'being men of Anglo-Saxon descent'—were not prepared to acquiesce.⁶² As the year went on, Thurston found himself further hampered by the ambivalent attitude of the British government, whose *de facto* recognition was nullified by its failure to discipline Consul March, a centre of disaffection, and by its publication of an opinion by the Law Officers which was interpreted as denying the autonomy of the Fiji government. He became convinced that British policy must be firmly ascertained as to whether or not Gladstone's ministry intended to yield to House of Commons motions for annexation; and that, in the meantime, a strong nominee government must be established.

The latter object was to be achieved by a new constitution, issued on the authority of king and chiefs without reference to Europeans, which provided for an Assembly of thirty-six members of both races, most of whom were to be appointed by Cakobau. The former problem Thurston broached at the end of January 1873, asking Granville by mail and cable whether Britain would entertain a proposal by the Fiji government to cede the kingdom, 'if its King and people once more, and now through the King's responsible advisers, express a desire to place themselves under Her Majesty's Rule'.⁶³

Thurston expected that this would bring out a commission of inquiry. He did not expect that the commissioners who arrived in Fiji at the end of the year—Captain J. G. Goodenough, relieving Commodore on the Australian Station, and E. L. Layard, the new consul to Fiji and Tonga—would totally fail to recognise the violence of racial conflict and its implications.⁶⁴ They refused, in fact, to admit that any such conflict existed at all, but saw in Thurston 'simply an irresponsible Englishman endeavouring to wield very large power in opposition to nearly the whole of his fellow

countrymen'. The Europeans, they believed, had been on good terms with the Fijians until Thurston, for his own selfish ends, aroused the latter against the whites. For all their pretence at wide consultation, in fact, the commissioners judged the government, with Fiji affairs in general, from a brief prepared by the *Fiji Times* and took their information from the beach. They proclaimed that their object in coming to Fiji was solely to protect British subjects and determined—going far beyond their instructions, which ordered them simply to inquire and report—to obtain a distinct offer of cession.⁶⁵ When their open invitation to the chiefs achieved only a calculated refusal, they systematically set about breaking the government and, by bringing the group to the verge of anarchy, virtually forced such an offer out of the Fijians. To this offer, however, and in spite of the commissioners' opposition, Thurston attached certain conditions designed to protect Fijian society under a colonial government.

The episode was a striking example of the myopia and insensitivity of essentially well-meaning metropolitan officials who—as Thurston complained of Goodenough—being sent to conduct negotiations with primitive people, ignored those Europeans whom the latter trusted.⁶⁶ It was also a noteworthy instance of the belief—held by Layard, at any rate—that with a minimum of government control the interests of islanders were complementary to those of Europeans. Neither here, nor later in regard to Samoa, Tonga, and the New Hebrides, could he see that a fundamental antithesis existed in many instances.

This illusion was not shared by the man who was sent out to govern Fiji as a crown colony when a final offer of cession had been negotiated. Sir Arthur Gordon—to be remembered as a great, if controversial, governor, whose native policy was based on similar considerations to Thurston's—saw the beginnings of the same antithesis clearly appearing in the neighbouring groups, where he was to exercise extra-territorial jurisdiction over the British subjects who frequented them; but the limitations of that jurisdiction prevented his combating it there so effectually as he desired.

However little the British government may have understood the inner realities of the Fiji situation, it could not be unaware that events there had forced it to a decision which was decidedly repugnant to the imperial Treasury and to some sections of public opinion. It realised from naval reports that there was a strong possibility that the same situation—plantations opening, labourers being recruited, relations with islanders growing increasingly hostile—would emerge in other groups. The annexation of Fiji was to be the exception, not the first application of a general rule, in British policy towards the Western Pacific islands.

The solution to which it turned was the simple, single-stranded one of placing British subjects there under more efficient metropolitan control.

British nationals were to be made answerable to a jurisdiction which, by holding them in check, would obviate any necessity for assuming further territorial responsibility. The suggestion made by the Fiji Commissioners—that the governor of the new colony should be given authority over British subjects in the South Pacific west of 168°W., in order to provide a court and a port of registry for an area ‘where the number of adventurers in various pursuits is yearly increasing’⁶⁷—was taken up and extended to cover a vast area of sea and islands, in practice co-extensive with that policed by the Australian Squadron.* On 4 May 1875 the Secretary of State for the Colonies introduced a fresh clause into the new Pacific Islanders Protection Bill, then at the Committee stage, which empowered the sovereign:

to exercise power and jurisdiction over her subjects within any islands . . . in the Pacific Ocean not being within Her Majesty’s dominions, nor within the jurisdiction of any civilised Power, in the same and as ample a manner as if such power or jurisdiction had been acquired by the cession or conquest of territory, and by Order in Council to create . . . the office of High Commissioner in, over, and for such islands . . . and . . . to confer upon such High Commissioner power and authority, in her name and in her behalf, to make regulations for the government of her subjects in such islands . . . [and] . . . to create a court of justice with civil, criminal, and Admiralty jurisdiction over Her Majesty’s subjects within the islands . . . to which the authority of the said High Commissioner shall extend . . .⁶⁸

It was agreed in Parliament that this measure would prevent the recurrence in other groups of those circumstances which had made Fiji’s annexation unavoidable.⁶⁹ And so, according to the first Chief Judicial Commissioner, the ‘exceptional circumstances of the Western Pacific’ had ‘ceased with the appointment of the High Commissioner’.⁷⁰ In point of fact, however, they had scarcely begun.

* The lack of precision in the term ‘Western Pacific’ as used by the 1877 Western Pacific Order in Council caused some perplexity. The area was, in fact, ‘an expanse of sea extending fr[om] America to Australia, & without special reference to the Meridian of Greenwich’ (minute on F.O. to C.O., 25 June 1879—CO 225/4). Sir Arthur Gordon, in the previous year, had suggested that the term should mean all islands west of 170°W. and south of 15°N. He had protested against a proposal to regard the High Commissioner’s jurisdiction as being co-extensive with the boundaries of the Australian Station, on the grounds that these did not include the Marshall and Caroline Islands, which were named in the Order in Council and which it was not desirable to remove from the jurisdiction (minute on Gorrie to C.O., 14 October 1878, CO 225/1). Soon afterwards, however, the boundaries of the Station were extended northward to cover all of Micronesia, and became the accepted limits of the High Commissioner’s jurisdiction. In 1881 the relevant boundaries of the Station were, to the north, 10°S. from 95°E. to 130°E., thence northward to 12°N., thence eastward to 160°W.; to the east, 160°W.; and to the south, the Antarctic Circle. After the Pacific Order in Council, 1893, was issued, they were extended eastward to cover the Cook Islands, over which the High Commissioner had exercised no authority under the Western Pacific Orders in Council, 1877-80.

A Fresh Departure: the Western Pacific Order in Council, 1877

The Western Pacific High Commission had, bureaucratically, a dual origin. The Foreign Office recognised at last the need for an extended consular system in the area. W. H. Wylde, head of the consular department, observed in November 1874:

if we intend to effectually repress kidnapping in the South Sea Islands, we must make arrangements for a strict supervision over them, as the very fact of our assumption of the Sovereignty of the Fijis will stimulate their cultivation and cause an increased demand for labour.¹

In the Colonial Office also the chief problem was thought to be kidnapping, the prime example of European lawlessness. In each department there was also, however, a glimmer of awareness that there were deeper problems to be met, of which the recent developments in Fiji were the archetype.

In February 1875 Wylde pointed to the similarity between events in Fiji and those in New Zealand forty years before. In each case, the British government had been driven into extreme intervention 'by the force of circumstances, British Subjects having settled and when they got into difficulties with the Natives we found it impossible to abandon them, the result being annexation'. The same developments would emerge in other island groups, where reports showed that British nationals were already starting plantations, and 'Abuses are certain to arise unless they are looked after . . .'.²

The Colonial Office, for its part, was under an obligation to arrive at a wider understanding, since it was subject to increasing Australasian pressure to form a comprehensive, preferably annexationist, policy for the islands. In New Zealand, the Pacific imperialist mantle initially worn by Sir George Grey had lately been assumed by the Premier, Julius Vogel, who from August 1871 onwards was bombarding the Secretary of State with memoranda on the subject. Samoa was the particular object of his ambition, but other groups also came under his acquisitive eye. In October 1873 he had urged that Fiji should be annexed and that 'a policy . . . should be decided on . . . applicable to all Polynesia'. He asserted:

if the traditions of the nation may be employed as an argument, . . . they point to the glad prosecution by Great Britain of the work of reducing to civilization the fertile Islands of the Pacific. . . .

This could best be achieved through the agency of New Zealand, 'which possesses so much experience in dealing with the government of a mixed race'. Colonial Office reaction was instinctive opposition to increased responsibilities, hardened by distaste for Vogel's language. On his plea that New Zealand should be allowed to checkmate American interference in Samoa, Kimberley, then Secretary of State, observed that he was 'entirely opposed to the annexation of these islands or meddling in their affairs'. And Herbert, more sympathetic to Australasian aspirations, at this stage did not believe that Vogel's ambitions were shared by many of his fellow New Zealanders.³

It was clear, however, that some positive answer would soon have to be returned to representations of this kind and equally clear that Fiji's annexation would both underline that necessity and provide an opportunity to review British policy in the Western Pacific at large. In November 1874 Herbert advised Carnarvon, Kimberley's successor, that to all proposals like Vogel's the reply should be that the establishment of a colonial government in Fiji 'will afford to H.M. Govt. increased facilities of considering the requirements of this country & of British subjects in the Pacific . . .'.⁴

From the need to satisfy the Australasian colonies, therefore, and following the proposal of the Fiji Commissioners, there emerged in the Colonial Office the idea of the Western Pacific High Commission. To this was rapidly added the enthusiasm of Sir Arthur Gordon, who talked with Herbert on the day—6 November 1874—when the latter first officially considered acting on the Fiji Commissioners' suggestion. In the following February, having heard that the Foreign Office was making difficulty about the proposal, Gordon was protesting that he had only agreed to go to Fiji on the understanding that he would have an extensive jurisdiction beyond the limits of the colony. He was already showing the impatience and proprietary attitude towards the High Commission which was to cause it so much difficulty in its early years.⁵

The character of its first head was to be of infinite importance to the Western Pacific High Commission. The youngest son of the fourth Earl of Aberdeen, Sir Arthur Gordon was a peculiarly complex character, a man whom one historian has legitimately described as 'alternatively attractive and repellent'.⁶ He was an aristocrat by birth and an autocrat by inclination. The former circumstance gave him the entrée to circles in which moved men such as Selborne, Gladstone, and Carnarvon. To the latter characteristic the governorship of crown colonies enabled him to give free rein. He had, as a rule, little respect for the European settlers whom he

was obliged to meet: his sympathies were all on the side of the indigenous people. Fiji and Fijians he was to find especially congenial.⁷ He wore the sulu and, with great satisfaction to himself, moved in the highest ranks of Fijian society as the greatest chief of all. There was in Gordon much of the actor, the dictator and, when thwarted, of the spoilt child; but there was even more of the seeker after justice in race relations and the exponent, in the face of whatever opposition, of the principle of trusteeship in governing subject peoples. The Colonial Office sent him to Fiji as part of a conscious experiment in the government of a potentially difficult new colony. It was as part of the same experiment that it made him High Commissioner, in that it regarded him as especially fitted for dealing with the problems involved. He was not, however, well qualified to surmount the limitations on its freedom of action with which the Western Pacific High Commission was beset.

On 11 November 1874 Herbert mentioned to the Foreign Office the possibility that Fiji's governor might 'act as Consul for the neighbouring places as the Governor of Labuan now does for Borneo . . .'. This was ill-received by Wylde, as cutting across his own recent proposal that Layard should report what new consular posts were needed in the Western Pacific. In January 1875 the main Colonial Office proposal was launched at the other department over Carnarvon's signature. The latter pointed out that, to make Fiji a crown colony,

although calculated to aid materially in the maintenance of order and the suppression of kidnapping throughout the South Seas, will nevertheless provide no direct means of supervising and controlling those British subjects . . . already settled or trading in islands more or less distant from Fiji . . . [whose numbers might be increased] by the departure from Fiji of some of the more lawless residents whose operations will be interfered in by the establishment of a settled government.

Layard had already received applications from British residents in Tonga to be allowed to import labourers, which was

only one case out of many that cannot fail to arise in which it will be necessary that the proceedings of British subjects in relation to natives and more especially in relation to the importation and employment of Native labourers in Islands beyond Fiji, should be placed under efficient Consular control.

It was very desirable to avoid any divergence of principle or practice in dealing with labour and other questions throughout the Western Pacific and it therefore seemed advisable to appoint the Governor of Fiji to the post of 'Her Majesty's Principal Consul or Consul General for the Islands of the South Pacific', with 'such Vice-Consuls as may be required by the extent of the area to be supervised and by the nature of the duties to be discharged'.

The matter required urgent treatment, since Gordon was about to leave for Fiji.

The treatment it received in the Foreign Office was uniformly unfavourable. There was strong objection to making over the Foreign Office's consular responsibility to an official answerable to the Colonial Office and scarcely less to the alternative of having Gordon correspond with both departments. The Foreign Office decided therefore to shelve the suggestion, with the excuse that it was not yet clear what effect Fiji's annexation would have on surrounding groups; but late in February it was rumoured there that the cabinet had agreed to the new appointment; and although the Foreign Secretary, Derby, knew nothing of this and prepared to resist it, by 6 March two meetings had been held between representatives of the two departments to discuss details. Thus was initiated a series of inter-departmental negotiations which continued at intervals over a period of two years, turning full circle in the process, occupying time and attention which would have been better spent in defining clearly the objects of the new authority, and generally obscuring the whole problem.⁸

The first meetings were devoted to achieving a compromise to avoid both Foreign Office loss of responsibility in the Western Pacific and the disadvantages of divided authority. By early March the Foreign Office proposed to modify Wylde's earlier proposal: Layard should go on a tour of inspection, but would be accompanied by Gordon. Their joint report would 'place H.M. Govt. in a position to deal comprehensively with the Labour question, and to frame a Policy to be pursued in that part of the world'. In the meantime, 'in order to meet as far as possible Lord Carnarvon's desire that uniformity of procedure in dealing with British Subjects both within and in the neighbourhood of Fiji, may be established', Derby would

concur in the apptt. of the Govr. of Fiji to be H.M.'s Special Commr. in and over such Islands as may be agreed upon, with powers to be conferred upon him by an Order in Council . . . for dealing with cases in which British subjects are concerned, but with no others.

Cases involving the persons or property of foreigners were to be dealt with solely by a consul directly responsible to the Foreign Office. The Foreign Office representatives, who were genuinely anxious not to 'delay grappling with the South Sea question', considered this a workable compromise.

Herbert, who had attended the meetings on the Colonial Office's behalf, was far less sanguine. He believed that the Foreign Office's refusal to give Gordon consular powers would seriously detract from the prospect of his administering the Protection Acts efficiently; their attitude was 'a good indication of the weakness resulting from the independence of each other of the two departments which should work together in a matter of this head'. He had certainly understood that it was at least agreed the new post

should be permanent and should be held by Gordon with the title of 'High Commissioner'. On his draft, the Colonial Office in reply to Derby expressed regret at the modified scheme but accepted it, having 'no other desire than to ensure . . . the success of that attempt to repress abuses towards which the annexation of Fiji has been the first step'. An Order in Council should therefore be prepared, 'giving the Governor as "High Commissioner" extended powers over British subjects throughout certain groups . . . in Western Polynesia . . .'. And in order to secure as unified a control in the High Commissioner's hands as the Foreign Office's conditions would allow, it was

absolutely essential that no Consular Authority be appointed . . . to act within the limits of the High Commissionership, within which limits, as within the boundaries of a Colony, the authority of the officer holding such a Commission . . . should (as in the case of South Africa and West Africa) be sole and supreme.⁹

With this the Foreign Office agreed. Wylde believed it was intended that Gordon should appoint his own deputies in some groups; it was certainly desirable to avoid divided control in dealing with labour abuses and, since the traffic was one into British colonies, the Colonial Office and its representatives were no doubt the proper authorities to deal with it. If an efficient consul reporting solely to the Foreign Office were appointed to New Caledonia, to whom the High Commissioner would be under strict instructions to refer all matters of international importance arising within his jurisdiction, the Foreign Office could 'leave the Coll. Office to carry out their own policy in their own way'.

The Foreign Office, in fact, was now ready to return to the position which formerly it had habitually held, regarding the islands as the responsibility of the Colonial Office. Its own concern was less with the affairs of the islands themselves than with the international repercussions of intervention therein. Thus T. V. Lister, Assistant Under-secretary of State, observed of the High Commissioner's appointment that foreign governments might regard it as

a first step towards annexation. I believe moreover that they wd. be quite right in that opinion—but the Colonial Office will not intend annexation, & the F.O. will for some years be able honestly to repudiate the idea.

Derby therefore accepted the Colonial Office's points and, in deference to the view that within his jurisdiction the High Commissioner's authority should be 'sole and supreme', undertook to appoint no consuls there without Carnarvon's previous agreement.¹⁰

This measure of agreement was reached by April 1875 and for the next sixteen months both departments were intermittently engaged in preparing

the Order in Council. Gordon in the meantime was fretting in Fiji at his inability to intervene in the Western Pacific generally and in Samoa particularly, since events there were reaching a crisis with the return of Colonel Steinberger.* Further grounds for interdepartmental disagreement arose, however, on the question of whether or not to recognise native governments in Samoa and Tonga. Whilst the Foreign Office's inclination was to do so, the Colonial Office strongly advocated the contrary course. These two groups were among the most important of the High Commissioner's prospective jurisdiction and it feared that their recognition as independent states would immediately take them out of it. This awakened Foreign Office concern lest the Western Pacific should in effect be treated by the High Commissioner as a colonial area and gave rise to the fear that Gordon—about whom personally it entertained certain reservations—would be 'lording it over native govts. in his capacity as Governor of Fiji'.¹¹

This foreboding became certainty when news was received of the reception which the new consul to Samoa, E. A. Liardet, received in Levuka in December 1876, when he passed through on his way to Apia. Liardet had been appointed earlier that year, apparently without the prior consultation with the Colonial Office which had been promised, and Gordon protested that his arrival was an intolerable intrusion into his own sphere.† He said, according to Liardet, that he had intended to appoint his own deputy commissioner to Samoa, who would be consul also and would 'act under his instructions & carry out his policy, wh. wd. probably be at variance with the instructions I should receive from the F.O. & of the nature of wh. he wd. be ignorant'. This, Carnarvon admitted, showed 'a deplorable want of temper' on Gordon's part.¹² The episode served to remind the Foreign Office that in Tonga and Samoa, whether they were formally recognised or not, there existed governments to be dealt with and, in the latter instance, foreign consuls to be communicated with, and this could not properly be done by a High Commissioner responsible only to the Colonial Office. In order to prevent duplication of officials and division of function on the spot—against which the Colonial Office vehemently protested—there was no alternative but to revert to the dual authority which the original negotiations had tried to avoid, making Gordon High Commissioner responsible to the Colonial Office and Consul-General responsible to the Foreign Office.

In practice, no great inconvenience was to eventuate from this, nor any conflict between departments. British representatives in Tonga and Samoa held office both as consul and deputy commissioner and, in the event,

* See below, pp. 58-60.

† In private correspondence with Gordon, Herbert agreed that Gordon had good grounds for his complaint about Liardet's appointment (Herbert to Gordon, 10 February 1877, *BM Add 49199*).

Tonga was to become mainly a Colonial Office responsibility whilst Samoa became a Foreign Office preoccupation. For all his complaints at being made answerable to two departments, Gordon had actually gained by it: he was not obliged to report, as part of his integral functions, to a consul in New Caledonia and as Consul-General he was able to exercise formal political authority; but in 1877 the arrangement was regarded with regret and foreboding. Herbert confessed that, as a result of it, he was 'not happy as to the practical success of the High Commissionership'. And Lister observed that he was 'not very anxious to have Sir A. Gordon under the F.O. . . . as he quarrels with everybody'.¹³

Work meanwhile was in progress on the Order in Council. Its legal basis had been defined on 30 March 1875, when the Law Officers were asked how the Governor of Fiji might best be invested 'with the largest possible power of dealing with British subjects in the Pacific'. They were requested to advise whether this authority would come under the scope of the Foreign Jurisdiction Act, 1843, which seemed to assume the existence of a civilised government in the area concerned, capable of according extra-territorial rights by treaty or sufferance, whereas in the Pacific there were generally no such governments; if not, it was assumed that Parliament could confer on the Queen jurisdiction over her subjects in foreign lands, for which purpose a clause had been drafted for inclusion in the new Pacific Islanders Protection Bill. They replied that they could see no better way of conferring the jurisdiction than thus by statute. In May the clause had been inserted. This would, Herbert considered, preclude any possible questioning of the jurisdiction's legal basis. It would, therefore, be possible to provide very fully for the government of British subjects in the Western Pacific.¹⁴

The actual preparation of the Order in Council proceeded somewhat haltingly. Not until June 1876 was the final sitting held on the draft, which an Assistant Under-secretary of State then considered

a very complete & carefully executed work [which] will prove most useful as a Precedent in places where a very simple system of Judicial Procedure is required & is to be administered by non-professional Persons.

It was another year before it went to the Queen in Council, during which time, as was observed in the Colonial Office, there was much 'boggling' over it.¹⁵

On seeing the final draft, the Law Officers in January 1877 took strong exception to article 21, since it gave the High Commissioner's Court jurisdiction in Admiralty offences as though the offence were committed ashore in a Western Pacific island. The mode of trial prescribed for offences ashore was before a judge sitting with assessors, instead of a jury, and with provision for interrogation of the accused by the court. They

protested that this, 'a course of procedure unknown to the laws of the realm', should not be applied to offences which were committed within Admiralty jurisdiction and were thus justiciable in other courts with normal procedure. On the procedural point, Herbert defended the Order vigorously. The sovereign's legislative power was virtually absolute and under it 'a course of procedure unknown to the Law of England in this sense that it is not now in use in England' might lawfully be established. The Lord Chancellor, consulted on this point, agreed in principle with Herbert. The interrogation article, however, was amended to confine its operation to offences committed ashore, so that, for instance, an offence off Dover could not be tried under the High Commissioner's Admiralty jurisdiction by a procedure designed to meet local circumstances.¹⁶

The Law Officers, indeed, found the Order in Council distasteful on general legal grounds. Certain provisions, they protested, were extremely arbitrary; but in view of its firm foundation in statute they could do no more than observe pointedly that they presumed 'that those by whom the O. in C. has been prepared are in possession of information resp. the condition of the Western Pacific which justifies the extraordinary character of these provisions'.¹⁷

The scope of the Order in Council had been greatly altered in successive drafts; executive functions were added to judicial powers and the Western Pacific Order in Council of August 1877 bore little resemblance even to the draft of the previous year. Containing 321 articles, to apply to all islands in the Western Pacific 'not being within the jurisdiction of any civilised Power', it created the office of High Commissioner, Chief Judicial Commissioner (to be occupied by the Chief Justice of Fiji), Judicial Commissioner (to be 'a person of legal knowledge and experience' appointed for a given time or purpose), and as many deputy commissioners, appointed by the High Commissioner, 'as the Secretary of State from time to time thinks fit'. All the jurisdiction exercisable in the Western Pacific by the Crown was vested in the High Commissioner's Court. Except as regards offences declared by the Order to be breaches of it, any act that would not by an English court of law be considered an offence should not be considered so by that court. The High Commissioner was empowered to make

such regulations as to him seem fit for the government of British subjects, by enforcing the observance by them of . . . any Treaty between Her Majesty and any King, Chief, or other authority in the Western Pacific Islands, and for securing the maintenance . . . of friendly relations between British subjects and those authorities and persons subject to them.

Breach of regulations was punishable by three months' imprisonment, or a

£10 fine, or both. Where it was shown by evidence on oath, to the High Commissioner's satisfaction, that a British subject was

disaffected to Her Majesty's Government, or has committed or is about to commit an offence against the Pacific Islanders Protection Acts . . . , or is otherwise dangerous to the peace and good order of the Western Pacific Islands,

the High Commissioner might prohibit him from residing within certain limits in those islands for up to two years, with no appeal. If a man against whom a prohibition order was issued ignored it, he was guilty of an offence against the Order in Council itself and might be imprisoned for up to two years, or the High Commissioner might direct his removal 'to some place named in the order of removal, being a place in the Western Pacific Islands, beyond the limits specified in the order of prohibition'. Where reasonable grounds existed to suppose that an individual was about to commit or provoke a breach of the peace or of the Protection Acts, security for good behaviour might be demanded; and if this were not forthcoming, his deportation might be ordered. In the trial of crimes and offences for which the punishment was above three months' imprisonment or a £20 fine, the Chief Judicial Commissioner would sit with assessors. The accused, not being under oath, might be interrogated by the court. The High Commissioner might by a general order declare certain localities to be places of imprisonment in the islands. These provisions occupied fifty-six of the Order's 321 articles. A further sixty-nine articles provided for the hearing of civil cases and the administration of deceased estates, with appeal in civil actions from the High Commissioner's Court to the Supreme Court of Fiji and thence to the Privy Council. Articles 126-321 dealt with purely formal matters.¹⁸

Although experience was to show that many of the processes prescribed and powers enacted were too bound about with procedural restrictions to be effective, Herbert had several times been obliged to defend the Order in Council against members of his own department who considered it dangerous to the liberties of the individual. Malcolm, Assistant Under-secretary, was alarmed at the power given to Judicial Commissioners: although article 28 directed that treason, murder, manslaughter, arson, and housebreaking should be tried with assessors, article 125 provided that where assessors were unobtainable trial might proceed without them, the reason being recorded in the minutes. Even when assessors sat, they had, under article 14, no voice in the proceedings and in the case of a dissent could only enter it in the record. Under article 31, the accused could be convicted on his own evidence adduced in interrogation by the court.

These were provisions which the Law Officers had opposed from a legal standpoint. Malcolm's objection to them was on a point of policy: 'great

harm might be done to the whole system if an injudicious man were to put them in force & strain them'. If the Order in Council were kept in its present form, especial care would be needed to appoint discreet officials. Herbert stood firm against all such doubts—'bearing in mind', as he observed, 'that the circumstances of the Islands are such as to render it desirable not to adhere closely in all cases to the procedure more suitable to civilised communities'. There were precedents elsewhere for the deportation provisions, regarded as particularly arbitrary; and the interrogation clauses, though opposed to conventional ideas of procedure, were designed to protect islanders in cases where conventionally-adduced evidence would prove insufficient to convict a white offender.

Herbert's arguments carried weight and no further amendments were made; but Carnarvon's eventual despatch to Gordon of 19 November 1877, instructing him in his duties as High Commissioner, carried a strong caveat on this subject. Gordon was to be impressed with 'the absolute necessity of proceeding with the utmost circumspection in putting the Order in Council into force'. The powers which it gave to the court and the deputy commissioners were very extensive,

and although if used with judgement they will I hope prove a most salutary check upon the tendency of lawless characters . . . to perpetrate acts of savage brutality, yet if they are confided to persons who use them harshly or without discretion the system set up by the Order will be brought into discredit and will have to be abandoned.¹⁹

Carnarvon's instructions to Gordon as High Commissioner had none of the formal legal significance surrounding instructions to a colonial governor, and in certain instances were not particularly apposite to existing circumstances in the Western Pacific. They set out the High Commissioner's duties under four heads: communication with local representatives of foreign powers, as Consul-General; the conduct of relations with Samoa and Tonga, in the same capacity; the regulation of the labour traffic, where conducted by British subjects, as High Commissioner; and the maintenance of law and order among British subjects in islands under no government.

Samoa and Tonga, observed Carnarvon, demanded first consideration. The consul in Samoa would act under Gordon's discretion and should be appointed deputy commissioner also, with an additional salary of £100 a year. Tonga had had no consul since Layard was sent to Nouméa and the dual appointment there should be made by Gordon. It might be advisable to equip each of these officials with a small sailing-vessel, but no unavoidable expense must be incurred since High Commission funds were limited.

For this reason, Carnarvon was compelled to limit the number of deputy commissioners to be appointed to those resident in Tonga and Samoa, although he fully realised that other groups were also in need of them.

The Union, Phoenix, and Ellice Islands perhaps might occasionally be visited from Apia. As for the labour traffic, it was believed that the worst abuses were over; but Gordon was instructed to watch for any recrudescence of blackbirding, under whatever flag. He was to remember that,

while the system of compelling the natives by force or fraud to labour against their will is to be vigorously suppressed, the importation of native labourers who freely tender themselves with a clear knowledge of the nature of their contract into plantations worked by persons of European origin is most beneficial both to the employer and the employed, and it will be one of your duties . . . to promote this immigration whenever it can be legitimately effected and above all where it is properly supervised.

Agents without salaries might be appointed to the New Hebrides, the group next in importance to Samoa and Tonga, as well as to other islands where European influence was not large; they should 'be instructed to take such steps for watching the conduct of the labour traffic as you may deem advisable'. It was hoped that eventually Gordon would be able to appoint a third deputy commissioner to the Carolines, Solomons, and New Guinea, residing perhaps at Ponape; but this at present could not be sanctioned. Finally, Carnarvon observed that the Order in Council's very full provisions for dealing with civil cases should not be more extensively employed than was convenient to the court, 'having regard to the business which has the first claims upon it'.²⁰

These instructions revealed both the absence in the Colonial Office of clear, practical ideas as to what the High Commissioner's functions should actually be and the gulf which existed between the Colonial Office and the High Commissioner himself. Those under the third head, dealing with the labour traffic, were particularly vague and ill-phrased. They ignored the fact that recruiting for Queensland was under the control of the colony—which was not likely to yield it up nor to permit an imperial official to interfere—and they took no account of the distinction between recruiting into a colony with local laws to protect natives when actually on the plantations and inter-insular recruiting for employment on islands under no government. By implication, the latter was to be encouraged where it could be properly supervised; but this condition could never be satisfied, nor could the instructions under the fourth head be carried out—to maintain law and order among British subjects in such islands—when no deputy commissioners could be appointed except to Samoa and Tonga. It was obvious that, if the Order in Council was to be applied in the jurisdiction at large, deputy commissioners would have to be constantly about in the groups west and north of Fiji, preferably with a base ashore but certainly with adequate means of independent transport.

In Fiji this had been immediately recognised. In September 1877 A. P. Maudslay—one of the young men whom Gordon collected around him and who was then on leave in London—had at Herbert's request prepared a memorandum setting out the requirements of the High Commission, as he supposed Gordon himself would have seen them. He advocated a third deputy commissioner, to be resident in the New Hebrides, with a 20-30 ton sailing-vessel, and a fourth to cover the Solomon Islands, New Britain, New Ireland, New Guinea, and perhaps the Caroline Islands, living entirely aboard a larger ship of about 150 tons. The Caroline and Gilbert Islands might later be made into a fifth deputy commissionership.

Given the area to be covered, even this establishment would have been fairly small; but Herbert complained that the proposals were 'as usual, much too grand'. He considered a roving deputy commissionership in western Melanesia objectionable in itself; the incumbent, 'if active, & well boated & manned might no doubt be able to drop down upon a number of British Scoundrels, but he might also not improbably be killed . . .'. Moreover, there was no money to pay the officials or provide the vessels. The Colonial Office had secured a grant of £5,000 as being sufficient to meet the High Commission's annual expenditure, the whole of which sum might be swallowed up by one heavy criminal proceeding.

Whatever else might be obscure about the new British authority system in the Western Pacific, it was clear at least that it was to be a cheap one. In March 1878, when the Colonial Office received from Gordon the late Commodore Goodenough's estimate of what the High Commissioner would require—a third deputy commissioner at Havannah Harbour, three small steamers, and two schooners—Herbert, appalled, protested that there were absolutely no funds available for 'any such extended & efficient scheme'. On his projected return on leave, Gordon would have to be brought to a clear understanding of the limitations of the resources he could call on.²¹

The Order in Council was issued, therefore, under instructions which, vague and ill-considered as to functions and totally inadequate in the establishment they authorised, pointed to future difficulty and disappointment. Between November 1874 and April 1875, when it was pressing the scheme on the Foreign Office, the Colonial Office had seemed to feel that the annexation of Fiji constituted in itself a policy for the whole area. It insisted that, as against consuls, the High Commissioner should have sole authority there, on the grounds that a uniform policy ought to be applied to British subjects whether resident in Fiji or in other islands. What, if anything, was meant by this was never clear and it could obviously have little direct application in practice. The notion simply showed the con-

fusion in official minds.* When the instructions were at last drafted, they followed in some instances Maudslay's memorandum; but they introduced passages based on loose thinking in relation to the labour traffic and robbed his recommendations of their teeth by drastically curtailing the minimum establishment which he advocated. The consolatory suggestion that unpaid agents should be appointed, the dignity of whose position would be recompense enough, was quite unrealistic.

Above all, no clear thought had been given as to what role the High Commissioner was to play in relation to islanders themselves. The Colonial Office felt that he was somehow to guide race relations. His jurisdiction over British subjects was designed to be used primarily to punish crime against islanders; but over the latter he had no jurisdiction at all. Without it, their punishment for offences against British subjects would rest, as before, with the naval forces of the Crown. The attempts of Sir Arthur Gordon to claim such a jurisdiction, together with the tardiness of his superiors in calling him to order, provoked an unnecessary conflict with the Royal Navy and brought him discredit in colonial public opinion from which his office never fully recovered.

* The notion may actually have originated with Gordon; at any rate it was enthusiastically embraced by him; see Gordon to Carnarvon, 17 February 1875, *PRO* 30/6/39: 'I certainly believe that it is . . . desirable that the superintendence of the measures for checking the abuses of the labour traffic, and the government of Fiji should be in the same hands'.

Disenchantment, 1878-1881

When first Carnarvon announced in public the idea of the Western Pacific High Commission—in April 1875, to a delegation requesting the annexation of New Guinea—he added that the High Commissioner was to be ‘commander of these tribes’. This loose statement was typical of those currently used in the Colonial Office, to judge from the conclusions drawn by Sir Arthur Gordon as to what authority was contemplated for his new post; but it had no basis whatever in the Order in Council, either that instrument as Gordon finally received it in February 1878, or the early draft which was sent to him in 1876. Article 6 of the Pacific Islanders Protection Act, 1875 expressly denied any intention ‘to derogate from the rights of the tribes or people’ of the Western Pacific islands, chief amongst which rights were, supposedly, those of sovereignty and judicial autonomy. At each stage of drafting, the jurisdiction conferred by the Order was a unilateral one over British subjects alone. In the next decade, therefore, British traders would be fined for dealing with islanders in arms and liquor, whilst Germans, Americans, and Frenchmen did the same with impunity. Above all, the High Commissioner had no jurisdiction over islanders who killed or molested British subjects.¹

This point had been raised privately with Carnarvon by Julius Vogel on 4 May 1875. He considered that the proposed new authority would be ‘an admirable compromise between that taking possession of the Islands which I have advocated and that leaving them to grow into lawless communities which on all sides has been admitted an evil’. It would be ‘the means to tentatively and gradually establish British sway in Polynesia without undertaking at the commencement responsibilities which might frighten those who look with dread upon an enlargement of her Colonial possessions’; but the jurisdiction conferred by the additional section which it was proposed to insert in the Pacific Islanders Protection Bill was too limited. It would surely seem ‘that we might take power to punish the natives by legally constituted Courts for offences *against* H.M. Subjects just as much as we have the right to burn their villages or . . . to place them under the necessity of making money contributions’. To assume such a jurisdiction would be ‘a noble step in the direction of humanizing the natives . . .’.

Herbert, to whom the suggestion was passed for advice, was not unfavourable to the idea but felt obliged to dismiss it as involving too much responsibility and expense:

it must not be overlooked for a moment that this is to establish a British Protectorate, or, more than that, a British Government, throughout the Pacific. If you may punish natives, you must—and the expense of the Courts etc. will be simply enormous unless we could take a large power of declining to interfere when not convenient.²

The section therefore had gone into the statute without the amendment which Vogel proposed. The High Commissioner's jurisdiction was to be an extra-territorial one, with no unusual and expensive extension to cover persons not British subjects. And the corollary, that the time-honoured system of naval punitive action must be continued, was assumed rather than faced up to in the Colonial Office. It was simply supposed that the ships of the Australian Squadron would be at the High Commissioner's disposal whenever he desired to travel; that their functions and his could in any way come in conflict occurred to no one.

Yet there were obvious grounds for conflict. The squadron's activity had lately increased considerably. In 1872 it was augmented by the building of five small schooners* which, commanded by lieutenants, were scouring the Western Pacific for the next twelve years. Commissioned especially to put down kidnapping, they sailed with the Commodore's instructions that their object should be to protect natives against ill-treatment by British subjects and to obtain their confidence; the protection of traders was only a secondary part of their duty. They were instructed never 'to proceed to exact reparation on account of injuries done to traders except in complete confidence of its absolute and immediate necessity . . .'. This caution derived from the assumption that islanders were not the original offenders, since there were many instances where it was clear that provocation had been given by 'white men of the worst character', from whose actions warships must entirely dissociate themselves.³

In Melanesia, however, they and the steamships of the squadron were frequently obliged to intervene on behalf of traders, proceeding to act of war against communities when schooners were burnt and crews cut down, on the assumption that punishment was preventive as well as retributive, necessary if 'outrages' were not to increase. Commanders were dependent on traders for evidence about incidents, and for the local knowledge needed to identify the particular community responsible; occasionally they were obliged to enlist their actual assistance to secure offenders.

* H.M. Schooners *Sandfly*, *Beagle*, *Conflict*, *Renard*, *Alacrity*. They were sold out of the service in the early 1880s, having done a great deal of work; one, the *Sandfly*, was purchased by the government of Tonga.

The Admiralty, with the constant prospect of parliamentary questions being asked, kept a fairly close watch on naval punitive action;⁴ but Gordon's appointment to Fiji, with a prospective and ill-defined authority over the adjacent islands where such action was frequently resorted to, placed in the immediate vicinity a witness whose inclinations made him instinctively hostile to it, eager to urge all the commonsense and humanitarian objections. At the same time, however, the absence of any legal alternative to act of war was being emphasised; and Gordon's own superiors were showing themselves, if not content with the situation, at least unable to suggest any other expedient.

Late in 1875, for instance, three Malaita men appeared in the Supreme Court of New South Wales, charged with the murder of the crew of the wrecked barque *Plato*. Jurisdiction was asserted on the grounds that three of the victims had been in her longboat when killed, which brought the crime within British Admiralty jurisdiction; but this was held to be invalidated by the fact that the boat was aground on Malaita when the blows were struck; there were no other grounds on which to proceed against the men, and they had to be released.⁵

Next year, after the murder on Maewo of the *Loelia's* master, the New South Wales Attorney-General could only suggest 'that the matter be referred to the Commodore, who will no doubt know the wisest, most humane, and most effectual plan' for punishing those guilty. This case went to the Colonial Office, where Herbert and Malcolm agreed in the inconclusive observations that a white man who landed on a Melanesian beach with a boat full of trade goods was very likely to be killed and that, though it might be proper to punish those guilty, to do so would probably only excite further hostility. Carnarvon, however, thought that punitive action should certainly be taken, 'both in the interests of justice and for the sake of example'.⁶

When, in September 1877, after the murder of a copra trader on Tana, Lieutenant Caffin hanged the murderer's accomplice from H. M. Schooner *Beagle's* mast-head, Sir Arthur Gordon intervened. Caffin was vulnerable in that, although in his action he had had the support not only of Consul Layard at Nouméa but also of the resident missionary on Tana, he had hanged an accomplice, not the actual murderer. A man had been executed, protested Gordon, not for committing a murder, but for 'confessing to have entertained an unfulfilled intention to commit one'.⁷ The burthen of his protest, however, was that Caffin's action, undertaken without reference to him, was a serious encroachment on his future authority as High Commissioner.

Gordon claimed that before leaving England he had been 'given to understand that the supervision and control of British subjects, and of all official

intercourse with the natives . . . would be entrusted to me as . . . High Commissioner'. Since Goodenough's death he had been left in entire ignorance of naval proceedings. Moreover, so long as naval commanders were authorised to proceed to act of war at the request of British subjects in remote islands without reference to him, he would hesitate to travel in a warship which might involve him in action of which he might disapprove, but which he would have no power to prevent. The Colonial Office agreed it was desirable that the Commodore should consult the High Commissioner and that the latter should receive copies of naval reports. The Admiralty thereupon instructed Commodore Hoskins to leave to Gordon's adjudication all cases which, under the Order in Council, could be settled by him and to communicate freely with him 'on any points coming within his Supervision'. Hoskins immediately acted on these instructions, handing over to Gordon the complaint made to him by a British resident on Funafuti against the Ellice Islands community into which he had married. Any functions which the High Commissioner's authority enabled him to assume, the Commodore was very willing to make over to him.⁸

In June 1878, for the murder on Ugi of one Townsend, recently landed there to collect copra for a Sydney schooner, de Houghton in the *Beagle* burned a village and entered into an agreement with neighbouring communities to capture the murderers. Should they in fact be taken alive, Hoskins proposed to send them to Levuka to be dealt with by the High Commissioner. The Colonial Office sent the reports to Gordon for his opinion, pointing out that, since there was no jurisdiction in Fiji to hold native offenders sent there from other islands, it was undesirable to dispose of them in this way. Gordon was asked to what extent he considered the High Commissioner should share with naval officers the responsibility of dealing with native offenders, over whom his court had no authority.

In October 1878, on leave in Scotland, he replied that he considered it desirable 'that, before proceeding to take life, or execute any other "act of vengeance", the commanders . . . should, wherever it is possible to do so, communicate either with the High Commissioner, or with the Deputy Commissioner of the district'. This was not to deny that immediate action might sometimes be necessary, 'but in by far the great majority of instances, and especially where the object in view is not the *protection* of British subjects in a position of danger, but the *punishment* of natives, for some wrong done by them, advantage would . . . result from such a reference . . .'. Naval officers usually showed 'much good sense, moderation, and temper' in dealing with islanders, but their training was not

such as to give them much power of judicial appreciation of evidence; their means of communicating with the natives are necessarily very imperfect; they do not possess that previous knowledge of the existing state

of things in the locality, or of the antecedents of the parties concerned, which is often of very essential assistance to the true understanding of such disputes, and it may well happen that, with the best intentions, they may . . . be the abettors of very questionable transactions.

Moreover, if the High Commissioner's authority was to be respected, it was to him alone that complaints of native misconduct should be made. It would not assist proper application of the Order in Council if an island resident's request for assistance against its people, refused as unjust by the High Commissioner, were unwittingly acted on by a naval commander.

On the assumption that he was to have a staff of efficient deputies in Melanesia, Gordon had made out a good case for prior consultation; but the Colonial Office itself doubted whether his implicit claim to exercise a control over naval intervention against islanders could be sustained, when he himself had no jurisdiction over them.⁹ This was the point seized on by the Admiralty in reply. Their Lordships assumed it to be a fact

that the Order in Council . . . gives no jurisdiction to the High Commissioner . . . over persons who are not British Subjects, neither . . . any power to inflict punishment. Therefore if the Commanders . . . were to refer in each case . . . to the High Commissioner or his Deputy, they would be seeking authority for actions, for which they themselves were responsible, from Officers who themselves possessed no jurisdiction or power in the matter.

No directions from such officials would absolve a commander from responsibility for his action. It was, therefore, undesirable that 'Naval Officers should obtain the official opinion, or ask for a concurrence, from any person who is not clothed with the legal Authority to give a direct order'. The Commodore would always be glad to co-operate with the High Commissioner; but he had not been relieved of his responsibility to protect British subjects, which could not be spuriously divided in the manner proposed by Gordon.

Both Herbert and Sir Michael Hicks Beach, successor to Carnarvon, agreed that strictly the Admiralty's position was sound; but the latter thought that commanders should at least be instructed to consult Gordon on the necessity for an act of war, 'it being clearly understood that they did so solely in order to assist them in forming their own opinion . . .'. In February 1879 the Admiralty replied that, while there was no objection in principle to issuing such instructions, in practice, with Fiji hundreds of miles to windward of the groups where naval action was most frequently invoked, the results would be long delay and offenders unpunished. Every commander would gladly avail himself of the High Commissioner's advice whenever it was practicable to do so, but in a commander's judgment immediate action might be needed to prevent further bloodshed and their

Lordships were not prepared 'to fetter his discretion by binding him down to leave the spot . . . to seek advice, unless at the same time he was relieved of all responsibility'. Commanders were fully cautioned as to the implications of resorting to force and it would be unwise to require them to do other than act 'under a full sense of the responsibility which attaches to them'.

This letter, which was sent to the Commodore for his guidance, was considered by John Bramston,* the Colonial Office legal specialist, to be correct. The High Commissioner's advice would not save a naval officer from the consequences of a mistake. And Herbert thought that it contained as full an assurance as could be expected that naval officers would consult the High Commissioner in emergency as in normal circumstances, whenever it was practicable to do so.¹⁰

Gordon, however, regarded the Admiralty's position as verging upon a personal insult. He openly claimed, in reply, that force should only be resorted to at his direction. The Admiralty, he observed, was probably not aware that the conduct of relations with islanders was one of his principal functions and that, to quote Carnarvon, it had been intended that within his jurisdiction his authority should be 'sole and supreme'. The division now insisted on—the High Commissioner to be responsible for British offenders and the Commodore for islanders—was totally at variance with the understanding on which he had accepted the office and was impracticable. It would be better to transfer the whole jurisdiction to the Commodore. He repeated that all he desired was that commanders should be instructed

*as a general rule, and wherever practicable to report upon the disputes . . . previously to proceeding to any active steps . . . in their settlement, and only to take such steps on being so instructed by the Commodore when that officer has been informed by the High Commissioner that such a recourse to force has become necessary.*¹¹

This obviously implied a subordination to which the Admiralty would not willingly agree when final responsibility lay with the Commodore. The fact was, as Herbert observed, that Gordon was 'very anxious to have the Naval Officers made directly responsible to him . . ., but it was decided when he first assumed the Government that it is not expedient to give him any special powers of interfering with them'. The Admiralty would have been confirmed in its standpoint had it seen the opinion expressed by Malcolm

* John Bramston—Attorney-General of Queensland 1868-73, of Hong Kong 1873-6—became in 1876 Assistant Under-secretary of State at the Colonial Office. He was a close friend of R. G. W. Herbert, with whom he had first gone to Queensland, and was, after him, probably the most influential permanent official in the department.

during the argument with the Foreign Office: 'no man can serve two masters especially when one of them is Sir A. Gordon'.¹²

The memory of the Foreign Office controversy over the High Commissioner's powers served to blur the facts in the present one. The phrase of Carnarvon's which Gordon quoted was used in reference to the High Commissioner's relations with consuls and the Colonial Office could not see that it applied to those with naval officers. Herbert observed that Gordon was right to hold that it had actually been intended his authority should be 'sole and supreme' in guiding race relations also, but he should by now be aware that he was not 'the Potentate originally contemplated by the Colonial Office'.¹³ If he was not so, however, the reason lay—as, indeed, Herbert recognised—not in the Foreign Office's refusal to give Gordon large powers, but in the fact that Herbert, with the rest of the Colonial Office, had not faced up to the inescapable result of turning down Vogel's suggestion. As High Commissioner, Gordon could exercise none of the coercive power over islanders which was necessary if he was to be the sole local origin of British policy and action in the Western Pacific.

It was, however, the Foreign Office which disposed of Gordon's claim to control naval punitive intervention as Consul-General. This claim—that as Consul-General it was his function to conduct relations with native states in the area, in that capacity demanding reparation when British nationals were injured, and calling in the navy when his peaceful efforts proved vain—Gordon advanced in February 1878. The Colonial Office thought that it might provide the basis for a further approach to the Admiralty, if the Foreign Office confirmed that this was the practice elsewhere in the world where a senior consular officer worked with naval commanders; but Sir Julian Pauncefoot, refusing to involve the Foreign Office in the dispute, replied shortly that on the East Coast of Africa and elsewhere the system was like that laid down by the Admiralty for the Western Pacific: where possible naval officers would communicate with the Consul-General first, but the responsibility was theirs and the civil authority, having no jurisdiction in native affairs, could not pretend to control them.¹⁴

The question had been in no way resolved—and, in fact, the Order in Council had only just been published in the Western Pacific—in June 1878, when Gordon returned on leave to England. From then until his return in September 1879, he left as Acting High Commissioner John Gorrie,* the

* Gordon left him with instructions 'to discharge all functions of the office of High Commissioner which I should myself perform if personally present' (Gordon to Gorrie, 25 June 1878, *WPHC Outward Letters, General*). This was contrary to the wishes of the Colonial Office, which was sure that he would 'not feel disposed to place in the hands of another the first administration of the High Commission . . .' (Herbert to Gordon, 23 November 1877, *BM Add 49199*). Moreover, Gorrie was encouraged by Gordon to attempt to visit New Guinea (Gordon to Gorrie, 17 July

Chief Judicial Commissioner, a very unjudicial man. They had been together during Gordon's previous governorship, in Mauritius, where, according to Gorrie, their relations had been closer than was customary between Governor and Chief Justice. He seems actually to have been regarded by Gordon as a useful assistant in implementing any policy likely to incur the hostility of European settlers; but the High Commissioner had no confidence in his tact nor even in his impartiality on the Bench. To leave Gorrie without special instructions to put in force the powers of an Order in Council which had only recently been received, and which was completely untested in action, was a curious lapse of judgment on Gordon's part, for Gorrie was precisely the kind of man the possible effects of whose being let loose with the Order had caused concern in the Colonial Office when it was being issued. He was of the type against whom Carnarvon's instructions warned Gordon.†

Gorrie aspired to be a colonial governor and his constant itch to pronounce on matters of policy made him an incompetent legal adviser. In his desire to see the law amended to what he considered it should be, he was invariably confused as to what it actually was. He had imbibed from Gordon the expectation that the High Commissioner was to be the over-riding authority in the Western Pacific and was not to be prevented from asserting such authority by the obvious limitations of the Order in Council. He found it difficult, in fact, to interpret the provisions of the Order twice in the same way and was capable of insisting in correspondence with the Commodore that in effect it gave the High Commissioner authority over

1878, *WPHC Inward Correspondence, General*, no. 20 of 1878), in spite of the fact that the Order in Council made no provision for the appointment of a *locum tenens* with the full authority of the High Commissioner himself. Of this deficiency—which was remedied by Western Pacific Order in Council, September 1880—Gorrie at least, as a lawyer, should have been aware. His constant urge to be off, first to New Guinea, then to New Britain, caused very unfavourable comment in the Colonial Office (minute on Gorrie to C.O., 11 November 1878, *CO* 225/1). How it was viewed by a certain section of official opinion in Levuka emerges from Thurston to Gordon, 11 November 1878 (Stanmore, *Fiji: Records of Private and of Public Life 1875-1880*, III, p. 442): Gorrie, reported Thurston, 'is so free of the Acting Commissioner that he intends going simultaneously to Samoa, New Britain, and New Guinea. Happily, therefore, he will go nowhere.'

† For a considered opinion of Gorrie, see *Des Voeux* to C.O., 7 February 1883, *CO* 83/32:

I share with my predecessor (and others who have known him) the opinion that while he has some qualities deserving of much respect, he does not possess a judicial temperament and I believe the true explanation of his conduct on various occasions to be that having unusually strong personal prejudices and a natural proclivity against power other than his own, he is unable, and entirely unaware of his inability, to divest himself of these feelings on the Bench.

This . . . is . . . the most charitable view which it is possible to take of his proceedings and language. . . .

islanders, whilst at the same time expressing to the Secretary of State his regret that it conferred only jurisdiction over British subjects.¹⁵

His private correspondence abounded with variations on the theme: 'these erratic Lieutenants cannot be allowed to fly about burning and hanging'. Within a few months of becoming Acting High Commissioner, he had actually received an expression of the Commodore's agreement with this. In August 1878 he wrote to Commodore Hoskins, deploring the Ugi act of war but without revealing his usual assumption that commanders were promotion-hunting butchers. He showed some understanding of the difficulties facing a commander who was called on to investigate the murder of a European by natives—the fact that information was usually laid by fellow traders 'in whose eyes the killing of a white man by a native for whatever cause is a crime which ought to be immediately avenged', and that the only native evidence likely to be available was that of the enemies of the people accused, who would themselves probably have taken to the bush. He wished it remembered that 'the savage has his own forms and customs and ideas of justice, and if he at length gives to a white stranger the same measure which he would mete out to his own people we must not hastily assume that to be a crime . . .'. It would be the High Commissioner's aim to induce islanders 'not to take the law into their own hands as regards British subjects but to appeal to the High Commissioner's Court'. He therefore held that commanders' duty

should be limited to giving protection to any British subjects who are placed in jeopardy by the commission of outrages, and that their duty in regard to crimes which have actually been perpetrated should be limited to enquiry . . . and report.

Commodore Wilson, successor to Hoskins, heartily agreed with him. He informed the Admiralty that he fully accepted

the general principle set forth in Mr Gorrie's letter . . . that the Commanders of our Cruizers should as a rule, before resorting to coercive measures . . ., first obtain and place before the High Commissioner all the evidence procurable, after which such steps as the circumstances of the case will allow of, can be taken under proper authority and adequate resources.¹⁶

Wilson proceeded at once to act on this, arriving at Levuka in April 1879 to confer with the Acting High Commissioner on a variety of cases involving the murder of British subjects by islanders. He found Gorrie ignorant of conditions outside Fiji, incapable of giving coherent legal advice, but asserting on behalf of Gordon the High Commissioner's official superiority and power of control over the Commodore, and even holding out the possibility that naval officers could be held to account for their

warlike proceedings as criminals in the High Commissioner's Court. Gorrie, indeed, reported to the Secretary of State that their views were almost identical on the need for searching inquiry before action was taken, for the use of sufficient force to convince the culprits that punishment was in earnest and for the avoidance of indiscriminate shelling with the air of simple vengeance; but he found that, in the light of recent instructions from the Admiralty, Wilson was 'disposed to regard the Order in Council as simply designed to establish a Court for the trial of British subjects'. Gorrie therefore set about disabusing him of this notion by presenting what he believed were Gordon's views on the subject, in the conviction that 'cordiality of co-operation is certainly best secured when one officer knows his relative position in regard to others'. The trouble was that, while Wilson was perfectly well informed as to his position in relation to the High Commissioner, Gorrie was not similarly enlightened.¹⁷

The claims for the High Commission which he put before the Commodore were a travesty of its actual authority under the Order in Council. He began by dogmatising that it was Wilson's duty to await the return of Gordon before taking action on the cases under review, since he

would doubtless consider himself entitled to be consulted, as the superior authority, before any act requiring force . . . was done within the limits of his jurisdiction, whether that force was to be applied to natives or not.

This he supported with the claim that under articles 7 and 8 the High Commissioner possessed executive authority, for his exercise of which he had doubtless received the Secretary of State's instructions. Those articles simply created the office of High Commissioner and invested it with a seal; Carnarvon's instructions were on file for Gorrie to read, containing nothing whatever on which he could ground these claims. His crowning assertion was that, where the court considered that naval officers by proceeding to act of war against a community had broken the law, they might be haled before it to answer criminal charges.

The whole memorandum, in tone and content, was totally at variance with instructions from both Colonial Office and Admiralty, and it bore the loosest possible relationship to the provisions of the Order in Council. Wilson concluded that he had to deal with an ignorant and ill-balanced man, whose pretensions must be resisted. He did not dispute that the High Commissioner might properly consider himself entitled to prior consultation, which he would certainly receive whenever possible; but the claim that, as of right, 'his superior authority would require me to do so before using force . . . within the limits of his jurisdiction' was inconsistent with the instructions Wilson had received. He particularly commended to the Admiralty's attention Gorrie's claim that officers might be tried by him for

actions taken in their official capacity. When the correspondence reached Bramston, he agreed that there was no foundation for Gorrie's assertions; but no steps were taken to instruct him properly.¹⁸

The fact was that the navy was the victim of the imperial government's aversion to accepting large colonial responsibilities. The act of war was an unavoidable expedient when successive administrations balked at the cost of establishing throughout the Western Pacific anything amounting to regular civil government. Gordon himself, in another context, strongly advised against the assumption of territorial responsibility anywhere in Melanesia except New Guinea.¹⁹ It was felt instead that a simple balance of functions between High Commissioner and Commodore would meet the case.

This was Hicks Beach's reaction in December 1878 on receipt of a despatch from Gorrie advocating what the Secretary of State recognised as amounting 'practically to an assumption of sovereignty over the natives within the High Commissioner's jurisdiction . . .'. Gorrie wrote deploring de Houghton's village-burning for Townsend's murder, but admitting that islanders' crimes were not justiciable under the Order in Council. He quoted with approval a statement by Hoskins of the principle on which he proceeded to act of war:

in our growing intercourse with the islanders, there is a point and class of offence, when it becomes necessary to hold them more strictly amenable to our usages . . . and estimate of the value of human life; and such is the case . . . when in places where white men have established a footing, and the natives . . . are emerging from the lower depths of barbarism, wanton outrages are committed by them . . ., with little or no provocation given but stimulated by cupidity and revenge.

But, Gorrie continued, if this kind of offence was to be dealt with other than by burning and hanging, more would be required than simple communication between High Commissioner and Commodore. Some form of trial on the spot was needed, conducted by proper legal authority. This could be achieved

by reviving something of the old Admiralty jurisdiction, and uniting it to that conferred by the Order in Council . . . Islanders . . . might in this manner be tried . . . as forming part of communities beyond the pale of international law, and having no regular government which could be appealed to for the purpose of punishing offenders.

He suggested the issue of a supplementary Order in Council giving power to the High Commissioner's Court in its Admiralty jurisdiction to try islanders for offences against British subjects; the court would be composed of a Judicial Commissioner and, where available, a naval captain, sitting with assessors. Death sentences would be carried out on the spot,

preferably by the community; prison sentences would be served in Fiji or another Australasian colony. It was, he concluded, more in accordance with true principles of justice to assume such a jurisdiction than to be forced into acts of war

by the technical views of lawyers, and writers on law, who can only see what they have the faculty of seeing and speak according to the range of their knowledge and experience.²⁰

This suggestion, the soundest Gorrie ever made, foundered on that rock. Had it been acceptable in law, it would probably have been acted on, since it involved no territorial responsibility; but the Law Officers thought it was impossible

by any expedient whatever to avoid the serious infringement of international jurisprudence which would be involved in Her Majesty assuming a jurisdiction over foreigners not within any part of Her Majesty's dominions.

The maxim *extra territorium jus dicenti impune non paretur* was strictly relevant. To act on the suggestion

would be a very mischievous example of a State attempting to legislate for those beyond its jurisdiction. . . . If savage tribes inflict violence or injury the only alternative is to treat those acts as acts of war and vindicate justice accordingly.

These opinions went for comment to Gordon, who observed that, though he did not deny that the actions of a community might properly be punished by act of war, he did not consider that the crimes of particular individuals should also be visited on the whole people, as they inevitably were in full-scale punitive operations. If Gorrie's proposal was unacceptable in law, he thought there was an alternative: in a recent Commons debate on Cyprus, a legal authority had stated that, without any surrender of sovereignty, one state could invest another with judicial and even legislative rights over it. There would, therefore, be no legal objection to his inducing chiefs to enter into treaties making their people justiciable in a British court for offences against British subjects. This proposal, considered by one Colonial Office official to be more practical than Gorrie's, received short shrift from Hicks Beach, who failed to see 'why a savage tribe should not be as responsible for the acts of one of its members as a civilized community is'.²¹

The Secretary of State's preference for juggling with relations between High Commissioner and Commodore, instead of attempting a more comprehensive solution which might necessarily have involved that assumption of territorial jurisdiction which the High Commission had been set up to avoid, gave to his deliberations, not the character of policy-making, but rather the air of Greek comedy; messengers lurked in the wings, awaiting

the psychological occasion to throw in their inaccurate information. And, at a vital moment, Gordon's was the most inaccurate. For the chaos which he found on his return to Fiji in September 1879 he placed the blame, not upon Gorrie—whose fault it substantially was—but upon the Commodore.²² In October he sent to the Colonial Office copies of the correspondence which had passed between these two, with an hysterical despatch drawing particular attention to Gorrie's memorandum setting out his claims for the High Commission and Wilson's reply that he agreed with none of it; but his own interpretation of the memorandum, which he summarised in the despatch, was a travesty of the points which Gorrie had actually advanced therein and to which Wilson had objected. In particular, by interpolating the phrase 'not being connected with their official duties' into Gorrie's assertion that the court had power to try naval officers for their actions in the Western Pacific, he altered the entire meaning of it, since what Gorrie was asserting was a claim to jurisdiction over no less a part of commanders' 'official duties' than the act of war. The effect of the despatch to this point was only to draw the department's attention more immediately to the absurdity of Gorrie's pretensions, especially his assertion that under articles 7 and 8 of the Order the High Commissioner's was an executive office. This, commented Bramston, was 'altogether untenable—I hope Mr. Gorrie's law is better when he is on the Bench'.²³

The rest of the despatch was more grossly misleading, since there were no means of immediately checking its assertions at the point of receipt. Gordon repeated his wish that commanders should be explicitly instructed to distinguish between armed intervention necessary to prevent crime, on which they should act on their own responsibility, and that resorted to for the punishment of crime already committed or to enforce payment of fines by islanders, on which no action should be taken except on the requisition of the High Commissioner or his deputy. Such explicit instructions were required because, if he was correctly informed, commanders had recently been

absolutely forbidden to consult the High Commissioner with respect to complaints made to them by whites against natives even should he be personally present on board . . . and they have been reminded that, should the High Commissioner in such circumstances volunteer . . . an opinion, they are not to allow themselves to be influenced by it.

This can only be a garbled reference to the Confidential Memorandum issued by Wilson on 15 May 1879 at Havannah Harbour. It was in the exact terms of the Admiralty's letter of 3 February, which the Colonial Office had thought generally satisfactory, reminding officers that the High Commissioner was available to advise them but that, since the responsi-

bility remained theirs, they need not in emergency leave the spot to consult him. On this misleading version of the circumstances, however, Hicks Beach approached the First Lord privately, acknowledged that Gordon's notions of his actual authority were misconceived, but urged that it had always been intended that he should guide policy towards islanders. In May 1880 the Admiralty revised its instructions. Where immediate intervention seemed vital, commanders might still act on their own responsibility; but they should bear in mind that they would be called on to show good reason for having done so; all other cases should be reported to the High Commissioner.²⁴

The effect of these instructions was to pass to the High Commission much of the responsibility which hitherto had been the navy's. The former proved quite incapable of bearing it. It had no establishment in Melanesia and no prospect of setting one up; its financial position was chaotic, the £5,000 annual vote being reduced almost immediately, as a result of misunderstanding, by practically half; no civil deputy commissioner was appointed, outside of Samoa and Tonga, until 1881. And, since naval commanders, for fear of the High Commissioner and his court, thereafter interpreted their authority very narrowly, the result was to abort all British power in much of the Western Pacific.

By October 1880 reports were reaching Wilson from commanders on the north-west of the station that the effect of Fiji's interpretation of the Order in Council was to favour British rather than native malefactors. The *de facto* authority hitherto exercised by a royal naval officer over his own nationals was gone and there was nothing to replace it. De Houghton from the *Beagle* in Blanche Bay demanded to know what he was to tell islanders when whites ill-treated them. It was useless for them to appeal to a warship, since the Order in Council

takes away from us what powers we used to have in such matters . . . I do not see how I can protect blacks or whites; and the theoretical power here being the Court in Fiji is equivalent to . . . things being left entirely to themselves.

He had investigated the deaths of a cutter's crew at Kabaira Bay and concluded that they had given provocation; but had the case been otherwise:

the fact that a man-of-war was here, made inquiries, and did nothing, would, likely enough, be the signal for the massacre of all the whites residing in New Britain . . . On the other hand, supposing the Kabeira people had borne the abuse, and threats, and violence which I believe were used to them, and complained to me . . ., I should have investigated . . ., but have no power to punish the whites. . . . In effect . . . the Western Pacific Order in Council is a dead letter here, and worse.²⁵

Moreover, although the High Commissioner's Court by now had sen-

tenced a few European offenders, it had advertised its impotence in native offences by the failure of a forlorn attempt to construct a native jurisdiction. In May 1879 Commodore Wilson's landing-party on Omba secured the surrender of one Aratuga, charged with boarding the *Mystery's* recruiting-boat, decoying her to a part of the beach where accomplices lay in ambush, and striking the first blow himself. He was handed over by his village to avert a general act of war and confessed his part in the attack to the Reverend J. Bice. A rising sea prevented Wilson from communicating again with the village, which he had intended should hang Aratuga; he therefore sent him to Fiji as a prisoner-of-war, to await London's instructions as to his disposal. The Colonial Office immediately pointed out that the case was one to be disposed of by the navy alone and that islanders should not thus be sent where there was no power to try them. Gorrie saw it as an opportunity to construct such a jurisdiction. Gordon at first supported him, then had doubts whether a jurisdiction could possibly be constructed under the Order, but allowed him to debate the point in open court. The result fully justified the apprehension felt by Bramston, who already in January 1880 anticipated that 'they will make a mess of this'.²⁶

The only possible grounds for trying Aratuga was the report that he had been in the recruiting-boat when he struck his blow; this, were she waterborne at that moment and not aground, might have brought him within the Admiralty jurisdiction. There was not evidence enough to establish these facts and at the preliminary hearing Gorrie declared that Aratuga could not be put on trial. He devoted the greater part of a rambling discourse to the question whether Aratuga could in any case be held responsible for a crime in which his whole community had participated. He concluded that, since the attack was a general one, he had been merely 'in the position of a common soldier who . . . obeyed the orders of his superiors'.²⁷

In December 1880 Wilson informed the Admiralty that he agreed with the feeling in the colonies that the recent increase in the number of Europeans killed in Melanesia was due to the change of policy which prevented commanders from dealing with incidents on their own judgment and responsibility as they arose. Naval officers, no less than High Commission officials, might privately doubt whether Europeans were entitled to be avenged when, as frequently happened, they fell victim to their own carelessness or crimes. They were committed to intervene by the assumption that contact was not only inevitable but beneficial and the presumption that punishment was preventive in effect. After the six or eight months' delay which commonly resulted from referring a case to Fiji, punishment—by then not closely related in the minds of recipients to the offence—was likely to have little deterrent effect.²⁸

The main argument in favour of referring cases to an authority which had no final power to settle them—that the High Commissioner would probably know the characters involved and might already have adopted a particular attitude on matters related to the case—had little foundation in reality. With no deputies in the islands, the High Commissioner knew no more than he learned from the press or could glean from the log-books of Fiji labour vessels of what was happening there. After Gordon—still retaining the office of High Commissioner—became Governor of New Zealand late in 1880,* it was apparent that he was almost wholly dependent on naval reports for information. His participation in decision-making was scarcely more than that of acquiescing by cable in decisions already arrived at by the Commodore. When Wilson actually met Gordon to discuss what action should be taken on particular cases, the latter could only admit that he had no jurisdiction and suggest recourse to the old expedients. The High Commissioner was, therefore, unable to complain when, in January 1881, the Admiralty revised its instructions; commanders were thereafter to deal with attacks on Europeans on their own judgment, unless it appeared that whites had given provocation, in which case report was to be made to the High Commissioner.²⁹

Three years of controversy had thus laid up nothing but resentment in Australasia, where the Intercolonial Conference of 1880-1 printed as an appendix to its report some of the violently hostile comments which had been made in the press against the High Commissioner.³⁰ And it had caused exasperation in the Colonial Office which, in May 1881, led the Secretary of State to observe that the High Commission would have to be taken out of Gordon's hands.³¹ It was undeniable that he had done it no service by pressing for an authority which had no foundation in the Order in Council and by permitting Gorrie to push this claim to absurdity. The necessity for the navy's role had simply been emphasised. And it had already been made clear that, in most of the fourteen groups named in the Order, British subjects could only be made amenable to it by appointing naval commanders to be members of the court, with at least the powers possessed by committing magistrates.†

Nor had failure in Melanesia been offset by substantial success in the

* From about September 1880 until, having resigned the Governorship of New Zealand, Gordon left the Pacific in September 1882, the High Commission was administered jointly by Gordon as High Commissioner in New Zealand and by G. W. (Sir William) Des Voeux as Assistant High Commissioner in Fiji. This arrangement paralleled that by which Des Voeux was subject to the oversight of Gordon in his administration of Fiji. The division of duties between them was not clearly defined, the arrangement proved galling to both of them, and the result was that during these two years very little was done.

† See below, pp. 127-8.

Polynesian kingdoms. There the court had been established and was working capably enough. British residents were at last subject to a formal jurisdiction; commercial disputes and occasional crimes of violence could now be settled by means more satisfactory than simple arbitration or retaliatory force. Ghosts from the past, such as Aaron Van Camp, reappeared to take advantage of this.³²

In Samoa and Tonga, however, it was the Consul-General, rather than the High Commissioner, who was most vitally involved. His problem was that of assisting and maintaining native governments which were subject to other influences than his own and whose conduct he frequently thought detrimental to their best interests. In Samoa, where those other influences were soon predominant, the problem was to be solved by his gradual retreat from his initial attempt at political interference. Tonga's geographical contiguity to Fiji prevented such a solution there. With that kingdom the relationship throughout the period under review was one of mutual irritation, with the prospect of annexation moving measurably closer as the century came to an end.

The High Commissioner in Polynesian Politics: Samoa, 1875-1899

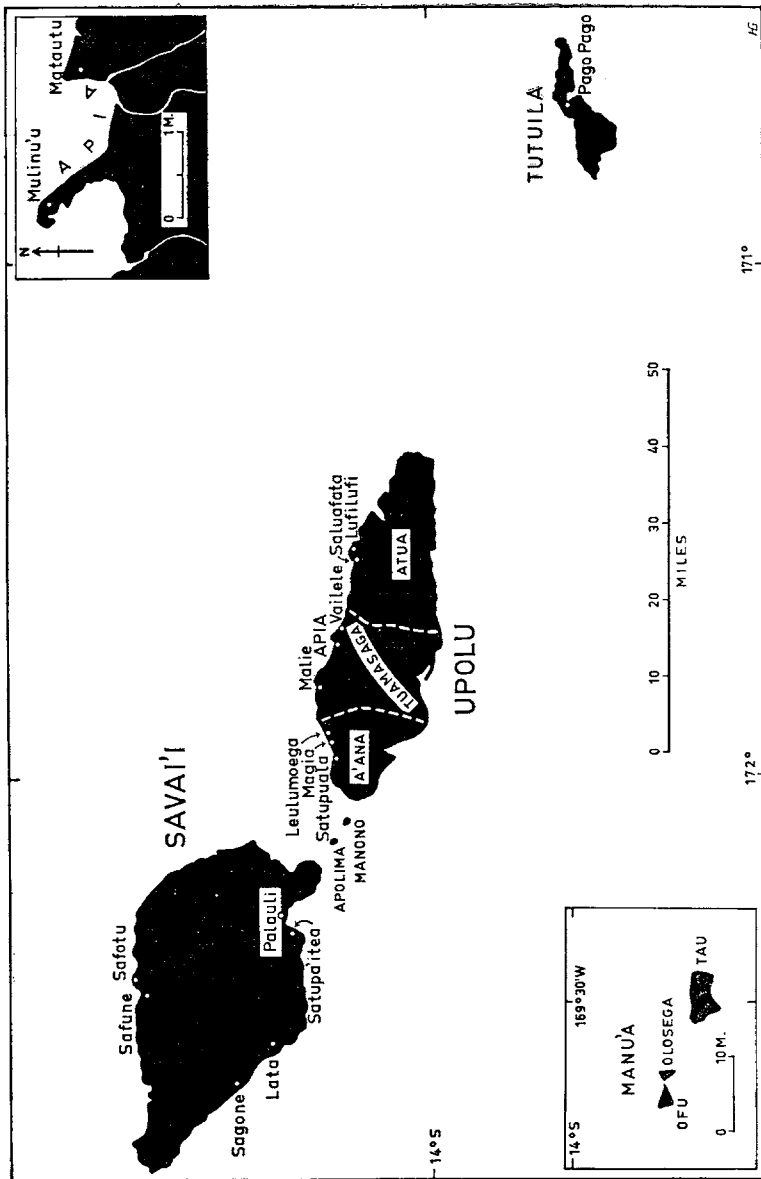
I

In Samoa and Tonga, the former of which he initially desired to make a dependency of Fiji, Sir Arthur Gordon had an overriding ambition to guide events, together with inexhaustible confidence in his personal ability to do so to the advantage of Samoans and Tongans. The position of adviser-extraordinary to native governments was strongly to his taste. He approached it on the same basic principles—the validity of indigenous values and the subordination of resident Europeans' interests—as guided his administration in Fiji, as well as with a similar sense of the dramatic and chief-like.* In these two groups there was, at least, no great danger of conflict with the navy. At Apia and Nuku'alofa resident consuls and deputy commissioners were appointed,† whose advice, with that of the High Commissioner himself, naval officers followed, and to whom they were more than willing henceforth to yield the initiative in negotiations. Commanders tended to complain, however, that—in Samoa especially—the High Commissioner's interference in the affairs of what, by treaty, were independent

* Gordon's 'sense of the dramatic and chief-like' led him to land at Levuka on his return from leave in 1879 wearing his recently-conferred Oxford D.C.L. gown over his governor's full-dress uniform and to visit Samoa and Tonga with so large a retinue—including young Fijians of chiefly families as pages—that Commodore Wilson once suggested he should charter a merchantman to carry them (Wilson to Gordon, 1 September 1879, *WPHC Inward Correspondence, General*, no. 74 of 1879).

† After the short-lived appointment of a separate consul and deputy commissioner at Apia in 1880, both offices were held by one man who acted primarily in the consular capacity, while his authority as deputy commissioner supplied the magisterial powers which hitherto had been wanting (below, p. 74). In Tonga, to which A. P. Maudslay was appointed in June 1878, the offices of deputy commissioner and vice-consul were always held by one man.

The staffing of the Samoa and Tonga consulates reflected the respective importance of the two kingdoms on the international scene. With the exception of R. S. Swanston—appointed by Gordon in 1878 and recalled in 1880—the Samoa consuls were all appointed by the Foreign Office and, for the most part, were regular members of the consular service. Tonga, however, was regarded as being the Colonial Office's concern and the consulate was staffed by such men as could be recruited locally.



1 Samoa

states* involved him in difficulties from which he then called on them to extricate him.

The attitude of the liberal autocrat† which Gordon struck in his dealings with the élites of these groups—and which to some extent was maintained by the deputy commissioners, long after his successors had receded from it—demanded, if it were to be successful, the complete control only possessed by a colonial governor or at least the preponderant influence of the representative of a protecting power. Towards Tonga, the latter position was in practice adopted from the beginning and was in itself a fruitful source of conflict with the local authorities. Towards Samoa, it was neither assumed nor ever achieved. The only terms on which Britain at any stage would have accepted sole responsibility for Samoa were, as considered by Herbert and Hicks Beach in May 1879, that New Zealand should meet the cost and provide the administration.¹ This would have been abhorrent to Gordon who, in protest against the designs of Sir George Grey, coupled Samoa with Tonga as having a native government with whose independence ‘it would be scandalous to interfere’.‡

Although he held this in general about the Tonga government, his honest opinion about that of Samoa was actually that it was little better than a

* When the Samoa and Tonga treaties and the Apia Convention were in contemplation, the question was raised whether these did not alter the islands’ status from being ‘not . . . within the jurisdiction of any civilised Power’, as article 5 of the principal Western Pacific Order in Council stipulated was essential for the exercise of the jurisdiction. The Law Officers advised that a new Order in Council should be issued under the Foreign Jurisdiction Acts to enable jurisdiction to be exercised under the treaties (Law Officers to F.O., 21 January 1879, *FOCP* No. 4127). No such Order in Council seems to have been issued and in the case *Hunt v. Gordon* (below, pp. 76-8) which arose from action taken by the High Commissioner in Samoa, Chief Justice Richmond in the Supreme Court of New Zealand was obliged to infer from section 6 of the Pacific Islanders Protection Act, 1875, that a distinction was intended to be drawn between the independence of Samoa, which was recognised, and its status as a civilised power, which was not (ruling of Richmond, C.J., 20 July 1883, encl. Jervis to C.O., 11 August 1883, *CO* 209/242).

† ‘He professes to be a thorough liberal, but his aristocratic leanings come out insensibly’ (Alfred P. Maudslay, *Life in the Pacific Fifty Years Ago*, p. 83).

‡ Gordon to C.O., 27 May 1879, *CO* 225/4, with reference to Grey’s memorandum of 5 March 1879, encl. Prendergast to C.O., 20 March 1879, *CO* 209/238. Gordon was strongly opposed to islands being handed over to be administered, having observed the activities and the ethic of settlers in Fiji, by the responsibly governed Australasian colonies and was decidedly disinclined to share the high opinion which Grey cherished of the civilising influence of the ‘Anglo-Saxon race’; he inclined, rather, to agree with Thurston that:

With all our ‘highfalutin’ to the contrary, the wrongs we have committed in the names of Christianity, civilisation, progress are manifold.

We are, as a race, a race of robbers and spoilers.
(Thurston to Gordon, 27 April 1879, Stanmore, III, p. 561.)

fiction. His 1879 treaty allowed Samoa courts no jurisdiction over British subjects, and the Apia Municipal Convention, concluded during his visit in September 1879, deprived the government of that authority over the town which three years before it had been exercising.²

The jurisdiction exercised by Gordon and his successors was not full enough to support the role which he actively attempted and which they, though resigned to their inability, would have desired to play in these groups. As Consuls General they conducted relations with the native governments; as High Commissioners they were responsible for the conduct of British residents. The authority of the High Commissioner could be employed to ensure the respect and obedience of nationals to the governments which the Consul-General aided with advice. It was thus, in theory, a guarantee that the advice would be accepted and implemented.

To some extent, this method did function in Tonga, where the High Commissioner enjoyed a further hold on the government in that it was itself dominated by a British subject; but not in Samoa. Here Germans and Americans were no less active politically, though fewer in number, than the British. The Americans possessed large paper land claims and in the 1870s seemed to enjoy some support from their government; the Germans owned tangible planting and trading assets, valued at \$550,000 (local currency) in 1886. These properties were held by a firm which became the spearhead of official German colonial policy in the Pacific and which in Samoa enjoyed the active support of its consulate.³

On his first visit to Samoa in February 1878 Gordon found his attempts to establish his ascendancy with the chiefs who then occupied Mulinu'u Point thwarted by the U.S. Consul, who was holding out hopes of American protection. And on his later visits he found international interests already so balanced that he could do no more than help establish general principles for joint consular guidance of the native government—of which the most important was probably the agreement that no European should be allowed to enter its employment unless he had their combined support.⁴ Once the formidable weight of the *Deutsche Handels- und Plantagen-Gesellschaft's* interests and the infinite knowledge of Samoan politics possessed by their manager, Theodore Weber, were put in motion to obtain supreme control over the Samoan government and to insist that its primary concern should be for the welfare of German plantations, the effective influence of the High Commissioner in Samoan politics was gone. By the mid-1880s he was merely the impotent recipient of appeals for help against the Germans from the Malietoa section of the élite, a disapproving observer whose formal functions were occasionally invoked by the Secretary of State to support political solutions of whose adequacy he could hold out no hope.

II

At the root of the Samoans' dilemma lay their failure to come to terms with European political demands. The élite's preoccupation with traditional political values and objectives allowed ample scope for interference by those among the three to four hundred European residents* whose interests were best served by disorder. Even without this, it ensured the failure of most attempts to establish a central government capable of maintaining internal peace and so conducting foreign relations as to give the group more than a nominal independence. The divisive elements in the socio-political system, the concentration of each of the two most important lineages on its own advancement, together with their comparatively clear-cut district affiliations, made it likely that, for every Malietoa government whose flag went up at Mulinu'u, a Tupua rival would be declared at Leulumoega or Lufilufi. The blandishments of consuls and the explosive arguments of warships were then devoted to inducing the Tupua claimant to accept Malietoa as titular head and to securing the arrival of chiefs and orators from the dissident districts to deliberate in the government *fales* on the Point.

From those deliberations nothing permanent or cohesive ever emerged. They provided only material for the exasperation of well-disposed European observers like Captain Purvis, who early in 1880 with H.M.S. *Danae* was devoting his efforts at the consuls' joint behest to inducing Atua to accept Malietoa Talavou, recognised as king by Britain, Germany, and America, but who remarked with regret that 'It seems clear to me that there is little or no possibility of Samoa being governed by one Government'.⁵

On one occasion only had there appeared any chance that an effective central government would emerge. From 1869 Samoa suffered four years of warfare, resulting from rivalry between two contenders for the Malietoa title, Talavou and Laupepa. The Samoans' need for munitions, coupled with the fact that families were often divided between the rival parties, led them to sell much land to Europeans. The Reverend George Brown wrote:

the Americans and Germans have been buying up all the Land they can get hold of & I am sorry to say that the Natives are as ready to sell as they are to buy in fact all Upolu is now in the possession of Whites. What the poor fools of Natives mean to do is beyond my comprehension. They seem mad on the subject & yet it can in some measure be accounted for. The Consuls etc. have given them to understand that a sale made by *any Member* of the Family is a valid one. This is the source of the mischief as nearly all families are divided & so one man sells for fear

* According to the Trade Reports, the foreign population increased to 400 only in the 1890s; throughout the previous decade it was a little over 300.

some other members may sell and so the land goes for a song and the white man laughs.⁶

In 1873, however, on mission inspiration and in reaction to this alienation of land, the Samoans formed at Mulinu'u a central government for the group. They avoided arousing the mutual jealousies of the great families by vesting authority in seven high ranking chiefs, the Ta'imua, with a council of district representatives, the Faipule, instead of appointing a single head of state.⁷ They were aided by the arrival, in August, of Colonel A. B. Steinberger, sent by the U.S. government as special commissioner to inquire into the condition of Samoa, where American commercial interests were heavily involved.⁸ Steinberger, who held out a welcome prospect of a U.S. protectorate, was received as the redeemer for whom the missionaries, at any rate, had long sighed in vain.

Steinberger was at first sight acceptable personally. George Brown found that he was 'full of talk and has a good deal of Yankee push but he seems to be a very gentlemanly fellow and very full of love for the Natives'.⁹ And he was politically astute. His mediation short-circuited European opposition to some of the laws enacted by the new government and he averted deadlock on the vital question of how the validity of land claims was to be established by securing a year's moratorium on the whole question.¹⁰

His success with the Europeans in general and with the missions—whether London Missionary Society, Wesleyan, or Catholic—in particular, depended mainly on their assumption that he was the accredited agent of the United States and that an American protectorate was in the offing.¹¹ But, as Steinberger discovered when he returned to America in December 1873, the U.S. government was not prepared to incur such a responsibility. When Steinberger went back to Samoa in April 1875, he travelled at his own expense and with no official duty other than to convey to the Ta'imua and Faipule President Grant's refusal to their request for U.S. protection; but whilst, on the one hand, he maintained a pretence that he was, as before, an accredited official plenipotentiary, he had, on the other, made certain preparations which stamped him unmistakably as a private adventurer with wide ambitions.

He came back with an entourage of personal retainers, refugees from the American commercial and political scene, whose objects were certainly mercenary;¹² he had also a supply of firearms and a schooner. The arms, which were used to equip a force of Samoan troops, were represented to be a gift from Grant and did in fact come from U.S. arsenals. The schooner—which for the next few months was to be seen patrolling the group, with the U.S. flag at the foretruck and that of Samoa at the main—had actually been bought for the colonel by J. C. Godeffroy & Son.

On a visit to Hamburg in September 1874, Steinberger had signed a secret contract with the German firm. It bound him 'to identify the interests of the Samoan Government' with those of Godeffroys' Apia establishment, 'to secure to the latter a representation commensurate with the said establishment's interests'. A tax, to be levied in copra of a certain quality, was to be imposed by the government which Steinberger would form; the copra was to be disposed of through Godeffroys, who would pay Steinberger a commission. Government stores were to be imported through the firm, again with a commission to Steinberger. Godeffroys, in return, engaged to secure German recognition of Steinberger's government, once it had been recognised by America; they would help him to consolidate his influence with the missions and would submit their claims for damages for trespass on their plantations to Samoan courts, instead of handing them over to the arbitration of German naval commanders.¹³ When this contract was discovered amongst Steinberger's papers by his enemies two years later its implications served only to confirm an impression which most of Samoa's resident Europeans had already formed.

The beach was alienated soon after his return by the new constitution which he immediately drew up, in association with the Samoans, since it gave him, as premier, a position which virtually made him dictator. This in itself would have been enough to alienate most of the European commercial element when the dictator was not their own creature. And Steinberger rapidly proved his independence of them. Grog-shops were subjected to a licensing system, to the disgust of publicans and drinkers alike, and some residents were actually deposited in the calaboose by policemen of the Samoan government¹⁴—which was a different thing in principle from being so treated by policemen of the foreign residents' society.

The Protestant missions had a more fundamental objection.* The more powerful of these, the London Missionary Society, usually abstained from interference in politics; but its ardent desire for peace and its belief that Steinberger would bring about a U.S. protectorate had led it to support him. By about August 1874, however, the local treasurer, Dr G. R. Turner, had begun to doubt Steinberger's honesty because letters entrusted to him for despatch to the directors of the Society had not been delivered and a bill for \$150 given by him had not been honoured on presentation.¹⁵ By November 1875, from information received from San Francisco, the L.M.S. missionaries were convinced that he was the agent of some of the directors of the Central Polynesia Land and Commercial Company, one of whom was his brother. The L.M.S. now recognised a 'danger . . . of the natives . . . being made the victims of a speculating mercantile company, acting ostensibly under the sanction of the American government'.¹⁶

* The Catholic Mission, on the other hand, supported him until the end.

In the same month, Sir Arthur Gordon indirectly intervened. The irritation which Gordon had displayed, after his arrival in Fiji in June 1875, at the delay in issuing the Order in Council, was due in particular to his anxiety about Samoa. He longed to intervene in the group's complex politics and deplored the apparent consolidation of American influence. He too regarded Steinberger as a mere adventurer with an eye solely to his own profit. In November, as Captain Stevens of H.M.S. *Barracouta* was about to take Consul Layard on a visit to Tonga, Gordon asked him to visit Samoa on the way.¹⁷ Even apart from Gordon's lack of authority to intervene there, this was a curious request, since he had no faith in the judgment of either Layard or Stevens, with the latter of whom he had lately been conducting an acrimonious correspondence on the right of a naval commander to independent intervention in a crown colony at the request of British residents.¹⁸ Moreover, Gordon gave Stevens to understand that there was some likelihood that the British government would agree to the annexation of Samoa.¹⁹

At Apia, the whole spectrum of white disaffection to a European at the head of an island government was arrayed before Stevens and Layard—the envy of consuls, the jealousy of traders, the resentment of the beach at being subjected to external discipline. Traders suspected that Steinberger was obligated to a particular commercial interest and, with reason, feared for their share of the limited supply of Samoan-made copra. The British Acting Consul, S. F. Williams, was or had been a trader and the American Consul, S. S. Foster, was the local agent of the C.P.L.C.C.; this was now internally at loggerheads, the Samoan representatives warring with the San Francisco directors. And the L.M.S., led by the politically-inclined Turner, was bent upon Steinberger's downfall.²⁰

Stevens had not only Goodenough's recent example in Fiji before him but also, as he thought, Gordon's encouragement to spur him to action. And Layard was in process of formulating a stereotype to fit such situations as that which now faced him. It was, he later remarked,

the same farce, whether played in Fiji, Samoa or Tonga. Irresponsible and unscrupulous white men, imposing on the credulity of the native race, gradually absorbing the powers of the Paramount Chief, and turning the whole to their own aggrandisement and profit.²¹

Together they set about convincing the Samoans that they were the innocent victims of a conspiracy, the object of which was to capitalise on the land bought by Americans during the late war. At a series of meetings in December 1875, Stevens had no difficulty in showing that Steinberger's claim to possess official U.S. accreditation was bogus.²²

The Samoans were singularly unimpressed; for Steinberger's great

strength, and his main claim to be recognised as anything but an able but wholly self-seeking adventurer, lay in the support which he invariably received from the Samoan élite. From his first days in Samoa in 1873, Steinberger had shown great sympathy for Samoan attitudes, in both personal relations and politics. His *affaires* with Samoan and part-Samoan women—which led Turner to remark that he was ‘the most immoral man who has ever stepped upon this beach’²³—seem to have been conducted with *finesse*.²⁴ And his understanding of the factors which operated in Samoan politics was acute. When, on his return in April 1875, he found that the traditional struggle between Malietoa and Tupua had reopened as a result of a proposal to appoint a king, he went to the heart of the problem by providing in his new constitution for rotation of the kingship between the two lines, at four yearly intervals.²⁵ He was prepared to suffer unpopularity amongst some sections of the white community because of his friendships with Samoans.²⁶ The Samoans liked and trusted him. To Stevens’s expostulations they simply replied that Steinberger was their premier, whom they had asked to return to assist them in conducting their affairs; he was responsible only to them and they would support him.²⁷

But Malietoa Laupepa, who had been appointed king for the first four years under Steinberger’s new constitution, was a youth of no steadfastness of character and much under the influence of the L.M.S. Early in 1876, after Foster had received confirmation from Washington that Steinberger was not an accredited agent, Laupepa seems to have been approached by his L.M.S. mentors and induced to dismiss Steinberger,²⁸ who was then deported with the assistance of Captain Stevens. The Ta’imua and Faipule, enraged, promptly dethroned Laupepa. Stevens, in attempting to reinstate him, involved his marines in a skirmish with Samoan soldiers on Mulinu’u Point, in which both sides lost men. And Sir Arthur Gordon, arriving at last in February 1878 to find British influence at its lowest ebb, had to content himself with seizing the government’s new schooner as security for payment of the indemnity which was demanded for the *Barracouta*’s casualties.²⁹

Steinberger does not seem to have been in the same class, for sustained ability and integrity, as his Fiji counterpart, J. B. Thurston. After his deportation he was met at Kadavu—whilst waiting for the mail-steamer—by Thurston’s late colleague in Cakobau’s government, R. S. Swanston, who found him to be

a plausible man but a thoro Yank in his notions of [what?] politics are intended for viz to make money at the cost of the country. He expressed surprise that Cakobau’s ministers had not gone out with \$20,000 each

& was astonished at our not insisting upon England paying us for resigning.*

Even admitting, however, that his motives were dubious and that some clauses of the Godeffroy agreement were damning, there remains the probability that the Samoans would have gained from his continued association with them. He was, as his friends in America pointed out, in a position to do something for himself;³⁰ but he was the only one of those several unauthorised Europeans who sought to influence Samoan politics in this generation, who had any substantial contribution to make in return for the profit expected.

The future was left to the furtive machinations of petty intriguers like W. J. Hunt and Richard Hetherington;† whilst at the official level the British, German, and American Consuls tried in vain to compose—or, in the case of the German, occasionally and with more success endeavoured to exacerbate—differences, whose origins were often lost in antiquity, which divided Tuamasaga, Manono, and most of Savai'i on the one hand against Atua and A'ana on the other. It was the form of anarchy into which Fiji might have fallen had Goodenough confined Thurston to his Taveuni plantation as he considered doing,³¹ and had it then proved impossible to negotiate terms of cession acceptable to both sides. The Fiji example had shown the need for a trusted European intermediary in negotiations between islanders and foreign representatives: that of Samoa was, in some degree, to show what followed from the removal of one.

The logical corollary to Steinberger's removal in H.M.S. *Barracouta* would have been British annexation or protection. Gordon thought this the proper solution and justified his attempts to interfere on the grounds that, before he left England, Herbert had privately suggested he should quietly add both Samoa and Tonga to the crown colony. As he interpreted events, it was two years—owing to the delay in issuing the Order in Council and in giving him his consular authority—before he was able to visit Samoa, by which time international interests there had become an unsurpassable obstacle to the sole control of Britain and the imperial government's attitude had changed.³² It seems doubtful whether, in fact, there was much chance of annexing Samoa to Fiji in 1875; the Samoans then looked to America as their potential saviour and—as Gordon himself realised—wanted, not annexation, but simply disinterested protection of their govern-

* 'Journal of R. S. Swanston' (MS.), 23 April 1876. A particularly shrewd comment was that of George Brown, who had been on very good terms with Steinberger (Brown to Weber, 6 July 1878, Letterbooks of the Rev. George Brown): 'I think that if he had been left alone in Samoa he wd long ago have lost all influence with them [the Samoans]. It is an ideal Steinberger they are worshipping now they wd have been undeceived with regard to the real one long ere this.'

† See below, pp. 75-9.

ment against the subjects and representatives of foreign powers.³³ And whatever Herbert may have said privately, all the evidence in official files shows that any further assumption of responsibility in the area was not seriously contemplated. The High Commissioner was to be instituted to obviate the need for this.

The Foreign Office, indeed, was aware by December 1877 that Gordon 'evidently wishes to add Samoa to his little Kingdom'; and Lister seemed to think that an offer of sovereignty, if made, should be favourably considered. In the Colonial Office, however, Herbert himself, though agreeing that 'in the abstract' Samoa's inclusion with Fiji in a single colony would be advantageous on financial grounds, thought it unwise, from considerations of general policy, to entertain 'any proposal for the further extension of the Queen's Sovereignty or protection over Islands in the South Seas'. And Carnarvon pointed out that there was 'nothing that wd. so far prejudice in public opinion the recent transactions in the Transvaal as a bad (& by no means justifiable or necessary) copy of them in Samoa'. Official policy was therefore laid down, by Herbert, in terms which were already classic in their insufficiency: the appointment of a deputy commissioner to reside at Apia would be

an indication to the chiefs & people of a friendly interest in their welfare, & of the determination of this country to prevent British subjects from injuring them; while it will enable them if occasion requires to bring questions of public interest before the High Commissioner. But the Dep. Commr. will of course be instructed that he is not to interfere directly in any way with local affairs.³⁴

After Gordon's second visit, in August 1879, steps were actually taken towards a limited joint intervention. Malietoa Talavou had recovered the possession of Mulinu'u lost by his nephew, Laupepa; having been recognised as king, he first asked Gordon for British protection and then, learning that there was no hope of this, sent identical requests to all three powers for their united assistance. The British Consul and Deputy Commissioner joined with his colleagues in appointing an executive council composed of three local Europeans.³⁵ And, at the instigation of Count Munster, Salisbury issued instructions that the British warship kept constantly at Apia should afford Talavou 'all the protection of which he may stand in need' in establishing a government for the group.

Under these instructions and at the joint request of Talavou and the consuls, Captain Purvis was obliged in May 1880 to use H.M.S. *Danae's* guns against the people of Atua, where the Steinberger remnant had taken up residence, refusing them the separate recognition for which they asked and—in reprisal for attacks on Malietoa adherents in the district—burning

Lufilufi. This was done much against Purvis's own judgment and inclination and to the anger of Commodore Wilson. The latter protested that such interference was 'without any possible prospect of gaining credit, or of bringing about a settlement'. Privately he blamed the High Commissioner, observing that

but for Sir A. Gordon going there and setting up a Chief as a King—who though head of numerically the largest party had an energetic minority against him—there never would have been any active Civil War.

Withdrawal of the instructions, with an intimation to Germany that Britain was not prepared to become involved in joint intervention on this scale, rapidly followed.³⁶ In September 1880 Kimberley observed, without equivocation:

Unless we are prepared to annex every unoccupied island in the Pacific we must be content to see some of the islands in the hands of other European Powers. Our interest in Samoa is not considerable, and the sooner we leave to those who have larger interests the duty of taking the chestnuts out of the fire . . . the better.³⁷

Since at that time there were still almost four years to wait before Germany showed her intention of attempting this, the only alternative was to act on Gordon's reluctant conclusion that

the best that could be done would be to take all means which presented themselves of improving & strengthening the native Government, imperfect and ineffectual as it was to be feared all such measures must prove.³⁸

In High Commission circles there was very little faith that any native government worthy of the name could actually be established. In an able memorandum of October 1880, which provoked only gibes from Kimberley,* A. P. Maudslay pointed out that the indigenous political system still showed no sign of developing the settled, reliable chain of authority necessary to a state that was to bear the trials and responsibilities of autonomy on conditions imposed by Europeans. None of the so-called governments as yet seen had had more claim to that title than their occupation of Mulinu'u, which brought them the civilities of consuls and naval captains. No one knew better than Talavou himself that his recognition as king was not at all likely to lead to the formation of a strong and independent native government. He had told Maudslay so, 'with much

* 'I wonder at what point in the world we should not be jealous of a foreign settlement as gravely affecting our already vast possessions. Luckily even the world is limited.' (Minute by Kimberley on Maudslay's memorandum, encl. F.O. to C.O., 19 November 1880, CO 225/6.)

earnestness'. European interference had already made Samoan autonomy a transparent fiction. The very treaties with the three powers in which the group's independence was recognised contained provisions—most-favoured-nation clauses, extreme provisions for extra-territorial jurisdiction, restrictions on the amount of customs duties to be imposed at Apia—which denied Samoa some of the fundamental attributes of sovereignty.

J. B. Thurston—who held office under the Orders in Council for almost twenty years until his death in 1897*—might have been expected to concur in the policy of supporting a native government. His own career showed that he sympathised with the idea of such a government, but he agreed with Maudslay that it could not be realised in practice with any advantage to the islanders concerned. He stated his opinion in 1883, and repeated it later, that

the natives of Polynesia are neither capable of forming nor of maintaining any government worthy of the name and any attempts to do so are only likely to afford opportunities for involving themselves in difficulties with foreign Powers and for entanglements with private speculators and low class adventurers.³⁹

It was without much conviction therefore that, as one of the joint commissioners sent in 1886 to inquire into the condition of Samoa and to propose remedies, he drew up plans for a government with a kingship alternating—on the pattern established by Steinberger in 1875, which he admitted to having followed—between the two great lineages and with key offices to be held by Europeans appointed by the powers.⁴⁰

Events in Samoa, as elsewhere in the Western Pacific, reached a climax during Thurston's tenure of office as High Commissioner. By the late 1880s he was convinced that whilst state support was at the disposal of 'the German Company occupying so conspicuous a place in the misfortunes of Samoa and its people',⁴¹ there was no hope of peace. And since no British syndicate came forward to bid for the D.H.P.G.'s interests—the only way in which Germany's attention might have been diverted from Samoa—he held that the rational solution would be to give up British political claims there in return for a similar retreat by Germany from Tonga.⁴²

Thurston was the more irritated with the impasse in that the obstacle to this solution was Colonial Office concern for the susceptibilities of New Zealand. To the annexationist designs of certain New Zealand politicians,⁴³ every High Commissioner showed the same instinctive opposition, based on the conviction that the New Zealanders' mode of dealing with the Maori

* Thurston was Secretary to the High Commissioner until late in 1883; he was Assistant High Commissioner from November 1883 to June 1884 in the absence of Des Voeux, Acting High Commissioner from August 1885 to January 1887, and High Commissioner from February 1888 to February 1897.

indicated that they were eminently unfitted for governing Pacific islanders. But in the Colonial Office—except for one lapse, instigated by Thurston, at the Washington Conference in 1887⁴⁴—New Zealand aspirations were the main consideration. In March 1884, when it had become obvious that Samoa was included among the objects of Germany's aggressive search for colonies, it was affirmed there that the attitude adopted by Kimberley in 1880 could no longer be maintained,

for the idea of allowing any of these Islands to fall into the hands of other European powers . . . might almost drive the Australasian Colonies into revolt since the resolutions of the Sydney Convention.*

Germany had therefore to be resisted and a balance of interests maintained, for which purpose a native government was essential.

Until late in 1884 such a government existed at Mulinu'u—under the agreement negotiated by U.S.S. *Lackawanna* in July 1881—with Malietoa Laupepa as king and Tupua Tamasese as vice-king, a dignity invented for the occasion in order to induce the latter to lower the Steinberger flag then flying in A'ana. During the course of 1882 ta'imua and faipule from all Samoa actually met at Mulinu'u, expressed regret for the past and determined to govern well in the future. The promise was not kept. Secret meetings of Tupua adherents were soon being held, to plan a demand that after seven years Malietoa should exchange precedence with Tamasese; the former's anticipated refusal would be used as an excuse to renew the war. Laupepa was besieged by foreign speculators bullying him to confirm land titles. The government *fales* became, inevitably, occupied almost exclusively by senior members of the Malietoa 'āiga, whose energy was not remarkable. The deputy commissioner had no hope that the laws enacted would ever be implemented. A British observer, whose sympathies admittedly lay with the Tupua, asserted with a ring of truth that the government chiefs were totally inactive. 'As a rule they meet in a house, tell the news, and have a talk about the foreigners, drink a cup of kava and disperse.'⁴⁵ The Germans, with large plantations to protect from a people who, by European standards, were inveterate thieves, found the lack of active government intolerable. Their solution was to catch Laupepa at a disadvantage and then attempt to force on him their own executive.

Late in 1883 it became known that Theodore Weber had obtained an

* Minute by Fuller, 21 March 1884, on F.O. to C.O., 20 March 1884, CO 225/17 (for the Sydney Intercolonial Conference, November-December 1883, see below, pp. 131-4). Britain at first suggested that she should assume responsibility for Samoa, either directly or through a colony, and then, when Germany refused to agree, insisted on equal rights (memorandum, CO 225/21). This remained official policy until the eve of the Washington Conference in 1887 when, at Thurston's instigation, it was secretly agreed that Germany should be given sole control in Samoa if she would make a similar concession to Britain in respect of Tonga.

old claim to Mulinu'u Point itself. In October 1884 the German firm demanded possession. In November Laupepa was intimidated into signing an agreement—which the Germans claimed was proper under article VII of their 1879 Treaty—by which a council, composed of the German Consul, two Germans, and two Samoans, was to be set up to advise him on all matters where German interests were concerned, especially as to the punishment of Samoans who robbed the firm's plantations. A German, agreeable to the consul, was to be appointed secretary to the government; he would also be magistrate in all cases involving German interests and would be responsible, in particular, for the additional police force and new prison which were to be instituted for the punishment, by hard labour, of Samoans who trespassed on the plantations. The agreement was in direct contravention of the old joint consular undertaking that no European should be allowed a post in the government without consuls' combined consent. The prison clause was particularly sinister, given the constant labour problem on the plantations. If this came into operation, observed Consul Churchward, 'the prison would be nothing less than a slave barracoon for the German firm'.⁴⁶

In November 1883 Laupepa had secretly asked for British protection;⁴⁷ that petition he now renewed, via New Zealand. A few days after the agreement was signed, Weber and Consul-General Steubel learned of this appeal. Weber—adopting a role for which his unparalleled knowledge of old scores and his command of a plentiful supply of firearms eminently fitted him—at once began working on leading members of the élite to overthrow Laupepa. Lei'ataua, a leading chief of Manono, was approached to be ready to proclaim another king; Weber's emissaries scoured districts whose dissidence to the Malietoa could be counted on; at a *fono* at Leuluoega, Weber urged that Tupua Tamasese should be anointed and promised German naval support for him when his flag was once raised. In January 1885 Steubel proclaimed that he had assumed the Samoan government's rights over the Municipality of Apia and hoisted the German flag on the firm's claim at Mulinu'u. In February Tamasese's flag went up at Leuluoega and for the rest of that year war-parties were gathering. Early in 1886 a German naval landing-party drove Laupepa off Mulinu'u, whereupon he moved to British-owned land in Apia.⁴⁸

The adjournment, as a result of American opposition to Germany's thinly-veiled demand for control of the group, of the conference called at Washington to discuss the Samoan situation was followed by open warfare, directly stimulated by Germany. In August 1887—a month before the British Consul received the Secretary of State's telegram informing him that Germany was about to make certain demands on Laupepa and that he should observe strict neutrality—a German naval squadron demanded of

Laupepa a fine of \$13,000 for damage to the plantations and an alleged insult to the Emperor, declared war on him, and installed Tamasese at Mulinu'u. Laupepa, surrendering to save bloodshed, was deported to the Cameroons. In September and October at large *fonos* at Mulinu'u the government of Tupua Tamasese was inaugurated. Tamasese was assisted by Eugen Brandeis, once a D.H.P.G. employee and now to be his premier. Their government was in fact recognised *de facto* by Britain, and Thurston—who approved of Brandeis personally—issued Queen's Regulations to secure it the obedience of British residents. By November 1888, however, it had become a mere rump, besieged on Mulinu'u by the forces of Mata'afa Iosefa.⁴⁹

Samoan resistance to the new régime had an initial basis in Brandeis's taxation policy, which was novel in that it was enforced, and the relatively high rate of which involved the people in indebtedness to European firms. It was brought to a head when, to strengthen Tamasese's position on traditional lines, attempts were made to obtain for him the additional titles—besides that of Tuia'ana, which he already held—to make him *tafa'ifā*. The result was to throw the game into the hands of a leader who straddled both lineages and was thus unique in the support he could command. A Catholic catechist, an arresting personality, and a highly successful general, Mata'afa Iosefa through his relationship to the Tupua lineage could draw followers from its traditional areas of support, especially from Atua, whose premier title he had lately held; as *tama fafine* to Laupepa, he had succeeded to the Malietoa title.* The combination proved irresistible.†

In September 1888 Tamasese's outposts were driven back through Apia and he was penned in on the Point, saved only by the guns of H.I.G.M.S. *Adler*. In November Mulinu'u was evacuated by night and warfare spread along the coast, in its course embroiling the consuls in a paper conflict which, however (legend notwithstanding), never extended with the same intensity to their respective naval commanders. Whilst Consul-General Knappe employed every possible diplomatic trick, as well as naval might, in his attempt to reinstate Tamasese, Consul and Deputy Commissioner De Coetlogon evaded his instructions to accord Tamasese *de facto* recognition by observing that, since the Point was evacuated, he had been 'unable to find a "de facto" Government'. A broad conception of what constituted 'British property'—which term he extended to cover Samoan villages whose sites were mortgaged to a British trading firm—enabled him in some instances to prevent Knappe's warships from shelling Mata'afa out of coastal

* *Tama fafine*: i.e. related through the female line.

† See, for example, Newell to Thomson, ? September 1888, *LMS, SS Letters*, Box 40: 'The war party have discovered that Mataafa with Malietoa's name is a name to conjure with.'

strongpoints. The High Commissioner's intervention went no further than defending his deputy against consequent charges of assisting Mata'afa.⁵⁰ And he was responsible for none of the provisions of the instrument which, by setting up a hierarchy of European officials, attempted to re-establish the native government.

Between January 1891, when Chief Justice Cedercrantz arrived, and January 1899, when Chief Justice Chambers took refuge aboard H.M.S. *Porpoise*, Samoa was administered under the provisions of the Final Act of the Berlin Conference. The new office of President of the Municipal Council carried with it the duty of advising the king; the Council itself, with control over Apia port dues and its own judicial system, became even more than before a negation of Samoan sovereignty. The consuls were left with considerable powers of review, and, as the representatives of the great governments, were likely to carry the day when functions conflicted; but formal provision was made for a strong man in the Chief Justice, who was vested with certain administrative powers and authorised to decide disputes between Samoa and the Treaty Powers. He was also empowered—after the Berlin Act's provisions and in accordance with Samoan custom when not in conflict therewith—to settle questions arising as to the election and powers of the king.⁵¹

The main object of the instrument was obviously to prevent the 1890s developing anew the characteristics of the previous decade—Samoan anarchy, presided over by three consuls with different masters, interests, and aims, and no revenue. To the extent that, until the last stages, the consuls were generally able to reach agreement, it succeeded—though only at the cost of providing them with sparring partners in a succession of chief justices and presidents. The bickering of a European bureaucracy was thus added to Samoan factionalism, of which a recrudescence resulted from the powers' failure to build on Mata'afa's unique position at the apex of the traditional system.

The taking of heads, in the traditions of Samoan warfare, which accompanied Mata'afa's spectacular defeat of a German landing-party near Vaialele in December 1888, had led Bismarck to announce that Mata'afa would never be acceptable to Germany as king. The weak-willed Laupepa was therefore re-enthroned. In May 1891 Mata'afa moved from Mulinu'u to Malie, the *pule* centre of Tuamasaga. There he held court, meeting consular expostulations with the explanation that, though Laupepa was the king recognised by the powers, he was 'The King of the Samoans'. He would remain quietly there, where the *pule* and 'āiga had called him. The consuls insisted that his pacific protestations were no compensation for the existence of another power-grouping seven miles along the coast from Mulinu'u. By June 1893 it was agreed between the powers that their war-

ships should disarm Mata'afa—by 'such a demonstration', so the Foreign Office observed, 'as will show the futility of resistance & thus secure without bloodshed the benefits of peace & stable Govt. which the Treaty Powers have pledged themselves to afford to the Samoan people'.⁵²

Mata'afa—against whom the British naval commander, for one, proceeded with the utmost reluctance—surrendered to naval guns and was deported to the Marshalls. Captain Bickford had no confidence that this action in which he was unwillingly involved would solve the problems surrounding what he described as 'this most rotten system of government'.⁵³ Nor did it do so, but simply opened the way to 'rebellion' on traditional lines. By the end of 1893 there were rumours of dissension in Atua and A'ana and by May 1894 the U.S. Consul was expressing doubt to his colleagues whether their policy—to restrain the government from fighting, whilst threatening the dissidents with naval gunfire—was even faintly relevant.⁵⁴

The Secretary of State for the Colonies was now observing that the powers' policy was 'rotten'. In 1896 the consul himself, reporting the decline of British commercial interests, counselled withdrawal; but Chamberlain, succeeding Ripon at the Colonial Office, preferred to hold on.⁵⁵ Finally the Samoans themselves, with active German assistance, imposed their own solution, reducing themselves in the process to the position of a colonial people.

Malietoa Laupepa died in August 1898. Mata'afa Iosefa, who returned from exile in September, easily defeated his rivals, the sons of Laupepa and Tamasese, in the ensuing election contest. The mode of election, however, was so lacking in precise definition that the Chief Justice was called on to decide between them; he held that by the Berlin Treaty Mata'afa was debarred from the kingship and declared Malietoa Tanumafili elected. Warfare followed and the 1888 pattern was repeated. Mata'afa, supported now by the local German officials of the consulate and the D.H.P.G., who wanted a strong Samoan leader, easily defeated the combined forces of Malietoa and Tamasese. The British Senior Naval Officer and Consul escorted Tanumafili through the ranks of his enemies from the Tivoli Hotel to the beach, where he was taken off to join the Chief Justice in the *Porpoise*; they then proceeded to wage war on Mata'afa and the Germans, in defence of the Supreme Court's decision and the integrity of the Berlin Act. The High Commissioner, at the navy's request, sent rifles from Fiji to arm Malietoa's supporters and ventured no official comment on events; and the Colonial Office, braving Australasian displeasure, decided that, with adequate compensation elsewhere,* the Samoans might well be left to the

* Germany gave up to Britain her rights in Tonga and in the northern Solomon Islands, and made concessions in Africa.

sole care of that power for whose embrace—so long resisted—they now seemed to be positively aching.⁵⁶

The problem of how to maintain stable government in Samoa was for the next fourteen years in the hands of a colonial régime, of which the policy was to try to dissolve much of that socio-political order whose own tenacious pursuit of traditional objectives and consequent failure to adapt itself fully to new challenges had exposed it to such treatment.⁵⁷

III

In the attempted application to Samoa of the Berlin Act's provisions the High Commissioner took little part.* The consul corresponded direct with the Foreign Office, the responsibility of which, from the weight of international interests involved, Samoa had become. It was believed in the High Commissioner's Office that Thurston, for one, had been privately advised to keep clear of the group's affairs. This he was very willing to do.⁵⁸ The consul could, however, count on receiving his private advice, as well—for instance—as Thurston's own account of his quarrel with Robert Louis Stevenson, whom he regarded as an irresponsible publicist courting, as one of Mata'afa's several European advisers, sensational martyrdom in the shape of deportation. It was one of Thurston's complaints that the Berlin Act contained no special provision for dealing with 'the ever intermeddling white men'; but it remained open to the High Commissioner to remedy that omission. Those 193 of the estimated European population of 412 in 1894 who were British subjects† could be threatened with the pains of prohibition of residence and deportation in return for their insatiable interference in Samoan politics.⁵⁹

During the twenty years after 1880, deprived of the ability to order the total situation as they would have desired, the High Commissioners fell back upon one of the cardinal articles of their faith as Governors of Fiji—that, under official guidance, native politics could be assisted to a satisfactory balance if they were kept free from the mischievous intriguing of interested European residents.⁶⁰ It was not possible for them to deal with the major German offenders, but the minor British ones were answerable to them. And it was only half in jest that, in a private letter to the Secretary of State in 1892, Thurston observed of Samoa that

* After 1889, the consul at Apia seems to have ceased sending to the Consul-General copies of his despatches to the Foreign Office. They were received by him only—if at all—in the form of Foreign Office Confidential Prints forwarded by the Colonial Office.

† There were also 150 British half-castes registered at the consulate and the consul believed that a similar number had not troubled to register themselves.

Probably the only thing to 'pacificate' that spot would be to set up the Government of a military post, make it felony to own or edit a newspaper, deport all novel writers, and for ten years allow no one to call his soul his own.⁶¹

The Apia municipality ran four miles around the bay, from Mulinu'u to Matautu, and from one to two miles inland, thus including several large plantations of the German firm. By the 1880s it had become divided into national sectors. Matafele, the section nearest to Mulinu'u, was occupied by the D.H.P.G.'s buildings and the German Consulate; beyond lay the area inhabited by British and Americans. This, to Samoans, was 'the forbidden soil', the neutral territory of consuls and naval officers.

First declared to be an area inviolate from Samoan war-parties in the 1840s, it had, by the 1879 Convention, been made formally into a self-governing unity with a municipal board composed of the consuls and several elected members—a magistrate, treasurer and, for the port, a pilot and health officer. Residents were taxed according to profession—barristers paid \$60 a year, boat-builders paid \$6. The sale of liquor to Europeans was licensed—none to be sold between the hours of 11 p.m. and 5 a.m.—and to Samoans was prohibited except with special permission of the magistrate, which was also needed before arms could be sold. Fast riding through the streets was prohibited, indecent exposure of the person penalised, and provision made for the regular medical inspection of prostitutes. The municipality at its largest contained perhaps a thousand people, of whom some two hundred were European electors; but the verbal violence of its politics and the extent of tale-bearing on the beach were in inverse proportion to the number of those actually engaged in them. 'Enter Rumour painted full of tongues', was the motto which Robert Louis Stevenson proposed for Apia, most of whose residents were 'merchants with some four mails in a month, shopkeepers with some ten or twenty customers a day, and gossip is the common resource of all'.⁶²

When the actual, invented, and anticipated actions of the three powers were added to the complexities of indigenous Samoan politics, the scope for spreading rumours and the possibility of occupying offices was vastly augmented. Although some of Apia's beach politicians no doubt were, as Stevenson wrote, 'humorists, delighted with the pleasure of faction for itself', there were strong monetary reasons for manufacturing opportunities to profit from the turmoil, for Apia's was a commercial community dealing, so far as almost everyone except the D.H.P.G. was concerned, in a single commodity of limited supply—Samoan-made copra. Not only was the supply of fairly modest dimensions, but it was also subject to fluctuations following on seasonal failure, the effects of warfare, or simply on

how great was the immediate need felt by its producers for whaleboats and rifles.

The stores were packed with the goods which, apart from these two commodities, were in demand among the Samoans—cotton prints, hardware, tobacco, soap, umbrellas, tinned salmon, and ladies' hats. There were too many traders, the market was invariably overstocked, but this brought no corresponding reduction in prices. No fortunes were made in trade at Apia between 1880 and 1900. The D.H.P.G. itself rarely paid a dividend and conducted business in a constant cloud of rumour—spread, admittedly, by political opponents—of grave financial difficulty and willingness to sell if a buyer could be found. The great number of its ships in and out of Apia was out of all proportion to the amount of freight actually carried. Commercial difficulties were increased by the currency employed—the debased Chilean, Peruvian, and Bolivian silver dollars originally introduced, at a profit, by Godeffroys. The fact that these coins lost much of their local face-value on export and that bills of exchange—when they could be obtained at all—were only to be had at high discount, militated heavily against the successful conduct of commerce. There was, therefore, a certain desperation in the actions of some of the beach politicians, as well as a willingness to risk trading in prohibited articles such as firearms.⁶³

All traders gave credit—were forced to do so to attract customers—and it was this which eventually brought the commercial community to ruin. Large firms like Wm. McArthur & Co. of Auckland gave goods in advance of payment, taking as security 'mortgages' on land, even to sites occupied by whole villages. Smaller traders resorted in proportion to similar expedients. McArthurs' mortgages were invalidated by the Lands Commission, whose reports were the only lasting result of the Berlin Act. The lesser firms foundered in a sea of book-debts. By 1896 the deputy commissioner was confiding privately to Thurston: 'Things have been utterly rotten for 6 years and now the end has come'. He needed extra clerical assistance to enable him to deal with the spate of British bankruptcies.⁶⁴ By this time, the dearest wish of most British residents was to sell out and go to the colonies.⁶⁵

The Lands Commission's findings had sounded the death-knell to many Europeans' hopes of a wealthy future in Samoa, based on the ownership of large areas of land. In a group of islands whose total area was about 950,000 acres, Europeans entered claims to 1,691,893 acres of land; this was, in itself, an indication of the carelessness and, in some instances, of the fraud by which title deeds had been acquired. Under the provisions of the Berlin Treaty, a wide range of claims received short shrift. If it could not be shown that the sale had been made by persons entitled to do so, if

it had not been for sufficient consideration, if the boundaries were inadequately described, or if the claim was based on a mere option to buy, then the title was awarded to the Samoans. Only 135,500 acres—8 per cent of the total area claimed—were confirmed to European claimants. Of this area two-thirds went to the Germans, who alone had cultivated their lands for ten years; this, under the treaty, gave them a prescriptive title. In many cases, in fact, Samoans received back land which they had undoubtedly sold, sometimes several times.⁶⁶

Despite the underlying precariousness of its position, the keynote of the Apia community until the last few years of the century was one of irrepressible optimism. It was, however, optimism of a kind which landed a fair cross-section of the British residents in the Deputy Commissioner's Court.

The formal establishment of the municipality with its own magistrate had deprived the residents of the need or excuse to resort to acts of public justice and had relieved the consuls of the responsibility for dealing, for example, with the drunken brawls which hitherto had enlivened Apia each night. There were no other occasions like that in November 1877, when, having murdered a companion in a grog-shop knife-fight, an American seaman was strung up from a coconut palm by the assembled citizens.⁶⁷ And whenever the municipal organisation was in abeyance—as it invariably was when the Germans were making a bid for sole sovereignty—the consuls, for their part, discovered how greatly it had eased their task. Cusack-Smith in 1892 complained that, before the municipal magistrate's court was re-established,

I have had on my verandah a British subject drunk, his clothes torn off till he was not decent, bleeding from a fight, in a state of uncontrollable excitement threatening death to all his enemies,

as well as 'a lady of shady morals yelling obscenities to the annoyance of my family'; and, having no police, he had been unable to remove them.⁶⁸

When times were normal, the British Consul, in his capacity as deputy commissioner, dealt mainly with cases of commercial fraud and of political interference. In the early 1890s he was much occupied by the frauds perpetrated by Alexander Pritchard, the more disreputable of the two sons of the first consul still living in Samoa, who in 1889 began trading on his own account with capital of 120 Chilean dollars, and for several years corresponded under various styles with wholesale firms in most European countries, whose goods he took on credit, disposed of locally at below cost price, and omitted to pay for.⁶⁹

Political cases were more numerous. The beach and back-country alike spawned experts on Samoan custom and politics, who aspired to advise the consuls or to oust their influence at Mulinu'u. Some were professional

intriguers, like the lawyer, Richard Hetherington, who had been employed in the provincial administration of Cakobau's government and was one of the first refugees into Apia from the crown colony. He arrived in 1876, in the company of G. A. Woods and several other late members of the old administration—including J. P. Gore-Martin, who had been governor of Totoga Gaol, and James Harding, late captain in Cakobau's army—with the object of securing control of the C.P.L.C.C.'s land deeds and realising on them by forming a government, with whose assistance to secure occupation and facilitate development. The party's activity—which ended with Hetherington and Martin being placed in irons aboard a schooner in the anchorage—led old residents to protest that its members were better suited to live in Fiji, the crown colony of 'a rather severe type', the police and gaol facilities of which were adequate, than in their own more open community.⁷⁰

Hetherington remained in Samoa, acquiring whatever respectability may have been conferred by the additional surname of Curruthers, and offering his political services to whichever party seemed likely to pay best. He was brought before the deputy commissioner in January 1886 for intimidating Samoans by allusions to his vast powers as a lawyer, came drunk into the court where he frequently appeared as counsel, and was bound over for nine months.⁷¹ It was difficult to proceed to extremities against him. Not only was he, for much of the time, the only qualified lawyer in Apia, but there was evidence to support his claim that one at least of the intrigues in which he was involved—that of 1883-4, leading to Samoan petitions for British protection—had been instigated in part by the then deputy commissioner, W. B. Churchward.*

On a slightly different footing were those of the deputy commissioner's nationals who became offensive to him because, residing in districts whose affiliations lay with the Tupua and which were potentially hostile to the Malietoa groupings recognised as the central government, they became involved in the politics of those districts. They were thus, in the eyes of those responsible for upholding the government, consorting with 'rebels'.

Of these the foremost example was George Pritchard, the other son of the old consul. He came before the deputy commissioner in February 1886, when Laupepa's government was tottering, charged under article 26 of the

* Churchward officially denied having encouraged the Samoans to petition for British protection (Churchward to F.O., 3 April 1885, encl. F.O. to C.O., 8 June, CO 225/20). But he had earlier told the Governor of New Zealand that the Samoans, in petitioning thus, 'were acting in strict accordance with my advice . . . viz. that if they wished G.B. to take favourable notice of their wishes in such an unpopular matter as . . . cession it must not be the result of official influence but must be an unconditional act of and from themselves'. (Churchward to Governor of New Zealand, 2 December 1884, BCS, 5, III.)

principal Order in Council with endeavouring to obtain possession of certain land at Magia in A'ana by intriguing with the 'rebel' party, as well as advising and aiding them at various times in their disloyal conduct. Pritchard protested that his actions had been wrongly construed; through his Samoan wife he was related to eight *matai* and many untitled men at Leulumoega and Satupuala, with whom his contacts contained nothing political. As for the land, he had been seeking possession of it since 1876 and had applied to Tamasese, not as head of a rival government, but as the greatest man in the neighbourhood. In this instance, however, the deputy commissioner had good reason to hold that Pritchard was more than an innocent victim of the Samoan political division; evidence was produced that in correspondence he signed himself adviser and secretary to Tamasese, and he was bound over to refrain from further interference in Samoan affairs. Nothing daunted, he was prominent in Tamasese's entourage when he took possession of Mulinu'u next year.*

Local interference of this kind could safely be left to the deputy commissioner's handling; but there were intruders from outside Samoa—invariably from New Zealand—whose ability to create mischief on an international scale caused concern to the High Commissioner himself. Two of these—W. J. Hunt and John Lundon—were particularly prominent, in that the former occasioned, and the latter was involved in, cases which severely tested the Orders in Council or their administration and to some extent proved them wanting.

Hunt was a participant in many speculative schemes to make money out of the South Sea islands and he lost on most of them. A partnership with H. B. Sterndale to buy Suwarrow Island collapsed on that treasure-seeker's death; an attempt to raise a cargo of whale-oil and ambergris, sunk in the lagoon at Wallis Island, was interrupted by the queen's peremptory demand for his removal. In Samoa he was involved, in the late 1870s, with the local

* Powell to Thurston, 22 February 1886, with encls., *WPHC Inward Correspondence, General*, no. 57 of 1886. Pritchard was constantly bombarding the deputy commissioner with recommendations on how to conduct Samoan affairs—which usually involved his own employment in some capacity or other—as well as with demands for assistance in obtaining possession of the Magia land. This he claimed on behalf of his late brother William's part-Samoan children, who had, in fact, been lost at sea in the 1860s. He also claimed land at Lata, on the basis of a deed in which he was associated as owner with three Samoans; the circumstances seemed to corroborate the Samoans' story that Pritchard's name had been entered on the deed only to afford them protection in time of war. (See Churchward to Des Voeux, 18 September 1883, with encls., *WPHC, Samoa, Consul to Consul-General*.) When Pritchard again urged his claim to the Magia land (Pritchard to Thurston, 15 March 1888, *WPHC Inward Correspondence, General*, no. 86 of 1888), the Secretary to the High Commissioner minuted that he should be informed 'that his claim is considered fraudulent; that his statements are full of contradictions; & that the deed appears to be a forgery'.

representatives of the C.P.L.C.C. in fighting off Woods and his cronies; it was in his schooner that Hetherington and Martin were incarcerated.⁷² He took a prominent part in the hanging of the American seaman, for which he was sentenced to twelve months' imprisonment by the Chief Judicial Commissioner, then pardoned by instruction of the Colonial Office, on the grounds that the High Commissioner's jurisdiction did not cover offences committed before the Order in Council was formally proclaimed in the Pacific in February 1878.⁷³

Finally, he turned to politics. It seems his aim was, like that of Woods, to realise on the C.P.L.C.C.'s deeds which were now, with the company's collapse, the subject of much collusive litigation and many complicated transfers.⁷⁴ The influence which in 1880 he established with the aged Malietoa Talavou ousted that of the three Europeans appointed to advise him by the consuls; the latter demanded of Gordon that he be removed and with some reluctance Gordon issued an order of prohibition. Hunt thereupon sued him, in the Supreme Courts of Fiji and New Zealand, for wrongful removal.

Several years of litigation ensued, in which Hunt posed alternatively as a naturalised subject of Samoa torn from the service of his adopted state by a foreign *coup de main* or as a citizen of a responsible colony persecuted by an imperial official who was influenced by undue sympathy for natives against Europeans when their interests were in conflict. The first attitude was readily ruled out, on the grounds that Samoa was not a 'civilised state' within the meaning of the Naturalisation Act 1870; but as the case passed through the courts of New Zealand, where Gordon on leaving Fiji was a very unpopular governor, the second one had a great appeal for juries.

The point on which, in July 1883, Hunt was awarded £100 damages against Gordon was, however, a technical one—a flaw in the order of removal. Instead of Hunt's removal to 'a place in the Western Pacific Islands, beyond the limits of the place specified in the order of prohibition' as article 25 of the Order in Council required, it had by mistake directed that he be deported to Fiji, which was formally defined as an Australasian colony.* This judgment was upheld on appeal, but with £600 costs against Hunt which, since he immediately declared himself bankrupt, were unlikely to be recovered.⁷⁵ This was a bad beginning in the use of a power which had been designed as the High Commissioner's major weapon where the obnoxious proceedings of British subjects did not amount to felony. Though the threat of deportation was held out frequently after this, in

* Whereas by an *order of deportation* under article 26 of the principal Western Pacific Order in Council it would have been quite proper to send Hunt to Fiji, he had actually been sent there on an *order of removal* under article 25.

various parts of the jurisdiction, officials were in fact very chary of using it.

The Hunt case was still being argued in New Zealand courts when, in May 1883, there appeared in Apia from that colony an agitator of a somewhat different order in John Landon. Known on the beach as 'the Fenian', Landon was ostensibly the agent of an Auckland syndicate claiming land in Samoa; but he dabbled also in politics and these became his main concern. Indeed, as the supposed emissary of Sir George Grey and representative of those New Zealand commercial and political circles which claimed to nurse 'a sort of tutelary suzerainty' over the Pacific islands, he was alleged by the Germans to be the cause of their first attempt to obtain sole control.⁷⁶

The High Commissioner thought there was some justice in this allegation. After a later visit by Landon, Thurston in veiled terms attacked, through him, Grey and his associates, observing that Landon—'chiefly conspicuous as an Agent in any transaction with Natives requiring particularly nice management'—was thought to represent 'much more prominent persons' in New Zealand. These persons' object of annexing Samoa to the colony he regarded as ridiculous, given Germany's commercial preponderance, and dangerous also in that it provoked the Germans, in defence of their interests, to upset the precarious international balance.⁷⁷

On another score, however, the High Commission was itself vulnerable. The excuse for Landon's visits—to protect the interests of the Auckland South Sea Produce Company—was provided by a set of circumstances for whose development the inefficiency of the High Commissioner's Court, in its civil jurisdiction, was largely responsible. These circumstances centred on the case between Frank Cornwall and Wm. McArthur & Co. which, both as illustrating the High Commissioner's Court in action and in its own right as the most important civil suit heard there during the period, merits some attention.

Wm. McArthur & Co. were the Pacific islands branch of the London firm whose senior partner was Sir William McArthur—prominent in several indigenes' protection societies, a fervent apostle of the trinity of commerce, Christianity, and civilisation, whose philanthropy Gladstone, in one of the Fiji debates, had finely characterised as being 'sadly deluded'.⁷⁸ The Auckland branch, in consonance with its founder's avowed principles and public manner, claimed to 'do business in Righteousness', in pursuit of which pious end it exhorted the captains it sent to recruit labourers in the Gilbert Islands to 'let all business in our name be on a true and upright basis, in nothing contrary to the word of God'. Therefore, the firm continued, 'We do not wish our name to appear in the labour matter'. Such a firm constituted an obvious target for the irreverent and those with an eye for hypocrisy, who chronicled with satisfaction the failure of its attempts in



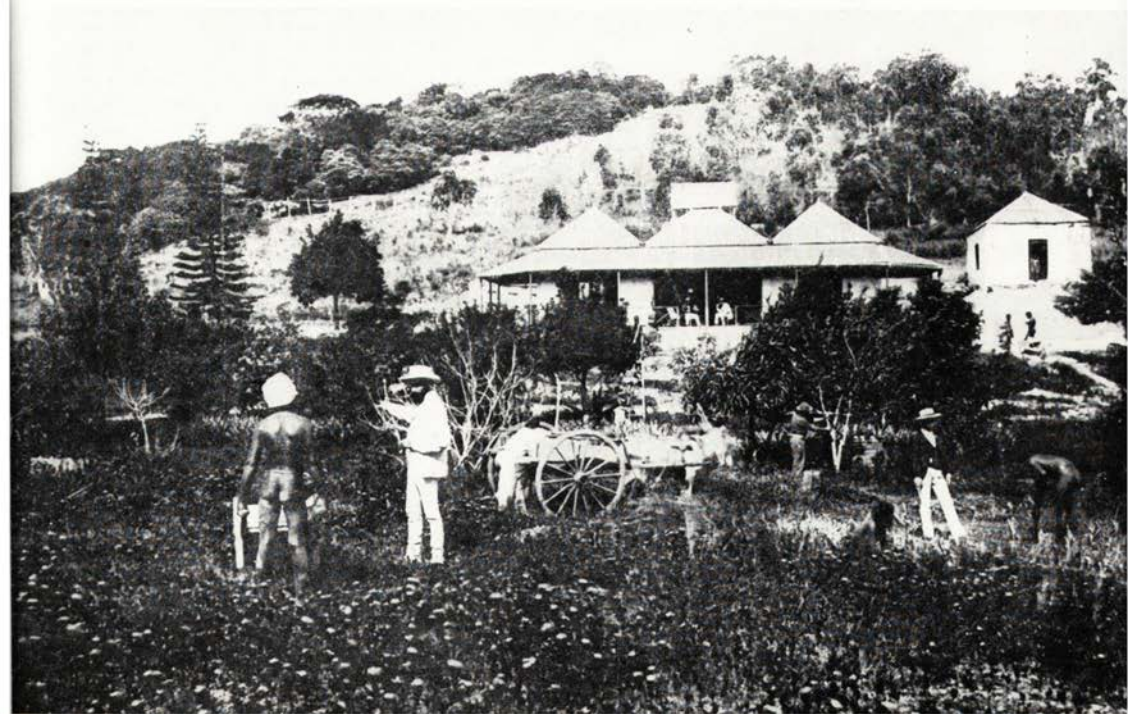
1. (above) Part of the waterfront, Levuka, in the early 1870s, with the Reading Room in the background



2. (right) A street in Apia in the mid-1880s

3. (below) Europeans and imported Melanesian labourers on a Fiji plantation during the mid-1880s

(Plates 1-3 by courtesy of the Trustees of the Mitchell Library)





4. Tupua Tamasese with some of his army

(By courtesy of Mrs Rodney Gallop and the Trustees of the Mitchell Library)



5. Malietoa Laupepa's reinstatement as king of Samoa under the Berlin Act

(By courtesy of the Trustees of the Mitchell Library)

the late 1870s to establish trading posts in the Solomon and Gilbert Islands and regarded its greater measure of success in Samoa as being due to sharp practice.⁷⁹

From about 1876 to 1892 McArthurs were the largest British firm trading in Samoa and for much of the time the largest British land-claimants also; they alleged a right to some 300,000 acres on Savai'i and in A'ana, taken over from Frank Cornwall, their judgment debtor. Cornwall was an ex-L.M.S. printer turned planter who, married to Maneama, daughter of one of the foremost chiefs of A'ana, claimed to have acquired title to this vast area from chiefs whose right to dispose of it in many cases could not be seriously argued. He had augmented these deeds by agreements with people who possessed immediate rights over some of the land and by 1876 had possession of, and was planting, land at Magia and Lata. In that year he entered into an agreement with McArthurs to ship all his produce through them, in return for credit facilities to enable him to develop the plantations.

Early in 1877, as his debt increased, they asked him for promissory notes to cover it, promising that these were a simple convenience for them and would not be enforced against him. Two years later, as further security, he gave them mortgages on 40,000 acres, at the same time making over other land to Maneama. In 1880—alarmed, as it claimed, by the size of the debt and Cornwall's lack of co-operation in reducing it—the firm opened proceedings against him; but the fact that they sued on the promissory notes instead of foreclosing on the mortgages, which Cornwall insisted were worth all that he owed them, suggests that McArthurs saw a chance to establish a large direct foothold in Samoa at his expense. Judgment was given in their favour by Deputy Commissioner Hicks Graves early in 1882 and this was apparently upheld on appeal to the Chief Judicial Commissioner in Fiji, although Gorrie was later no less uncertain as to the precise effect of his decision than were those who actually heard it. Cornwall's Gilbertese labourers were at the same time suing him, through the deputy commissioner, for their wages and cost of repatriation. On a warrant issued by Graves, all his property and deeds were knocked down to McArthurs for £1,587, which was never actually paid over. The executive officer of the Deputy Commissioner's Court in all these proceedings was Richard Hetherington-Curruthers, who was also McArthurs' local agent. Even allowing for the difficulty of obtaining qualified temporary assistance in Samoa, this was obviously improper.⁸⁰

The subsequent history of the case gave verisimilitude to the impression which immediately obtained—that McArthurs had the High Commission in their pocket. In November 1882 Cornwall appealed to Thurston, then Secretary to the High Commissioner, who remarked that the McArthur-

Cornwall relationship reminded him of that between spider and fly. Des Voeux agreed. Moreover, the Acting Chief Judicial Commissioner held that no authority was conferred by the Orders in Council by which the court could dispose of land in the islands; this was altogether opposed to received principles of extra-territoriality. Judgment could only be enforced, therefore, against personal property; the sale on Graves's warrant was illegal and should be declared invalid. Already, however, Des Voeux had visited Samoa in H.M.S. *Diamond* at the urgent request of Graves's successor, Churchward, and had fined the Samoans £100 for trespass on McArthurs' Magia property; Maneama's people, denying their right to occupy it, had removed the roof of the plantation house. Des Voeux was not fully informed by Churchward about the circumstances and a petition to him from Maneama had gone astray in Suva.

In view of the Acting Chief Judicial Commissioner's doubts about the legality of the sale—which Graves, in direct contravention of the evidence, was asserting that he had never authorised—Des Voeux now considered putting crown counsel at Cornwall's disposal, to help him test the case in court. That course seems not to have been pursued—apparently because it was feared that McArthurs would thereupon sue the High Commissioner for heavy damages—and Cornwall was left to pursue his legal remedy unaided.⁸¹ This policy was persisted in by the High Commission for the next ten years and—together with the extraordinary inefficiency of the court, which proved incapable of enforcing any of its several decisions in Cornwall's favour—brought grave disrepute on the High Commissioner's civil jurisdiction.

On appeal to Fiji in 1886 by his lessees, the Auckland syndicate, Cornwall was upheld; the sale was adjudged illegal and possession declared to be his. McArthurs blocked this by appealing to the Privy Council. When judgment was given against them there, they fabricated a new claim by having Cornwall declared bankrupt in the Deputy Commissioner's Court. His interest in the lands was re-auctioned and McArthurs purchased them afresh at farcical prices. They were again singularly assisted by the deputy commissioner, who permitted these proceedings and appointed as Cornwall's receiver in bankruptcy a man who was actually managing one of the plantations on McArthurs' behalf. The main fault, however, lay with Chief Judicial Commissioner Berkeley, who was in Apia at the time, who took no interest in what by then was a notorious case, and who gave the deputy commissioner the impression that it was proper to let the bankruptcy proceedings go forward. Throughout the whole case, no deputy commissioner ever received proper instructions from the judicial authorities in Suva. Each was simply left to his own unguided devices, on the assumption that any party aggrieved had his remedy at law. The result was a procession

of appeals and counter cases, with McArthurs left in possession, able to represent themselves as having the High Commissioner's sanction, and importuning him in a proprietary fashion for further favours in the shape of recruiting-licences. The history of the case fully justified the charge made by the *Fiji Times* that in the High Commissioner's Court, 'to succeed, may simply be to open the way to a vista of litigation'.⁸²

At last, in 1890, on appeal by McArthurs from a judgment of Deputy Commissioner De Coetlogon—who had given possession and crushing damages against them—the Fiji Supreme Court again adjudged that the lands were Cornwall's but ordered a new trial to settle damages. The court held, incidentally, that the 1879 treaty had stripped Samoans of authority over land held by British subjects, so that land suits were properly within the High Commissioner's jurisdiction. Both sides went again to the Privy Council, which once more decided in Cornwall's favour, with reduced damages, and this view of the High Commissioner's jurisdiction was upheld. It was, however, the Supreme Court of Samoa, recently constituted by the Berlin Treaty, which finally wound up the case in accordance with this decision. When he died in 1895, Frank Cornwall was living on the Magia plantation; the plantations of Lata and Faleula were held by the Auckland syndicate which had provided money to fight the case; and Wm. McArthur & Co. had withdrawn from Samoa.

Whilst the Cornwall affair dragged on, Apia was enlivened by the intermittent appearance of his Auckland associates who came with the avowed intention of turning McArthurs off the land by force.⁸³ The affair added another strand of interest to a community whose main preoccupations remained, however, with Samoan copra and Samoan politics.

The European community lived under the constant shadow of Samoan political instability and long before the century ended had ceased to extract any advantage from it. When the factions were fighting, Apia—despite its formal neutrality—was likely to be a major battlefield. Concern for the safety of Apia residents was, therefore, one of the consuls' major preoccupations. It was the principal reason why they always endeavoured to prevent issues coming to open fighting, which only served to prevent their being settled with any permanence. It was in this sense that the town of Apia was, in Stevenson's phrase, 'the seat of the political sickness of Samoa';⁸⁴ but the root of that sickness lay in the Samoan social and political system, in attitudes and values which, though attractive in themselves, were at this stage of Samoan history disastrous politically. And in the intimate working of Samoan politics—although they might influence events and sometimes appear to dominate them with warships—neither the beach, nor the consuls, nor the High Commissioner, were really much more than bemused spectators.

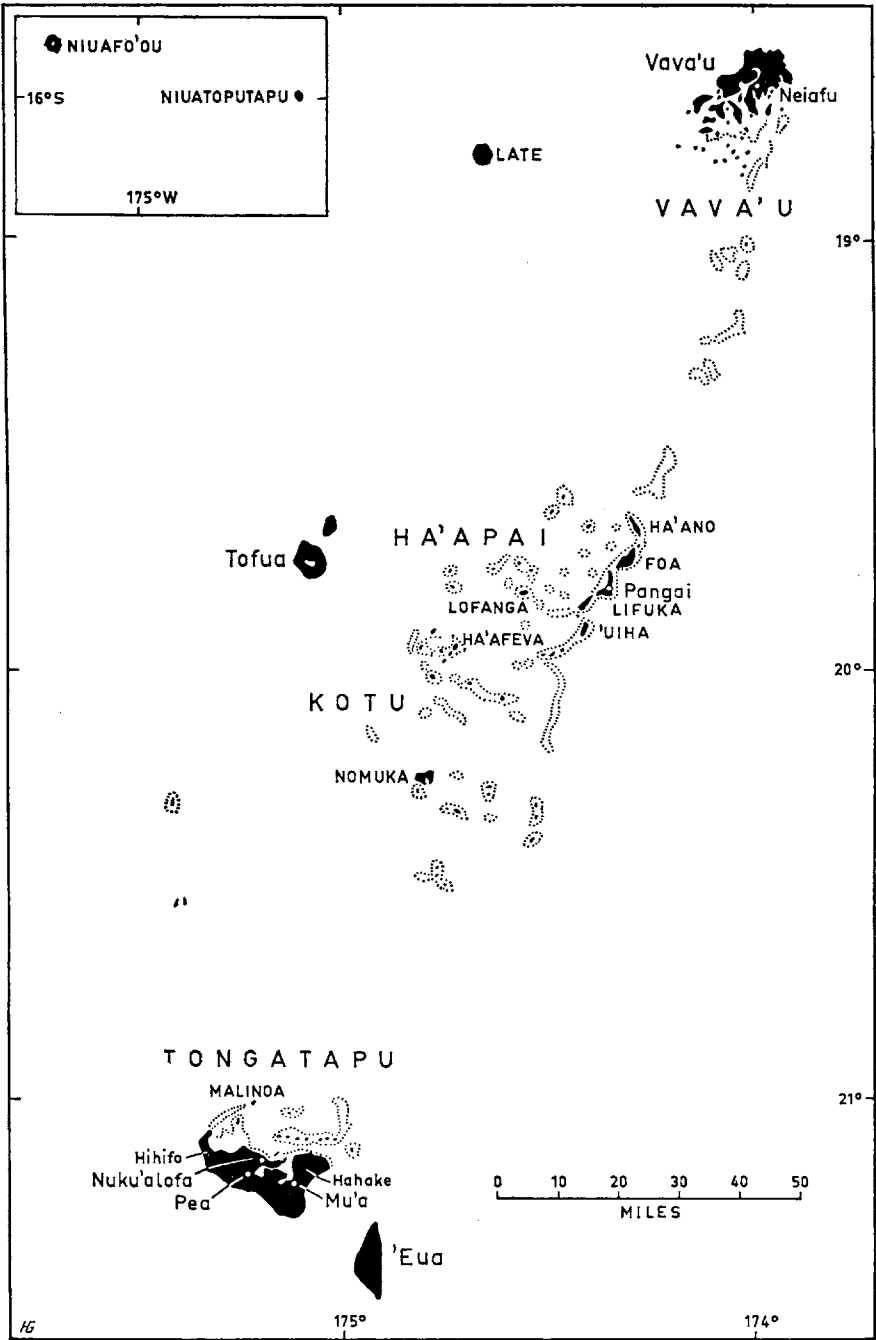
The High Commissioner in Polynesian Politics: Tonga, 1876-1914

If there was, at the international level, a certain inconsistency in the High Commissioner's attitude towards Samoa (in that, though he regarded German colonial policy in the Pacific as disastrous for the islanders, he was prepared to see that group delivered to Germany) the reason lay in his concern for Tonga. This, the only Pacific islands kingdom to maintain independence under its native dynasty, was a source of constant and peculiar anxiety to him. His concern was motivated less by his extra-territorial duties than by his responsibilities as Governor of Fiji. The welfare of the crown colony demanded that a group of islands so close to it as Tonga should be under no other foreign influence than that of Great Britain. As Sir Arthur Gordon pointed out in July 1880, the Lau group was closer to Tonga than to the colony's own administrative centre; it was permeated with Tongan influence and at the time of Cession had been suspected of separatist leanings. Therefore, to allow Tonga to come under the dominant influence of Germany, which had large commercial interests in the kingdom, would be to threaten the security of Fiji. This was the more evident in that German subjects—the Hennings brothers—had important interests in Lau and were on terms of friendship with the Tongan, Ma'afu, Roko Tui Lau.¹

This point of view was immediately accepted in the Colonial Office, where Herbert observed:

Without attempting to oust Germany from any position which she may fairly acquire in the Pacific we may properly take care that her agents do not acquire such rights in a place situated, as the Friendly Islands are, near Fiji, as would deprive the Islanders of their independence, or British subjects of their legitimate rights of concurrent trading etc.²

Seven years later, Bramston succinctly minuted 'Samoa for Germany—Tonga for England',³ after J. B. Thurston had firmly advocated such a choice. Whilst serving on the international commission of inquiry into the affairs of Samoa in 1886, Thurston was privately asked by the German member if Britain would agree to Germany's exercising preponderant in-



2 Tonga

fluence there, ‘“if we agreed to your having a free hand in Tonga?”’ He replied that Britain had no desire to obtain a ‘free hand’ in either Tonga or Samoa; British policy had always been ‘to preserve the neutrality and independence of the native Government established in both places’; but he admitted that, ‘in the event of the Tonga Government collapsing’, Britain might consider it necessary ‘to claim on behalf of the Colonies generally, and of Fiji in particular, what might be called the “reversionary interest” in those islands’.⁴

On the eve of the Washington Conference on Samoa in 1887, Thurston vigorously recommended that this unofficial German proposal should be accepted. British political influence should be withdrawn from Samoa in return for a similar concession by Germany in respect of Tonga. This was the line taken by Britain in communications to Germany before the Conference opened. Since she had already committed herself to support of the German scheme for Samoa—under which Germany would administer Samoa under a mandate from Britain and the United States—Germany was able to retreat from the earlier proposal, which Thurston had understood to have been made with official sanction, and to insist on retaining her treaty rights in Tonga. After the United States had blocked the German plan for Samoa, Thurston reiterated his argument. He insisted that ‘any concession sought by Germany in respect of Samoa must be accompanied by similar and equal concessions from Germany in regard to Tonga . . .’. If circumstances arising in Tonga should compel Britain to intervene—‘such . . . as the collapse of the Government upon the death of the King, the setting up of rival claims to the Kingship, or [if] the maintenance of peace and protection becomes necessary’—then Germany must accord her the right so to act.⁵

At the end of the century, this division was finally committed to an international treaty. In February 1900 was ratified the treaty by which, in return for Britain’s withdrawal from Samoa, Germany gave up—among other colonial interests—all her rights in Tonga under her 1876 treaty of friendship.⁶ In May of the same year B. H. Thomson—who from August 1890 to August 1891 had been seconded from Fiji to the service of the Tongan government,* dragged from the reluctant King George Tupou II a treaty under which Tonga became a form of British protectorate.⁷

Before that date the formal relations of the High Commissioner with the kingdom were governed by Sir Arthur Gordon’s treaty of November 1879 and Sir John Thurston’s Agreement of June 1891. The 1879 treaty, promising perpetual peace and containing the customary ‘most favoured nation’ clause, in article III defined the extent of the High Commissioner’s

* See below, p. 108.

extra-territorial jurisdiction over British subjects. Far greater authority was left to local courts than had been permitted in the recent treaty with Samoa. For criminal offences cognisable under British law, nationals were declared to be answerable to the High Commissioner's Court. For offences against the municipal law of Tonga not so cognisable, they were left to the jurisdiction of the Tongan courts. And for offences cognisable under either, the defendant might choose in which court he would stand trial. Civil actions were to be heard only before the deputy commissioner. Further authority and dignity were added to the Tongan judiciary by the provision that, whenever possible, summonses to Tongans to appear as witnesses in cases before the deputy commissioner should be countersigned by a judge of the Supreme Court of Tonga. The terms of this treaty reflected, therefore, Gordon's sense of the Tongans' capacity for self-government. Those of the 1891 Agreement showed a decline in confidence in the Tongan government. British subjects were now made justiciable in Tongan courts only for breaches of local laws relating to customs, taxation, and police, where these were not covered by British law; and the option of trial in either court was revoked.⁸

Neither of these instruments of 1879 and 1891 provided for any direct interference in Tongan affairs by the High Commissioner; but attempts were, in fact, made by him to intervene. The clearest definition of what the High Commissioner considered was actually his relationship with Tonga was contained in the instructions given by Sir Charles Mitchell in April 1887 to a new vice-consul and deputy commissioner, R. B. Lefe. Lefe was ordered to

bear in mind although all respect should be paid to the independence of the Tongan Government in regard to the observance of all due forms and ceremonial observances, that Tonga does not stand to Great Britain in the ordinary relations of one sovereign power to another, but rather that of a small independent state that usually acts under the friendly advice of a greater power.⁹

This, from the High Commissioner's standpoint, was the ideal relationship. Given the basic element in his policy towards Tonga—that the group must be under no foreign influence other than that of Britain—it could either be a formally independent kingdom acting under informal advice, or it could be a dependency of Fiji. Though High Commission officials sometimes felt that the latter alternative was the proper one, they could seldom shake off the feeling that the Tongans would not accept British rule so readily as had the Fijians. The assurances of British residents that Tonga would make a contented dependency were generally received in the High Commissioner's Office with justified scepticism;¹⁰ but if Tonga was to remain an independent kingdom it must, given that basic element, be

governed efficiently and in a fashion which showed that it recognised and was prepared to fulfil the obligations of an independent state. The government must conduct the country's affairs without patent injustice or scandal.

In the opinion of successive High Commission officials, these attributes were singularly lacking in the Tongan government. It achieved a reputation for deviousness and corruption. As late as 1911 the Chief Judicial Commissioner was writing privately from Nuku'alofa: 'The state of things in the local Denmark is as rotten as it could be'.¹¹ In the previous year the Assistant to the High Commissioner had remarked, with mingled asperity and resignation, upon 'the devious path along which the Govt. of Tonga travels in the accomplishment of its Destiny'.¹²

The characteristics of that government which they most deplored were generally ascribed by British officials to those Europeans who—invariably in despite of the deputy commissioner and of directives from Suva—obtained offices in it; for in Tonga was developed, to a far greater extent than in Fiji or Samoa, the characteristic, common in the early 1870s to all three groups, of a dominant European conducting affairs under an imported constitution in the name of an indigenous ruler. Whilst J. B. Thurston passed from that exposed position into the service of the colony which inherited Cakobau's kingdom, and whilst—until 1887, at any rate—the united determination of three consuls ensured that no unauthorised foreigner followed in Colonel Steinberger's footsteps, the Reverend Shirley Baker survived the initial shock of close confrontation with British authority which displaced his confrères, and remained for thirteen years the Titan of Tonga.

II

If the government of Tonga was more worthy of the name than that of Samoa, this was due to the continued vigour of the man who, between 1820 and 1845, had welded separate chiefdoms into a kingdom. In this task George Tupou had been aided by the Wesleyan Mission, on whose support he had been able to rely since his conversion in 1830; but in the 1860s and 1870s his need for informed European assistance grew as he aged and as the problems of his realm increased. The main problem that he faced was an international one—to obtain the recognition of his kingdom's independence by European powers and thus to escape the fate which befell Tahiti in 1842, New Caledonia in 1853, and which was threatening Fiji from 1858 onwards. That Tonga would be annexed by one of the great powers was Tupou's greatest fear. In 1854, from Charles St Julian, Hawaiian Consul-General in Sydney, he learned that the formula which would keep his kingdom independent was westernisation; he was advised that Tonga must have a western façade, with a written constitution and a code of laws.

Thus she would become a civilised nation, and would have to be treated so by European powers.¹³

The movement to westernise Tonga reached its apogee in the constitution granted by Tupou in November 1875. Based on the constitution of the Hawaiian kingdom, it provided for the equality of all men—including chiefs and Europeans—before the law, vested the succession to the throne in Tupou's heirs, and provided for the nomination of a cabinet by the king, the creation of a Legislative Assembly—composed of the cabinet, twenty chiefs, to be called 'nobles', and twenty elected members—and of a judiciary. Written into the constitution was a reaffirmation of the existing prohibition on the alienation of land, and a system of leasehold tenure designed to provide every Tongan taxpayer with a town lot and a garden. The author of the constitution was the Reverend Shirley Waldemar Baker, chairman of the Tonga District of the Wesleyan Mission, the man on whom Tupou had now come to rely to keep Tonga independent.¹⁴

Shirley Baker had arrived in Tonga in 1860; he came from teaching in a Wesleyan school in the town of Castlemaine on the Victorian goldfields and, before that, from England, though from whence in England and in what circumstances was a mystery. His daughters were later to claim that he was born in London in 1836, the son of a Church of England clergyman, and had found his vocation as a missionary after a leisured trip to Australia to visit relations in 1852. Enemies, however, spoke of his having arrived in Australia as a stowaway; his imperfect grasp of English grammar and usage, and the difficulty which he always experienced with his aspirates, are far from suggesting the parson's son; and his biographer can find no evidence to support his daughters' story. He was thus, in all probability, a man of particularly humble origins who passionately aspired to gentility and to 'make a name' for himself. In the mission field his unprepossessing exterior was offset by a sedulously-cultivated piety and by undoubted energy and varied abilities. Amongst the latter he counted some medical knowledge and a taste for drafting laws.¹⁵

That Baker was personally unattractive—to all except his family, in whom he inspired devotion—is suggested by the evidence. Most Europeans who had to work with him became his enemies; they found him cunning, vindictive, and unscrupulous in the prosecution of his schemes, a master of deviousness and casuistry.¹⁶ He had few friends; but he was a man who was much used. When he became chairman of the Tonga District of the Wesleyan Mission in 1870, the parent body in London had lately informed the General Conference in Australia that it could no longer meet the annual financial deficit of the Pacific Islands' missions and that these missions must make themselves self-sufficient by raising larger contributions locally. In the following years, Baker collected in Tonga annual contribu-

tions which not only covered the local expenses of the Mission but also enabled him to send considerable sums of money to be spent in other fields. He achieved this by methods which secular observers considered questionable and which were to bring him into disrepute; but the Mission for years accepted both the means and the money.¹⁷

He was used also by Tupou, who was early attracted by Baker's energy and interest in secular problems. In 1862, only two years after his arrival in Tonga, Baker drafted the new code of laws in which Tupou attempted to put into practice some of the lessons he had learned from St Julian. By 1873 Baker was fully established as the king's adviser.¹⁸ His acceptance of the position and his conduct of policy were held by his enemies to be motivated purely by ambition; but, though he certainly was ambitious, his avowed aspirations for Tonga—which, to a considerable extent, were supported by his actions—were far from being dishonourable. He aimed, so he said, 'to try and prove to the world the power of the Gospel [in Tonga], and that it can not only raise their souls but their bodies too, and that it does not necessarily follow that the native races die out when they embrace Christianity'.¹⁹ As Thurston had done in respect of Fiji in 1873-4, Baker identified himself with an independent Tonga. In 1876 he gave his watchword as 'Tonga for the Tongans' and his object as 'to enrol Tonga in the family of Nations'.²⁰ He achieved the latter object in November of that year, when a treaty of friendship was signed between Tonga and Germany.²¹

By the mid-1870s Baker had violent critics in the British traders living in Tonga, whom he hurt both in their pockets and their pride. Under Baker's system of church collections, much of the copra made by Tongans went to the Mission and was then disposed of through the firm of J. C. Godeffroy & Son. And Europeans were under much stricter control in Tonga than elsewhere in the Western Pacific. They were forbidden to buy land, and Baker's constitution subjected them to Tongan law; the latter forced them to observe the conventional moral standards of their own society—often interpreted in an exaggerated form—of which many of them expected to be free in the South Seas. Nor did they receive the respect and consequent material advantages which, as the most advanced race in the Darwinian universe, they considered their due. The Tongan character was no less self-assured than the Anglo-Saxon, and the Tongans were abetted by Baker, who, in the first issue of the *Tonga Times*—which he established in 1876—reminded his fellow Europeans that 'The Tonguese are the only legitimate citizens of Tonga' and proclaimed that he hoped that 'the day will never dawn when one inch of Tongan soil shall be alienated . . . from the Tongans'.²² The annexation of Fiji in 1874-5 encouraged British residents in Tonga to assert themselves. Their own government inadvertently gave them an opportunity to do so, for although the main strand of British

policy towards the Western Pacific was to place nationals resident there under stricter control and to emphasise their duty to the local authorities, where these existed, one of the official representatives most active there until the 1877 Order in Council issued was the perambulating Consul Layard, a man with an incorrigible settler bias.

Layard, fresh from his Samoan adventure, arrived at Nuku'alofa in a warship in February 1876, the first British Consul to be seen there for at least twelve years. Many of the foreign residents of Tongatapu—some forty in all, the majority of them British subjects—immediately repaired on board to present their grievances against the government. These were, so Sir Arthur Gordon later considered, 'ludicrously trivial'; and, by Layard's own account, the 'most serious' was the martyrdom, in the shape of a \$100 fine, of a British resident in Vava'u who was convicted—probably justly, although by defective procedure—of bringing ashore three bottles of rum when his customs permit was only for two. The object of British residents, however, was less to retail individual grievances for their own sake than to build up a case against Baker. They regarded him as the origin of their disabilities; and, since Europeans on the beach who found the advancement of their interests impeded by a fellow white automatically assumed that he was making a profit out of doing so, they attacked Baker in his moral character. His main concern was alleged to be for his own pocket. The recent discovery of the Godeffroy-Steinberger contract threw lurid significance upon the close relations which existed between the German firm and the dominant European in Tonga. Baker was accused of taking a similar percentage upon the Mission copra, which went to Godeffroys through his agency, as that which Steinberger had been promised.²³

Layard reported that Baker virtually ruled Tonga, to his own aggrandisement and that of Godeffroys, and that his manner of raising missionary collections was an affront to Christianity.* The foreign residents felt they

* For a reply to Layard's allegations by Baker, see *WPHC, Miscellaneous Papers relating to Tongan Affairs*, Bundle 1. Baker protested:

I had the honour of drawing out the deed of their liberty, of giving them their Flag, of giving them most of their laws, of getting them to make good roads, & have always tried to teach them habits of industry & frugality, to get good houses, clothes, home comforts. . . . As for the [self] aggrandisement, I am puzzled to understand in what way; neither His Majesty nor his government, or any one has given me a farthing, & I am certainly poorer for what I have done, for though at times I have helped the Govt. in a pecuniary way, I have never asked or charged one farthing per cent for so doing.

A person of Mr Layard's position, though he may choose to associate with beachcombers, yet he has no right to repeat their gossip without first ascertaining its truth.

It remains a legitimate question, however, how Baker contrived, on his mission salary, to amass money to lend to the government. Dr Rutherford suggests that his capital came from his medical practice ('Shirley Baker', pp. 62-3), but in that case the practice must have been so large as to be almost a full-time responsibility and his charges must have been high.

had reason to hope that, as a result of his report, their object—to secure Baker's removal by his Mission superiors—would be achieved. They expected that, at the very least, one of their number—E. W. Parker, whose sheep-run on Eua was not flourishing—would be appointed vice-consul, from which eminence it would be possible to get at the king under colour of 'British interests'.

The government's confidence in dealing with the foreigners was shattered by Layard's visit. When Commodore Hoskins called at Nuku'alofa, three months later, he had to assure the king that British subjects were still amenable to Tongan law where it accorded with civilised custom, to advise that Layard's request that British subjects be permitted to retail liquor should not be granted, and to recommend that any foreigner who defied the government should be placed under restraint until a warship arrived.²⁴ Any lingering doubts which the government may have had on these points should have been set at rest as a result of Gordon's first visit as High Commissioner in April 1878. Treaty relations were formally entered into by Britain and Tonga, the kingdom's courts were accorded considerable jurisdiction over British residents, and Queen's Regulation No. 1 of 1879 was issued to forbid the sale of liquor to Tongans by British subjects. The latter were given such cause to wonder whether this was not too high a price to pay for the few extra-territorial privileges granted by the treaty as to join Baker in intriguing to prevent its ratification by Tupou.*

In certain respects, however, the state of affairs which Gordon found in Tonga was so repugnant to him that some of his criticisms echoed Layard's. The High Commissioner complained about minute sumptuary laws—the prohibition of *tapa*, laws to ensure the covering of the body in imported cloth—and repressive legislation generally, with the apparent dual purpose of inculcating lower middle-class British standards of behaviour and of raising revenue from the fines accruing from their constant infraction. The gravamen of Gordon's indictment was not, however, centred—like Layard's—upon relations between Europeans and the Tongan government, but upon relations between that government and its Tongan subjects.

He was concerned with the character of the government, the principles

* Gordon to F.O., 27 April 1878, *WPHC, Consul-General to F.O.*; on the elements who opposed ratification of the treaty, see Thurston to Gordon, 11 November 1880, *WPHC Inward Correspondence, General*, no. 149 of 1880. The major obstacle to ratification, however, was Baker, who saw the extra-territoriality clause—mild though it was—as a threat to Tongan autonomy. The king himself had greeted it with pleasure: see George Tupou I to Maudslay, 28 September 1878, encl. Maudslay to F.O., 30 September 1878, *FOCP* No. 4285: 'I write to you now in a spirit of joy and with peace of mind because the thing I have so long desired is being accomplished—the making of a Treaty between Britain and Tonga. The rocks and trees of this land, had they mouths, would also rejoice.' (The Tongan original of this letter is in *Agent and Consul, Tonga, Set 2.*)

upon which it acted, and their suitability to the environment. They were, in his view, totally unsuitable. The rapid advance made by Tonga in assuming the trappings of western civilisation had been at the expense of tradition and good taste. To High Commission officials the results seemed grotesque.* They might even be dangerous, since the Tongans seemed sullen and disorientated; there appeared to be grave risk of conflict between the people and a government preoccupied with enforcing values which were alien to them. The fact that, as Gordon observed, 'Nuku'alofa . . . somewhat resembles a small Colonial or American watering-place' was no commendation in his eyes of the man who, by his own proud boast, was responsible for a transformation which the High Commissioner considered to be essentially undignified.²⁵

There was thus a conflict of values between Gordon and Baker. On the one hand was the liberal, well-bred, High Anglican autocrat who governed Fiji and who aspired to govern indirectly the sister groups, delighting in the magnanimities and mystique of Polynesian chieftainship, approaching the task of governing Polynesian peoples with a genuine sense of mission and convinced that it was essential to their survival that their customs should be maintained and only gradually adapted to meet alien standards. On the other hand was the no less autocratic and decidedly illiberal Wesleyan missionary, would-be lawyer or medical man, with his manufactured family background, his humbug and dropped aspirates, who had no use for Tongan society in its unimproved condition and whose instinct was to 'raise up' the Tongans into replicas of lower middle-class Englishmen, but who was, withal, a man of great energy and considerable ability, coarse-fibred and ill-lettered, yet capable of considerable vision on behalf of Tonga, and who saw in the High Commissioner a threat to the kingdom's independence.

Baker was in Auckland at the time of Gordon's visit. The High Commissioner at once wrote to him from Nuku'alofa, saying how anxious he was to recognise and support Tongan independence. He had been much impressed by what he had seen, Baker's energy and devotion were everywhere apparent; but he greatly feared that he was going too fast and, in some instances, along mistaken lines.

I most cordially echo your motto of 'Tonga for the Tongans', but I am certain that changes unnaturally and too rapidly forced will result in there

* See, for example, Thurston to Gordon, 17 May 1881, *BM Add 49204*:

The Crown Prince [David Unga], who came in a white duck costume with gilt buttons & some gold braid, indicated his love of comfort by wearing very large carpet slippers. By way of making the incongruity more startling he sported a very nice helmet hat of a strong Military persuasion. He apologised over and over again for having forgotten his cards.

It is irritating to see these people, who in good hands would be excellent & happy beings being made such fools of.

being no 'Tongans for Tonga'; since, as in the case of Hawaii, the native population will inevitably & rapidly disappear.²⁶

In a personal interview two years later—at which Baker acknowledged that he had opposed ratification of the British treaty, in a bid to keep High Commission influence out of Tonga, and Gordon disclaimed any desire to annex the kingdom—the High Commissioner reiterated his point of view. His whole aim, he insisted, was to preserve indigenous peoples from white domination and from dying out. It was because he did not believe that Baker's methods would achieve these ends that he could not support them. He was 'no believer in transplanting full-blown European institutions to Polynesian soil; the only true and lasting civilization being . . . that which *grew* out of what already existed'. Baker agreed that the process of westernisation had in some respects gone too far; but he protested that the 'Tongans' own enthusiasm and imitative propensities were largely responsible for this. There was much truth in this: the prohibition on *tapu* and the encouragement of European clothing, for instance, derived from Tupou's desire that his people should show their civilisation by dressing *fakapapālangi*.²⁷ But Gordon replied that it was

not the wisdom or folly of this or that particular law to which I attached importance, but the principle by which they were generally dictated: was it that of developing and improving native systems intelligible to the people or that of transplanting European ones?²⁸

The whole atmosphere of Tonga conclusively demonstrated that the latter was indeed the principle on which affairs were conducted. This in itself was an offence in the eyes of the first vice-consul and deputy commissioner appointed there, A. P. Maudslay.* He was an avid pupil of the doctrine, to which Gordon subscribed, that continuance of customary values and traditional systems was essential to the survival of peoples subjected to contact with more developed and aggressive civilisations. He was accompanied, on his arrival in June 1878, by David Wilkinson, who had been a member of the Native Affairs Department of Cakobau's government, was reputed to be more Fijian than the Fijians themselves, and now, with Maudslay, gave vent to a similar characteristic in Tonga. Their activity in Nuku'alofa made it almost impossible for the High Commission to work amicably with Baker.

Maudslay was instructed by Gordon to 'give all possible support to a weak and new Government of so peculiar a character and so well deserving

* Maudslay, who later achieved eminence as an archaeologist, was left by Gordon as Acting Consul-General for the Western Pacific when the latter went to England on leave in 1878-9, and found himself deeply involved in intrigue, both in Tonga and Samoa. On Gordon's return he found that, as a result, Maudslay had 'got into the habit of whispering everything he says, as though it were a solemn and secret confidence' (Gordon to Lady Gordon, 2 September 1879 (Stanmore, *Fiji*, IV, p. 11)).

of encouragement and assistance'. He should be careful not to 'obtrude advice upon the King or his Ministers but if sought for it is to be frankly and cordially given in the spirit . . . indicated'.²⁹ Maudslay's interference went far beyond this. He sought to convince the Tongans that Baker was an incubus upon them, that their own systems and values were as valid as—for them, more valid than—those which he was instilling into them.

This was the burthen of the long conversations which he had, not only with the king and his son, David Unga, but also with William Tungi.³⁰ The latter would in his own right have been Tu'i Ha'a Takelaua, had not Tupou prevented the title being conferred, and he may have harboured designs on the throne.* It was a matter for complaint with Maudslay, as with Gordon, that Baker's whole aim was 'to transform the natives into white men, or rather what he considered white men should be'. The constitution he considered otiose in the extreme. Until 1875, he believed, the government had been conducted 'partly in accordance with the old customs of the country' and partly after laws passed at meetings between king and chiefs. 'With a little guidance', so he thought, 'the native race might well have been left to develop of itself under the new impulse which had been given to it by the introduction of Christianity and contact with Europeans.' By the constitution, so-called representative government was introduced at too early a stage.

The people are to have perfect liberty and the most advanced liberal institutions, that is to say, that they are no longer obliged to obey . . . their Chiefs, whom they had been brought up to respect, and are under no other control but that of the laws, some of which are most distasteful to them, and many of which they do not understand.

In his indictment of Baker's laws, Maudslay's complaint was once more that 'No native custom, however harmless, was left untouched'.³¹ It was certainly true that legislation followed Wesleyan Church regulations and that sin was a penal offence, made profitable to the authorities by the infliction of fines. On the island of Niuafu'ou between March 1877 and July 1878, fines brought in a total of \$8,350 of which \$4,613 were for sexual offences. The formal dictates of lower middle-class Anglo-Saxon morality did not sit easily upon the Polynesian temperament.³²

Maudslay began building up a dossier on Baker, in the hope that the

* The state of affairs between Tupou and Tungi requires much more detailed elucidation than it has yet received. Present Tongan opinion seems to be that Tungi never had designs upon the throne and nursed no resentment that the title of Tu'i Ha'a Takelaua was never conferred upon him. But local Europeans in the 1870s and 1880s saw him as a potential rival to Tupou. Robert Hanslip, Tungi's adviser, insisted that Tupou only ruled by courtesy of Tungi. (See Hanslip's affidavit, *WPHC Inward Correspondence, General*, no. 148 of 1883.) This was the over-sanguine thinking characteristic of a would-be prime minister; but it seems probable that, even at this late stage, Tupou's position was not without some elements of insecurity.

Mission would remove him. In August 1878 he admitted to Gordon that he had given up all idea of trying to work with Baker, since 'he has gone much too far, and is such a brute'.³³ But although he and Wilkinson, within a month of their arrival of Nuku'alofa, had been raking up allegations similar to those which the beach politicians had retailed to Layard, they could secure no concrete substantiation.³⁴ Their charges against Baker, into which a special commission of the Wesleyan Board of Missions inquired in October 1879, were extracted largely from Maudslay's private letters to Gordon and represented, in the main, the unsupported gossip of the foreign community. The familiar points were detailed: that Baker was the secret commercial agent of J. C. Godeffroy & Son, that he interfered deeply in political matters and was responsible for the German treaty of 1876, that he had intimidated Tongans and prevented them from giving evidence to the deputy commissioner, and that he had used improper methods to exact large Mission contributions from the Tongans.* Of these allegations, all except the first were almost certainly well-founded, but only the last was susceptible of conclusive proof. It was a well-documented fact that, especially for the jubilee year (1876) of the Wesleyan Mission in Tonga, Baker—with the full support, even encouragement, of his Mission superiors in Sydney—had employed a mode of collection which forced the people into debt with Godeffroys. On the day before collections were to be taken, Baker advanced money to the firm's agents in the villages—in return for orders upon it to cover the advances—which, as collections were being made, the agents then lent to the people, who were in a frenzy of religious fervour, in return for pledges to provide a given amount of copra. The Mission made over £15,000; the firm, finding difficulty in getting its copra, issued distress warrants against a number of Tongans; and, as Maudslay's inquiry came closer, Baker settled some of these to the tune of £300.³⁵ This series of transactions enabled a High Commission official to assert that the

love of money that prompted the Wesleyan body to retain Mr Baker in office, and shut their eyes to the discreditable means employed by him to raise contributions was the immediate cause of the troubles that followed.³⁶

* *WPHC*: 'Papers connected with the investigation at Tonga of certain charges brought against the Revd S. W. Baker', October 1879. Maudslay was horrified to find that he was called upon to substantiate several charges—especially that Baker was a pensioner of Godeffroys—which had been constructed from his private letters to Gordon, wherein he retailed the gossip of the beach. This charge, in particular, he had made privately on the authority of Hanslip, who was his interpreter and who claimed to have seen a contract between Baker and Godeffroys, 'of much the same nature as the Steinberger agreement' (Maudslay to Gordon, 25 January 1879 (Stanmore, *Fiji*, III, p. 511)). At the inquiry Maudslay could not even attempt to substantiate it.

But, for the open conflict which had now developed between Baker and the High Commission, responsibility mainly adhered to defective judgment on the latter's part. The strength of Baker's personal hold upon the king was at first underestimated and full justice to his motives was far from being done. Maudslay, in particular, was led—through his instinctive revulsion against Baker's cast of mind—into a personal enmity with the missionary which was akin to the beach's hatred in its inability to attribute to him any but the most dishonourable motives and which ignored the genuine nature of Baker's desire to maintain the kingdom's independence.

Tonga, according to the first issue of the short-lived *Tonga Times*, was to be an independent state, governed by Tongans. To this end, by Baker's own account, his efforts were directed.³⁷ To some extent the 1875 constitution made nonsense of this, devoid as it was of any foundation in Tonga custom and serving as it did for Baker's single-handed exercise of power: during the 1880s he was to hold two of the four cabinet offices named therein, as well as a new one in the Ministry of Foreign Affairs.* Yet it is amply clear from the Samoan example that a society which sought sanction for every action in 'custom' and which adhered wholeheartedly to traditional political modes, failing to adopt foreign standards so as to be able to meet external pressures, social and political, on their own terms, was not likely to retain its autonomy nor, eventually, its independence. The High Commission's preference for gradual change was realistic only for a society, such as that of Fiji, which had already accepted dependence on a colonial administration; even then, if Fiji be the example, it was probably contrary to the long-term interests of the society itself, in so far as it involved dependence on an immigrant race. Nor did recent precedents support Maudslay's belief that, under the simple stimulus of increasing European contact, the Tongans would, of themselves, have developed competent political institutions. Events in Fiji and Samoa indicated that the reverse was true; they suggested that to the survival of Pacific island kingdoms as independent political entities a European intermediary was essential, in part to interpret—however inadequately—one society to the other and in part simply to conduct foreign relations and to discipline the foreign residents. According to High Commission theory, this was the function of the deputy commissioner; but this was a doctrine which could easily, and

* According to B. H. Thomson (memorandum, 24 August 1891, *WPHC Inward Correspondence, General*, no. 276 of 1881) Baker cloaked all the processes of government in a specious mystique, with the object of enthroning himself permanently in the seat of power. Almost every year after he became Premier, however, Baker spent several months in Auckland; and, although important matters were sometimes so long held over to await his return as to excite the deputy commissioner's annoyance, the normal administration of the kingdom seems to have been conducted smoothly enough by the Tongan assistant ministers.

not without justice, appear to be the first step towards a protectorate. There was no great distance from the convention that the deputy commissioner's advice *was* taken to the stipulation that it *must* be taken.

These were the grounds on which, from September 1878, Baker chose to fight his campaign against Maudslay, and on these he won it. He played on Tupou's fear of British annexation and preached in the king's chapel on the text 'O foolish Galatians, who hath bewitched you', in his exposition of which he likened Tonga to a canoe whose crew, on the point of going about, had entrusted the most tricky part of the operation to a white man, who had no experience of handling the craft, to the imminent risk of capsizing her.³⁸ By January 1879 Maudslay was becoming aware that his battle for the king's ear was lost; the laws had been reissued by the Legislative Assembly without the changes that he had advocated and had been led to believe would be made. William Tungi, on whose influence against Baker he had set much store, had retired to sulk at Mua.³⁹

The High Commissioner's attempt to secure Baker's removal by his Mission superiors was no more effective than had been its campaign to displace him from Tupou's confidence. In 1879, indeed, threatened with the exposure of his method of raising money, the Mission withdrew him from Tonga. Next year he returned, resigned from the Mission, and became Premier, Minister of Lands, and Minister for Foreign Affairs. The High Commission had, therefore, to learn to coexist with the only European guiding the affairs of a Western Pacific kingdom who had survived the 1870s.*

III

Given the failure of attempts to replace Shirley Baker's guidance with that of the deputy commissioner, and the obvious need of Tonga for the guidance of some European, his usefulness to the kingdom was undeniable. Although Gordon deplored many of Baker's actions, he was aware that there was no other European in Tonga who was not even more unfitted to exercise authority there than he was and held that, 'notwithstanding all its objectionable features, his rule is preferable to the administrative anarchy which would unquestionably follow his removal in existing circumstances';⁴⁰

* Rutherford, 'Shirley Baker', pp. 234-54. For explanation of Baker's recovery, see, for example, Blythe to Gordon, 3 August 1880, *Agent and Consul, Tonga*, Set 12: 'The feeling of the people may be expressed in one sentence—"it is the King's wish". The feeling of the King is that he cannot govern his country whiteman's fashion, according to the Constitution. . . , which he does not understand, without some whiteman's assistance, and Mr Baker, by misrepresenting Your Excellency's motives and intentions, and insinuating that annexation must sooner or later follow, has succeeded in persuading His Majesty that he himself is the only disinterested person available in his extremity.'

but the basic antipathy had not changed. Gordon did not recede from the view that his government was that 'of a narrow-minded, selfish and ignorant man, unfettered by any check whatever', and that it was, therefore, 'an eminently bad government'.⁴¹

Successive High Commissioners were hostile critics. Anomalies and minor absurdities would readily have been forgiven an indigenous administration which was attempting, with some success, to meet foreign residents and officials on equal terms and which looked for advice to the High Commissioner. In a government conducted by a British subject of suspect loyalty, whose social and political principles were not those of senior imperial officers and who in personal negotiations was invariably found to be 'shifty and disingenuous', they were assured of unfavourable comment.⁴² Formally, indeed, the High Commissioner was at pains to maintain the conventions, to acknowledge the kingdom's autonomy and the government's right to act as it saw fit. In August 1881 Maudslay's successor as deputy commissioner was informed that he might point out to the king the probable harmful effect of certain laws recently passed,

but you will be careful to add that on these matters His Majesty is at perfect liberty to act as he pleases, although you deem it right as a friendly act on the part of a power interested in his welfare to point out the probably pernicious consequences of well-meant but ill-considered legislation.⁴³

The deputy commissioner himself, however, was generally far less circumspect. The pattern of personal involvement set by Maudslay was followed to an extreme by his successor, H. F. Symonds, who had been with him in Tonga as consular clerk in 1878. The consulate was, automatically, the resort of British residents with a grievance against the government and its occupant's correspondence with the Premier was necessarily much occupied with presenting their complaints to be redressed. Given the mistrust and dislike which existed between the consulate and the Premier's office, this correspondence was generally combative and frequently actively hostile in tone, whilst the grievances in question were sometimes pressed by the deputy commissioner for more than they were worth.⁴⁴

The Deputy Commissioner's Court, which should have been an invaluable adjunct to the government in providing a check upon British residents which they could not dispute, became instead a subject of violent contention. Baker saw its jurisdiction as an infringement of Tongan sovereignty, whilst his enemies held that he objected to it because it prevented him from harassing the most vocal of his opponents with penal laws, as he would have desired. As Tongan law stood when the British treaty was made, those municipal laws against which foreigners were most likely to offend, and for

breaches of which article III made British subjects amenable to Tongan courts, carried only fines as penalties. And for the recovery of the fines it was necessary for the government to sue in a civil action before the deputy commissioner. When, in 1882, fresh versions of these laws were issued to carry prison sentences—together with new laws of treason, press censorship, and a law to prevent Tongans suing British subjects in the Deputy Commissioner's Court without the government's written consent—a naval commander was sent to assist Symonds in urging their repeal.⁴⁵ Some of them—the press law, in particular—were recognised as being proper in themselves; but suspicion of the use to which Baker might put them in coercing his opponents prevailed over other considerations.⁴⁶ On one occasion the deputy commissioner went so far as to assert, through his civil jurisdiction, some authority over land—a subject on which the government, in the long-standing tradition of Tonga, was justly sensitive. According to the constitution, no land at all could be sold; it could only be rented to foreigners by a prescribed form of lease which required cabinet sanction.⁴⁷ In 1883 C. F. Coventry was deprived of land which he claimed by lease, without the formal prosecution in the Deputy Commissioner's Court which, for civil actions, the treaty prescribed. Symonds made a major issue of this, on the grounds that it outraged the dignity of his court and contravened the treaty rights of British residents.⁴⁸ The principle was probably sound enough, but the case was a bad one on which to assert it: Coventry had obtained the lease in Samoa, without the cabinet's endorsement, from a Tongan who was later judged to have had no right to dispose of the land in question. It belonged, in fact, to Tupou himself.*

For most of the 1880s, therefore, the British Consulate and the Premier's office were rival centres of activity. At best, the British representative was—like R. B. Leefe—uneasily balanced between Baker on the one hand, whom he found casuistical and evasive, and on the other the great bulk of British residents. The latter looked to him for protection and advancement, swore that Baker was a German pensioner, avowed that the Tongans longed for British annexation, and petitioned for jobs in the prospective colonial administration which for them represented the millennium. At worst—like Symonds—he became the recognised opponent of Baker and a leader of all the disaffected Europeans in the kingdom, from the Reverend J. E. Moulton to Robert Hanslip. These gentlemen represented the two focal

* A description of the deed on which Coventry based his claim is with Cusack-Smith to Thurston, 17 November 1891, *WPHC Inward Correspondence, General*, no. 263 of 1891. For a vigorous protest by Baker, see Baker to Derby, 27 August 1884, copy *RNAS*, XLII: 'Here again is another anomaly, that a King in his own land . . . should have to go to the Court of another Sovereign, for protection in order to have peaceable possession of his own private lands.'

points of local European opposition to Baker—the Wesleyan Church and the beach—which sometimes coalesced in curious alliance.

Hanslip was the most prominent example in Tonga of that class of dissident European beach politician which was more characteristically associated with Samoa. He had lived in Tonga since about 1867, trading both for Godeffroys and on his own account. In Maudslay's time he was an enthusiastic informant against Baker and he thereafter set up in Nuku'alofa as an advocate in the Deputy Commissioner's Court, also editing a newspaper in opposition to the government. Hanslip was involved—as adviser certainly, although probably not, as Baker alleged, as instigator—in that undercurrent of Tongan opposition to the Premier which centred upon the village of Mua. This was the ancient seat of the Tu'i Tonga and was now the retreat of William Tungi, the strength of whose fidelity to Tupou was matter for speculation among Europeans. The opposition began in December 1882, with a petition to Queen Victoria for Baker's removal, which Hanslip helped prepare, and culminated in an attempt to shoot Baker in January 1887. Hanslip admitted that he had been told that an assassination attempt was contemplated, but he claimed that he had not taken it seriously enough to warn Baker.⁴⁹ His removal from Tonga was twice demanded of the High Commissioner; but, although Thurston privately described him as being 'a mischievous and indeed dangerous person who is very largely responsible for Tongan troubles', he was allowed to remain.⁵⁰ This did not reduce the sense of grievance which Baker nursed against the High Commission.

The Reverend J. E. Moulton, on the other hand, was the leader of an attack—or counter-attack—from the Wesleyan pulpits. Baker's recall to Australia by the Mission in 1879 had been followed the next year by the issue in Tonga of a proclamation in which the king declared his intention of establishing a national church.⁵¹ In May 1881 Baker, as Premier, represented the king as being outraged at his recall and that of the Reverend J. B. Watkin, who had briefly succeeded him as chairman of the Tongan Mission Circuit;* he was, Baker alleged, demanding that Tonga should be an independent district of the Wesleyan organisation.⁵² The declaration in January 1885 of the Free Church of Tonga—which was Wesleyan in doctrine but had no affiliation with the international organisation—heightened the already bitter controversy between Baker and Moulton, who had succeeded Watkin as chairman and was an old personal rival of the Premier. Moulton attacked the Premier through the Mission press, alleging that his legislation was repressive and asserting that the sole motive

* Symonds insisted that the king showed no anger at Watkins's recall by the General Conference until Baker suggested that anger was appropriate (Symonds to Gordon, 25 July 1881, *Agent and Consul, Tonga*, Set 12).

behind the demand for church independence was Baker's desire to recover his undivided control over church and state. Since Baker represented the initiative herein as coming from the king, Moulton attempted to show that Tupou had no mind in this or any other matter. Symonds, now Moulton's son-in-law, joined him in publishing a doctor's opinion that the king was far gone in senility.⁵³

To establish a national church in Tonga would actually seem to be very much in line with Baker's aspirations for the kingdom's autonomy, as he expressed them in 1876. Two years before, in 1874, the question of Tonga's independence of the Board of Missions had already been raised in the king's name.⁵⁴ The Mission was not only already self-supporting, but was sending considerable sums to the General Conference; these were spent in other mission fields. There were strong arguments in favour of separation and the Wesleyan body showed some lack of finesse in handling negotiations; but Baker's motives in pressing the matter so violently in the 1880s were obviously open to suspicion. Whilst there was, to a Protestant Englishman, a respectable sixteenth-century precedent for the Tongan national point of view, there was none at all for an enthusiastic Wolsey who leaped with equal gusto into the role of Thomas Cromwell. Political considerations and vanity were evidently Baker's driving forces. It had become habit with him to control both church and state under the authority of the king, and to pronounce from the pulpit upon political matters. He had a justified grudge against the Mission for withdrawing him. And his position in Tonga would not be secure until he had recovered his former hold upon the Mission teachers and the press, silencing potential critics.*

Although the initiative in the dispute almost certainly came from Baker, the king himself became personally committed to the idea of an independent Tongan church. Baker's opponents strengthened him by attempting to browbeat the king, who was actually very far from being senile.† After Tupou's son, David Unga, had died and whilst one of his grandsons lay dying, Moulton had upbraided him in the manner of an Old Testament

* For a well-balanced opinion of Baker's motives, see Mitchell to C.O., 6 May 1887, *WPHC Despatches to S of S*: 'I think he is very ambitious, and anxious to make a name for himself in the world—if only in the limited world of the South Seas— . . . Thwarted by his superiors in the Wesleyan Church, in his endeavour to extend his political influence while at the same time holding his church position, he showed little hesitation in abandoning the latter, and as little in consolidating the former. Astute though he is, I believe he has been run away with by the course of events.'

† See, for example, Mitchell to C.O., 6 May 1887, *WPHC Despatches to S of S*: 'I am much mistaken in the opinion I have formed of the King's force and vigour of character, even at this advanced period of his life, if, having once made up his mind on a point, Mr Baker or anyone else could move him; and I am also much mistaken if, in such a case, Mr Baker would dare to make the attempt.'

prophet, representing these misfortunes as divine vengeance: 'You are Uzziah; you have touched the lotu'.⁵⁵ When the Free Church of Tonga was proclaimed in January 1885, the hollowness of the Mission's position was revealed: it had depended upon the king's goodwill and, when his anger was turned upon it, it crumbled; for, although formally and for the especial purposes of foreign relations a constitutional monarch, ruling by the law and under an instrument which guaranteed freedom of worship, George Tupou in his own eyes and in those of his people was still Tu'i Kanokupolu, apex by descent and conquest of an exceedingly hierarchical social structure, and virtually absolute. Invited to choose between Tupou and Moulton, most Tongans chose the former. Those who still adhered to the old Wesleyan organisation were denounced as rebels, beaten by their chiefs and subjected to harassing penal laws. Wesleyan chapels and teachers' houses were taken over by the Free Church.⁵⁶ The government hoped, said Baker, that the Wesleyan body would quietly withdraw from Tonga, leaving the king to compensate them for their losses as well as he could afford; the government did not expect that, by holding on in Tonga, the Mission would

consent to hold the undignified position as that of a church composed of political opponents of his Majesty, rebels and roughs, for such would be the position which it would hold if it continues to remain in Tonga.⁵⁷

The Mission refused to recognise the element of truth in Baker's sophistry; it insisted on conducting a rearguard action, which was chiefly remarkable for the dialectical advantage it gave to Baker. Both Moulton and his subordinate in the Tongatapu district, the Reverend E. E. Crosby, showed in their protests a curious unconsciousness of their church's history. The former incautiously demanded to be informed when the Wesleyans, in contrast to the Free Church, had ever obtained proselytes by persecution; he was answered by Baker in the words of one of the few who had remained loyal to the Mission: "'No, the King waged war on me years ago to convert me to Wesleyanism and I will remain one".⁵⁸ The Wesleyans seemed to base their resolution to remain in Tonga in great part on the property rights which they claimed in churches and teachers' houses, although these had actually been paid for by the Tongans themselves and their legal ownership was a disputable matter.* They utterly refused to

* By deed of 1875 leases to 349 pieces of land were vested in four trustees, on behalf of the Wesleyan Church, of whom one was Baker; these trustees had never, as was originally contemplated, assigned the leases to other individuals. Control of the lands seemed thus to rest in Baker's hands, since he, with the two Tongans who were named as trustees, outvoted Moulton, the fourth one. The High Commission tended to feel that the consequent difficulty of the Wesleyans' position was fully measured by their reluctance to place the full facts before it. Moreover, the chapels and other buildings on the land had all been erected by and at the expense of Tongans, the vast majority of whom joined the Free Church.

recognise that with Tupou implacably opposed to them, his power and prestige in the balance against them, their case was hopeless. Persisting in seeing themselves as involved in a personal struggle with Baker for the bodies and church collections of an unconscious Tongan people, they fatally prejudiced their case by threatening the intervention of the High Commissioner on behalf of the remnant of their members and for the protection of their property. Nothing, as Baker did not fail to point out, was more likely to strengthen the king's resolution to be autonomous in both politics and religion.⁵⁹

High Commission officials in Suva, moreover, had not the slightest intention of becoming the champion of Wesley's legitimate successors. They received with mingled incredulity and irritation assertions like Crosby's claim that, since the Free Church was supported by the Tongan government, 'to carry out the parallel the Wesleyan Church would have to be aided by the British Government'.⁶⁰ It was with marked asperity that Thurston, as Acting High Commissioner, reported to the Secretary of State how the Mission constantly argued that

every real or alleged grievance suffered by a native Wesleyan is in derogation of some unexpressed but inherent right of the Wesleyan Mission Church . . . and as the heads of the Wesleyan Mission are British subjects that such . . . grievances suffered by natives are, to use their own words, 'outrages upon Englishmen'.⁶¹

The indiscretion and importunity of the Mission were the more unwelcome to the High Commissioner in that, by the mid-1880s, he was conscious of, and endeavouring to remedy, the injurious effect upon his influence which resulted from the consulate's open opposition to the Tongan government. In August 1885 Baker protested that, but for Symonds's personal involvement and his interference in land disputes, the government would have been glad to work with him as deputy commissioner.⁶² The High Commission took this at its face value. Already in June 1885 MacGregor, then Acting High Commissioner, had roundly affirmed that Symonds's general policy had been 'one of meddling interference with Tongan politics, apparently arising from a desire to promote British influence there or more probably to bring about the establishment of a British protectorate'. And in January 1886 Thurston reported that, until recently, most Tongans had believed Britain was seeking an excuse to annex the kingdom, a belief which was due to the policy of intervention initiated by Maudslay and followed by Symonds.⁶³

Steps had by then been taken to bring the deputy commissioner to heel. On the new church order, MacGregor had informed Symonds that if the Tongans, or a proportion of them, preferred having Tupou instead of Moulton as their spiritual head, there was no reason why this aspiration

towards a national church should be opposed. Moulton should be advised to eschew 'the encouragement of fanaticism' and Symonds must avoid entanglement with those factions in Tonga which were perennially discussing the succession to the throne, British protection, and open resistance to the government.⁶⁴ From August 1885 until January 1887 the Acting High Commissioner was J. B. Thurston. Soon after his appointment he subjected Symonds to a crushing rebuke, which was strikingly reminiscent of the terms in which he used formerly to castigate Consul March for interference in the affairs of Cakobau's government.⁶⁵ It is clear that he felt some fellow-feeling for Baker, understanding the difficulty of his position, though not approving of his manner of conducting himself in it. He was confident of his ability to induce Baker to turn his energies into channels more acceptable than the persecution of Wesleyans⁶⁶ and he planned to establish British influence in Tonga by more indirect means than those hitherto employed.

During these seventeen months, therefore, the ideal equilibrium between Suva and Nuku'alofa seemed to have been reached. The man who directed the affairs of Tonga was, as a British subject, answerable to one who had held a similar position in Fiji and who appreciated the problems it involved. In September 1885 Thurston visited Tonga—being careful to do so, in order to give the lie to Wesleyan promises, otherwise than in a war-ship—and met Baker in a conciliatory manner. He obtained assurances that the several hundred Wesleyans, then gathered in Tongatapu at the king's orders to await the arrival of the British man-of-war whose assistance Moulton had been promising, should be allowed to return to their homes. Baker promised that all churches and lands formally leased to the Wesleyans should be returned to them. Persecution was to cease and the freedom of worship which the constitution promised was to be permitted. Thurston, for his part, dissociated the High Commission and the British government from the hopes of their active intervention on behalf of the Wesleyans which Moulton and Symonds had been holding out, and urged that the government should be obeyed. Hanslip—who was found to be promising Tungi's wife that the High Commissioner intended to raise her husband to the throne when Tupou died—was ordered to cease intriguing or face deportation.⁶⁷ And the deputy commissioner, on Thurston's instructions, was hereafter to be found refusing to act on the Mission leaders' complaints that their adherents were being ill-treated, on the grounds that he had no right to interfere between the Tongan government and its subjects; they were advised to seek redress in the kingdom's courts, as Baker had always demanded that they should do.⁶⁸

A personal correspondence was maintained between Thurston and Baker for several months after the former's visit, which, on the Premier's side,

contained fulsome expressions of gratitude for the assistance he had received. During these months, Baker paid several visits to Fiji, where he laid plans with Thurston to end the agreement between his government and the Deutsche Handels- und Plantagen-Gesellschaft, by which the latter supplied the government with the debased South American coinage on which the firm made a handsome profit, and to strike a national coinage to replace it. Trade agreements between Tonga and Fiji were proposed. In May 1886 Baker asked Collet, Secretary to the High Commissioner, if he might be allowed to consult him unofficially on the many minor matters arising in his conduct of Tongan affairs on which he often required advice, but which were not important enough to trouble Thurston with. He was told that any assistance of this kind for which he might ask would willingly be given and that the exchange would be kept confidential.⁶⁹

This equilibrium depended, however, on mutual trust and good faith. Baker was given no cause to complain on this score, but Thurston eventually concluded that successive deputy commissioners had been right in holding that the latter quality was one in which the Premier was sadly deficient. Baker's letters were filled with assurances that he was endeavouring to carry out his promise to promote peace and obtain freedom of worship, and with references to the difficulties which he faced herein from the king and chiefs, who considered that their prestige was irrevocably committed to forcing the Wesleyan remnant into the Free Church; they regarded any suggestion that persecution should cease as being in derogation of their authority. He alleged Moulton to be spreading rumours of what had passed between Thurston and Baker, which, having the implication that Baker was acting under foreign pressure, tended to weaken his influence with the Tongans. The outcome of Thurston's visit was, supposedly, that Baker had used his influence with the king to secure peace between the churches. But, in the following June, Moulton was again protesting that Wesleyans were being harassed by the government. It was clear, indeed, that Baker was either not able or not willing to keep faith with Thurston.⁷⁰ He was caught between two fires, the Wesleyans and the king. The latter would give no quarter to the Wesleyans and they themselves seem to have regarded any signs of leniency from Baker as a signal to launch a counter-attack. The Australian Wesleyans, who urged on their local representatives were, said Thurston himself, 'a stiff-necked hard hearted people whose dearest wish is to have Baker's head on a charger'.⁷¹ Baker was thus almost driven to use his new-found intimacy with the Acting High Commissioner as a weapon in his continued bid to make of Tonga a monolithic state under his own control.

When, in May 1887, High Commissioner Sir Charles Mitchell went to Tonga to conduct an inquiry into events following the attempt upon Baker's

life—as a result of which men from Ha'apai and Vava'u were brought into Tongatapu to conduct a final assault upon the Wesleyan remnant there—he found that reports of Thurston's rebukes to the Mission leaders and his assurances of support for the government had been widely circulated; but no mention had been made of the undertakings given by Baker in return and the contest between Wesleyans and Free Church had continued. Two months after Thurston left Tonga, the Laws of the Six and of the Fifteen Fathoms had been passed, limiting the places where Wesleyan services could be held. They were provoked, admittedly, by an attempt by Moulton to proselytise amongst Free Church adherents. In the latter part of 1886, Baker had used conscription into the militia as a means of bringing pressure upon Wesleyans; only members of the Free Church were allowed exemption. It was later shown that, three months after Baker had laid plans with Thurston to reduce the D.H.P.G.'s influence, he was writing secretly to Weber for a warship, since the king seemed likely to die and he feared what might follow.⁷²

Yet Mitchell decided that, although Baker had certainly given grounds for his removal as being 'dangerous to the peace and good order' of Tonga, it was wiser to leave him there. Mitchell had great confidence that, in his own interests, Baker would restrain the king and chiefs, whom the High Commissioner recognised as being in great part responsible for the intensity of the persecution to which Wesleyans had been subjected. Mitchell considered that, unless it was intended to replace Baker with an authorised adviser to the king or to declare a protectorate, there was no point in removing him; he thought that anarchy would follow, which might demand the armed intervention of Britain.⁷³

So long, then, as it seemed probable that Baker was essential to that Tongan independence which the High Commissioner had no desire to destroy, and so long as it was possible to believe that, even now, he might be a restraining influence upon the élite, he was safe from deportation. It was recognised that the king had a mind of his own and that, once the chiefs had been given an excuse for the exercise and abuse of their traditional arbitrary authority, it might well have been difficult for Baker to restrain them.⁷⁴ His influence with the king was obviously very great, however, and it was thought by both Thurston and Mitchell that it could as well be used to pacify as to disturb Tonga.

Yet although it was possible to hold that Baker was not responsible for the actual mode by, or extent to, which a policy was implemented, there was never any doubt that he was so for the formulation of it. He had unlimited access to Tupou, on whose authority all action was taken; he was the king's interpreter of foreign tongues and foreign customs. And, within a few months of Mitchell's visit, it had become obvious that when in a

controversy Baker referred to the king's views, he meant his own. It was obvious also that Baker—perhaps irritated by the presence of H.M.S. *Opal*, which from September 1887 to January 1888 was lying in Nuku'alofa harbour to prevent the Germans taking like action in Tonga as in Samoa—had become implacably hostile to all things British. In August 1888, in reply to a protest from the deputy commissioner of a recent government decree that all government dues should be paid by traders in sterling, although they themselves had to accept the South American 'iron money' from their customers, Baker threatened to appeal to Germany and America against any persistence in such interference in Tonga's affairs. The tone of his correspondence with the deputy commissioner now suggested that he had taken the measure of the British officials in Suva and was confident that they would stop short of deporting him. His contest with the Wesleyan Mission had at last ended in a long-sought victory, with the withdrawal of Moulton by the General Conference. On this, as it seemed to him, dizzy pinnacle of power, with his enemies either under his foot or held at bay, and with Tonga's international position strengthened by the treaty with America which was ratified in October 1888, Baker's hold upon reality seems to have deserted him. The assassination attempt was clearly a profound shock to him and may have affected his sense of proportion; afterwards, according to his daughters, 'his mind became understandably clouded with a desire for vengeance'.⁷⁵

In February 1888 Thurston had succeeded Mitchell as full High Commissioner. His correspondence with Baker was not renewed. The deputy commissioner was again instructed, however, to avoid becoming involved in irritating exchanges with the Premier;⁷⁶ Wesleyan claims were not actively pressed by the High Commissioner but were left to be settled between the Tongan government and the Mission itself; and Baker seems to have thought that he still retained Thurston's sympathy. Whatever small fund may have remained was speedily dissipated by Baker's own actions. By August 1888 Thurston was reporting to the Secretary of State that he doubted whether there would ever be peace in Tonga whilst Baker remained there; in the following April, he admitted that he had long lost all faith in him.⁷⁷

By then Baker had finally sealed his fate. A Tonga Government Blue Book had published what purported to be a report by the Minister of Police upon the assassination attempt, placing all blame for Tonga's troubles at the High Commissioner's door—a point of view which certainly could not be sustained in respect of events since 1885—and asserting that the attempted assassination had actually been instigated by the then deputy commissioner, the late H. F. Symonds. The attackers were alleged to have obtained ammunition at the consulate and it was stated that one of their

muskets was later found there.⁷⁸ In fact, Symonds had been sick in Samoa, whither he had been transferred, at the time of the attack. And the musket was an old, broken Fijian one, handed over by Deputy Commissioner R. B. Leefe under a local arms regulation.⁷⁹ The report—which, in a death-bed confession, the Minister of Police acknowledged to have been written by Baker himself⁸⁰—was in terms of such demonstrable fabrication as to suggest that his mind was giving way. Thurston's protest at its assertions was answered by a letter, bearing the king's signature but full of Bakerian phraseology, which virtually repeated them and denied the High Commissioner's right to interfere in Tonga. After this, the High Commission felt that it was impossible to refrain from taking action against Baker. A minute by the Secretary to the High Commissioner, advocating his removal, showed particular concern for the succession: 'If Mr Baker is Premier when King George dies confusion must follow'. If he were deported, 'I think there is some chance of the Tongans agreeing among themselves as to the form of Govt. and that on the death of the King no change in the Govt. need take place . . .'. Collet believed that 'Baker will do his best to put everything in confusion'.⁸¹

Baker was, therefore, now regarded less as the premier of an independent kingdom than simply as a British subject, responsible to his national authority, who was a source of discord to a friendly state. His retraction of the Blue Book's allegations and his attempts to evade responsibility for them were to no avail.⁸² In July 1890 Thurston arrived at Nuku'alofa and associated leading members of the élite with him in a public inquiry; he reaffirmed his intention of doing nothing to detract from Tongan independence and his desire rather to reinforce it. The chiefs, seizing their opportunity to take over the government, turned upon the Premier. He was, Thurston reported, 'the head and front of the evils they complained of'. The High Commissioner considered him to be 'both feared and hated, . . . unworthy of longer credit or confidence'. On Thurston's promise that he would deport him, and under considerable pressure from his chiefs, who promised that they could in future govern Tonga without European guidance, the king at last dismissed him.⁸³

It remained to be seen whether the Tongans could, in fact, maintain in working order the structure of government and the tradition of western political usages which—together with a deep division in society on religious matters—were his legacy to them.

IV

During the decade following Baker's deportation, the High Commission attitude on the Tonga question was that, whilst the group must not be permitted to come under any other power's influence—a danger which was,

in fact, now fast receding—it would not repay the responsibilities which would be incurred by placing it directly under British protection.⁸⁴ Thurston's policy was to strengthen the government as much as he could, sending B. H. Thomson for a year to ease the transition, and then to interfere as little as possible, in the hope that should the government get into difficulties later it would be sufficiently convinced of the High Commissioner's disinterestedness to turn to him for assistance.

Thomson overhauled the Treasury, finding liabilities of £14,223 against assets of £2,000 and no rational system of book-keeping; he also redrafted the Code of Laws, not failing to remark on such Bakerian absurdities as the transliteration of habeas corpus into Tongan as 'Habeasse Koabusse'. Although he evidently looked hard for evidence of large-scale financial corruption on Baker's part, it was not to be found.⁸⁵ After Thomson's return to Fiji in 1892, the government was left to conduct affairs without the overriding guidance of any European. The Premier was Tungi's son, George Tuku'aho, who was reckoned to be the most able man in the kingdom; Tungi himself was Minister of Lands; and A. M. Campbell, who had held office in the customs department under Baker, but who could be trusted to fill an administrative post without developing delusions of grandeur, was Assistant Minister of Finance and Secretary for Foreign Affairs.

Government, however, was solely dependent on the will of the king. This, and the Tongans' extreme sensitivity on the subject of their independence, were recognised in the High Commissioner's Office as being the major constants of which it was necessary to take account in conducting relations with Tonga. When George Tupou I died in February 1893, the former factor became the main obstacle to an amicable relationship. Despite some concern on the subject, the old king was succeeded fairly peacefully by his great-grandson, George Taufa'ahau, his successor under Baker's constitution. But George Tupou II was only a shadow of his great predecessor; he was more concerned with playing at European-style royalty than with the wellbeing of his subjects. And during the greater part of his reign, which continued until his death in 1918, the High Commissioner was involved in an alliance with the Tongan élite whose object was to make the king recognise his responsibilities.

In November 1893, having obviously waited until the mail steamer left for Fiji, George Tupou II dismissed the post-Baker government. He formed a new one under Jiosateki Tonga, who had been assistant premier under Baker and whose son-in-law the king soon became; and he gave a post to a protégé of Baker, C. D. Whitcombe, who now had hopes—with many another—of following in Baker's footsteps.⁸⁶ Baker himself was suspected of having manipulated this *coup*. By May 1895 Leefe was reporting bitterly that owing to 'the continued, extensive and pernicious influence of

Mr Shirley Waldemar Baker acting from New Zealand in the affairs of Tonga' and to the Premier's evil councillors—a trader, Barnard, to whom he owed money, and Whitcombe, whom Leefe described as 'a drunken Irishman who by the irony of fate holds the position of head of the Government so-called College'—the affairs of the kingdom were being ill conducted.⁸⁷ Leefe by this time was not a wholly reliable witness and Baker's influence was overestimated, to judge from the discouraging reception which he received on returning to Tonga in 1897.*

It was certainly true that, under the new government, several Europeans found opportunities to bleed the kingdom. Barnard seems to have emerged on the debit side, since he died with debts still owing from the king; and Whitcombe was soon removed by *delirium tremens*.⁸⁸ The government then fell under the influence of an Auckland trading firm, the Hutter Brothers. The senior partner, Meyer Hutter, established absolute ascendancy over the premier and great influence with the king, which he used to the financial advantage of his firm. The Tongan government came to be run primarily for the personal financial advantage of the king, premier, and those who were opprobriously termed 'the Jews'. According to Leefe's successor, Hamilton Hunter, it was 'corrupt from top to bottom'. Blatant favouritism, at the direct instigation of the brothers Hutter, was shown in such matters as the renewal of Europeans' leases and the enforcement of port dues and regulations; the Hutters received 'nearly all the Government orders, and make enormous profit . . . and when the Government Treasury runs low, which it often does, they advance money on their own terms'.⁸⁹ Under their aegis, Nuku'alofa became the haunt of men with discreditable pasts and no discernible future, except to fasten themselves upon the Tongan government.⁹⁰ There was a series of defalcations in the stamp department, book-keeping in the Treasury virtually ended, and the provisions of the constitution ceased to be even formally observed. The immense authority of the king was so evidently being exerted for his own profit and for that of venal associates that signs of disaffection began to appear amongst chiefs and commoners alike. In August 1902 the Acting High Commissioner informed the Secretary of State that intervention from Fiji could no longer be postponed.⁹¹

The High Commission had by this time a more formal right to interfere in that, since 1900, Tonga had been a form of British protectorate. In May of that year Thomson had returned to conclude a treaty by which,

* Baker could not live without a pulpit and, having been refused a post in the Ha'apai circuit of the Free Church, he set up a branch of the Church of England there. In his declining years he also devoted some energy to attempting to secure payment of the pensions awarded to his family after the assassination attempt, which the Tongan government now refused to disburse. He died in November 1903.

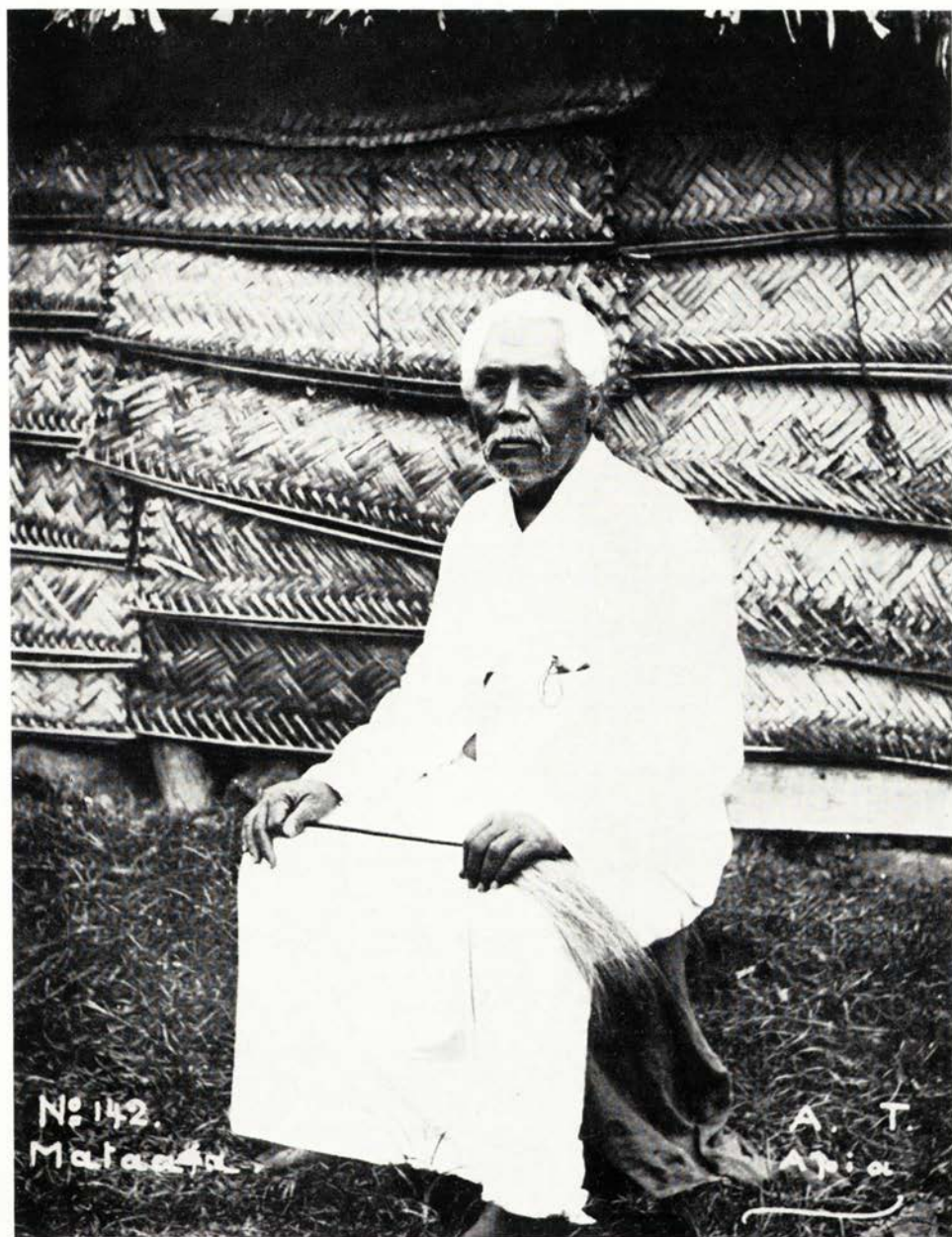
with great reluctance, the king undertook to enter into relations with no other power but Britain; the deputy commissioner was raised to the position of Agent and Consul and given jurisdiction over all foreign residents; he was not to interfere in the kingdom's internal affairs, but would be ready to give advice when it was requested.* The effect of this was to increase the High Commission's responsibility for Tonga without affording the direct authority necessary to discharge it adequately. The Agent's advice was never asked and he was left an impotent observer of financial dishonesty and general misrule.

The Colonial Office regarded the treaty simply as an interim measure, preparatory to Tonga's being annexed and handed over to New Zealand. There was an open understanding there that, in order to placate the New Zealand Premier, Richard Seddon, for the loss of Samoa, and also to stop him manoeuvring to obtain control of Fiji, he should be allowed to add Tonga to the Cook Islands, which had recently been annexed to New Zealand.⁹² The prospect of this was viewed with horror in High Commission circles, where the government of dependent peoples was still regarded as being an exclusively imperial responsibility. And so, during the five years following the 1900 treaty, High Commission policy was devoted, first, to securing for the Agent a preponderant voice in the conduct of the kingdom's internal affairs and, second, to saving the Tongans—as Hamilton Hunter expressed it—from 'the tender mercies of Seddon' and his 'N.Z. Parliamentary hoodlums'.⁹³ In these objects the High Commission was successful. The insistence of the Agent, supported by the Acting High Commissioner, convinced the Colonial Office that the Tongans, though dissatisfied with the present mode of administration, wanted to keep their existing form of government and that, if the kingdom had to be annexed, it should be to Great Britain, not to New Zealand.⁹⁴

Measures were taken to bring home to the king an understanding of his responsibilities. Hunter canvassed the élite and found that its leading members were prepared to support his deposition in favour of his father, George Fatafehi, a contender for the title of Tu'i Tonga, who, in order to save the kingdom from annexation, was ready to agree.† The king held off

* No stipulation that Tonga's foreign relations should be conducted by Britain actually appeared in the 1900 treaty as published, due to the king's reluctance to sign such a clause; but an undertaking to this effect was extracted from him at the time. (See 'Treaty of Friendship between Great Britain and Tonga 1900 and Associated Papers' (Nuku'alofa, 1958), Memorandum on Revised Treaty of Friendship.)

† Hunter to Jackson, 6 June 1903 (personal), *WPHC Inward Correspondence, General*, no. 2A of 1900. Baker's constitution vested the succession to the throne in Tupou's heirs. The male line failed. George Tupou II was the son of David Unga's daughter by Fatafehi, on whom the last of the direct line of the Tu'i Tonga had conferred that title, in so far as it lay in his power to do so.



6. Mata'afa Iosefa in his later years

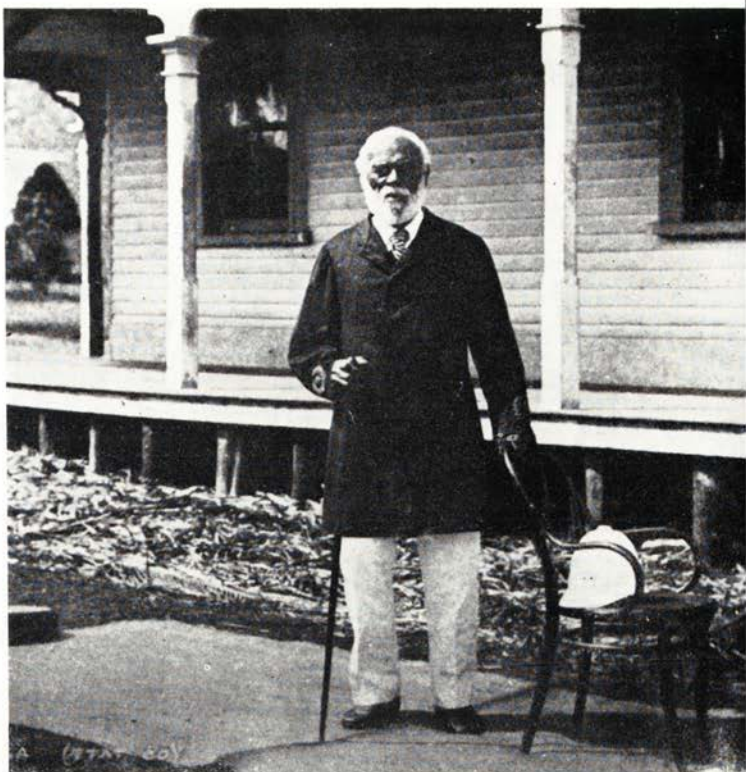
(By courtesy of the Trustees of the Mitchell Library)



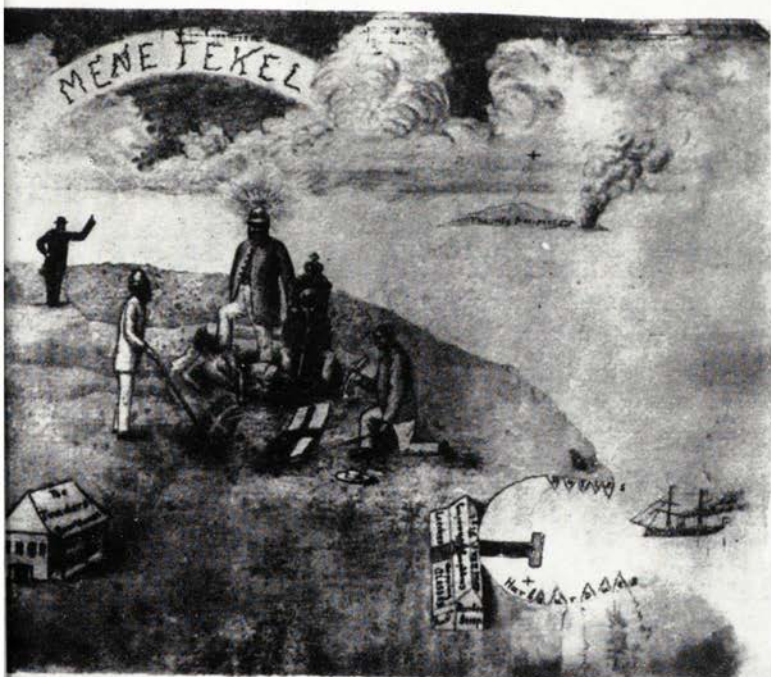
7. George Tupou I, king of Tonga. An engraving from a portrait of the king in his prime

(By courtesy of the Dixon Library, Sydney)

8. The aged George Tupou I standing in front of his palace



Mr Moulton Mr Baker The King



Br. Consul
The native

German Consul

9. Tonga under the Reverend Shirley Baker: a political cartoon of the 1880s depicting, from left, the Reverend J. E. Moulton, the British Consul, a native of Tonga, Mr Baker, the king, and the German Consul

(Plates 8 and 9 by courtesy of Mrs Rodney Gallop and the Trustees of the Mitchell Library)



10. (left) Recruits and recruiters, about 1890

11. (below) A recruiting boat at work in the New Hebrides

(Plates 10 and 11 by courtesy of the Dixon Library, Sydney)



Nemesis by denying pratique to High Commissioner Sir Henry Jackson, when he arrived in May 1903, on the grounds that there was a measles epidemic in Fiji.⁹⁵ But no expedient was found in December 1904 to prevent the landing of Jackson's successor, Sir Everard im Thurn.

Im Thurn was under strict instructions from the Colonial Office as to the line he was to adopt; they were based on a reaffirmation of the Secretary of State's faith in the possibility of Tonga's continued existence as an independent state. Britain's obligations to foreign residents under the 1900 treaty obliged her to intervene, but the High Commissioner was informed that the 1875 Constitution must not be abrogated, nor should the kingdom's independence be ended. The government was, however, to be purged and if the king resisted he was to be deported to Fiji. Im Thurn's request for wider powers of discretion was refused.*

In the event, he somewhat exceeded these instructions by securing a substantial amendment of the treaty, to give the Agent a voice in internal administration. He achieved this by adopting Thurston's method of disposing of an obnoxious government by working through the Tongan élite. The chiefs still required outside encouragement before they would put any pressure upon the king. At a meeting of leading chiefs in December, the High Commissioner was made aware with what intense reverence the throne had become invested; the Tu'i Kanokupolu had absorbed much that was traditionally due to the Tu'i Tonga. Even Fatafehi was at first silent under the High Commissioner's questioning. But, reported im Thurn,

when I asked them whether they wished to rule themselves, with the help of the British Government, or to be ruled . . . by the King and Jiosateki under the direction of a white trader or two, it was like putting a spark to gunpowder.⁹⁶

They readily agreed that the only way to save the kingdom was to turn out Jiosateki, get rid of the brothers Hutter, and form a government under John Mateialona, governor of Ha'apai. This decision was conveyed to the king—Jiosateki having first been deported to Fiji—by im Thurn, 'while most of the Chiefs looked pleased, though rather as if they expected some dire catastrophe to befall me'. The king was told that the choice was between his governing by the constitution and ceasing to use the treasury as his private bank account, or his deportation to Fiji and the kingdom's

* C.O. to im Thurn, 14 October 1904 (secret), *COCP* Australian No. 182; C.O. to im Thurn, 25 November 1904 (cable), *ibid.* The minutes on im Thurn to C.O., 9 November 1904, *CO* 225/67, indicate that the Colonial Office was anxious to minimise any departure from the 1900 treaty and 'to show that we are not working towards annexation but are making a genuine attempt to let the Tongans govern themselves'. Officials adopted this policy because they did not wish to give Seddon the chance to demand that the Colonial Office should honour its promise to hand Tonga over to New Zealand, if the kingdom were annexed.

probable annexation. Confronted so, he agreed to a list of stipulations which the High Commissioner presented as an addendum to the treaty.⁹⁷ In particular, no European appointments were to be made without consulting the Agent and on important matters his advice was to be taken.* The High Commissioner had thus, so he believed, 'given a new lease of life to the last independent island Kingdom of the Pacific'.⁹⁸

The settlement rested upon a knife-edge. The king—who went off to New Zealand for a time, to flirt with Seddon—was placed under the restraint of a government whose Tongan ministers looked to Fiji for comfort against his resentment and who leaned heavily upon the Agent's direction. The balance could be upset by any number of factors. Chief amongst these, as im Thurn acknowledged, was 'the slightest lapse from discretion of the hardly-pressed British Agent'.⁹⁹ As the 1905 Agreement was at first interpreted, the Agent had preponderant influence in the government. If he was to exercise it without friction, it was vital that he should take account of Tongan susceptibilities. Hamilton Hunter exercised such influence and, despite a few complaints, apparently did so with delicacy. When he was about to retire in 1908, twenty-nine foreign residents petitioned for him to remain 'to complete his task of instructing them [the Tongans] in the art of governing themselves'. Leading Tongans in the government did the same, pleading that a change in the government's 'guidance and control' would not be well for the kingdom.¹

Delicacy in such a situation, however, was beyond the ambit of his successor's personality. W. T. Campbell, who became Agent and Consul to Tonga in 1908, had been an able—though controversial—Resident Commissioner of the Gilbert and Ellice Islands Protectorate;† but to place him in Tonga was to attempt to mix irreconcilable elements. His was an energetic, insensitive paternalism; he wanted, as he said, 'to do my duty and take my share of the white man's burden'.² He was not instructed as to the Secretary of State's view of the 1905 Agreement. The Colonial Office's reply to im Thurn's report of his proceedings had shown concern that he should have extended the scope of the 1900 treaty, which was the formal basis of Anglo-Tongan relations. The Secretary of State thought this could be justified on the grounds that 'the King has disregarded the underlying

* Agreement of 18 January 1905, copy *WPHC Inward Correspondence, General*, no. 2 of 1900; see (encl. EE to 'Report on Tongan Affairs . . .') the remarks of the chief Polotule Kaho: 'We all wish for the guidance of Mr Hunter, because he understands Government matters; and we pray that we may never again be left to the guidance of shop-keepers and Jews'. Hunter himself had been an official of the Fiji government since Sir Arthur Gordon's governorship; he was Chief Police Magistrate at Suva for most of the time.

† See below, pp. 258, 278-82.

assumption of that Treaty, which was that the King would guide himself by the law and the constitution'; but king and government were to be

left as free as possible to carry on the ordinary administration of the islands in accordance with law, subject to the ultimate control of the British Agent and the High Commissioner.*

The immediate and constant interference of the Agent was not contemplated. The failure of the High Commission office to instruct Campbell fully on this point enabled him to give free rein to his domineering temperament.³

To the efficient local exercise of this he found obstacles which were novel to him and which he made no discernible effort to understand. He was exceedingly irked by the monarchical and parliamentary trappings for which his new charge was so remarkable, and by the fact that its people were far less open to advice than the Gilbertese had been. 'Conceit and Constitution', he stoutly affirmed, 'are the two principal stumbling blocks which prevent Tonga . . . from drawing full benefit from the Protectorate'.⁴ Privately, he wrote that the 'natives are a terribly swell-headed lot'. Tonga was without doubt 'the worst place in the Western Pacific and little can be done with it until it has been annexed'.⁵ He was entirely out of sympathy with the Europeans employed by the government, whom he described as 'some of civilization's derelicts, [who] by continual flattery deceived the Tongans to believe themselves to be the salt of the earth'.⁶ They provided an alternative, deleterious source of advice to that of the Agent. The efforts of their leader—the Chief Justice, R. L. Skeen—were actually devoted to ousting the Agent's influence with government and king.

Skeen's position, however, was symptomatic of a new and significant phase in the relationship between the Tongan government and the High Commissioner. A refugee from Apia, Skeen had been appointed Chief Justice on the recommendation of Hamilton Hunter, whom he soon gave cause to regret it by setting up as intermediary and referee between him and the king.⁷ Described, by a more objective witness than either Hunter or Campbell, as 'a man of no character, of somewhat dissolute habits, and of a remarkable indolence',⁸ he erected a gratifying pedestal for himself by posing as defender of the king's constitutional rights against High Commission en-

* C.O. to im Thurn, 6 June 1905 (confidential), *COCP* Australian No. 182. The explanation of the Colonial Office's anxiety to play down the innovations made by im Thurn in Anglo-Tongan relations is contained in Johnson's minute, 15 May 1905, on im Thurn to C.O., 15 March 1905 (confidential), *CO* 225/67:

It must be remembered that we have promised if Tonga is annexed, to hand it over to New Zealand.

We want therefore to show that we are not working towards annexation but are making a genuine effort to let the Tongans govern themselves, and to depart from the spirit and letter of the Treaty of 1900 as little as possible.

croachment. His significance lay in the fact that, in the final analysis, he was the king's creature. In contradistinction to Shirley Baker, who was on record as saying that the only way to get action out of a Tongan was to take him by the neck and shake him,⁹ and to Meyer Hutter, who seems to have completely dominated Jiosateki Tonga,¹⁰ Skeen was a simple dependant and an object of patronage; but his expertise, and that of the Europeans of similar calibre whom the government employed, were sufficient to enable it to administer the kingdom without close control by the Agent and Consul.

By patronising these men, the Tongans were able to avoid being patronised themselves by British officials. Campbell's attempts to have Skeen removed and to interfere in the dubious proceedings of other foreign residents who had the king's ear only made him the more objectionable in the latter's eyes. The king was soon ready to stage his own counter-*coup* against the High Commission. In September 1911 he wrote to the High Commissioner to ask for Campbell's removal on the grounds that he interfered in every aspect of government; he added:

If we do not adopt the wisest course in managing our own concerns, that will be our affair. No nation has always seen clearly the right course to follow. If we are to make mistakes, then let us learn wisdom by experience; but, so long as the interests of the few foreigners living in our midst are not endangered, no just cause can be found for robbing us of our independence, under the guise of giving us the 'advice' of the British Agent.¹¹

The letter bore signs of having been drafted by the New Zealand lawyer whom the king had just retained. The High Commissioner was able to reply that Tonga was not in fact an independent state but was under British protection, so that her actions were necessarily somewhat circumscribed; but his position was difficult, since clause 2 of the 1905 Agreement, under which the Agent had interfered in government, was ambiguously worded: 'The British Agent . . . to be consulted and his advice taken'. It was not absolutely clear from this that the king was bound to *follow* the Agent's advice, although that was what im Thurn had intended it to mean.¹² At any rate, the High Commissioner—im Thurn's successor, Sir Francis May—was not prepared to support Campbell, who was relieved in 1912.¹³ Three years later it was agreed locally that the Agent should be consulted on all important appointments.¹⁴ And hereafter some stability was achieved in the relationship between the High Commission and the Kingdom of Tonga, based on the Tongan government's recognition of the fact that certain standards of administration had to be observed, on the personality of the young queen who succeeded in 1918, and on the High Commissioner's care to approach the kingdom more nearly on equal terms.

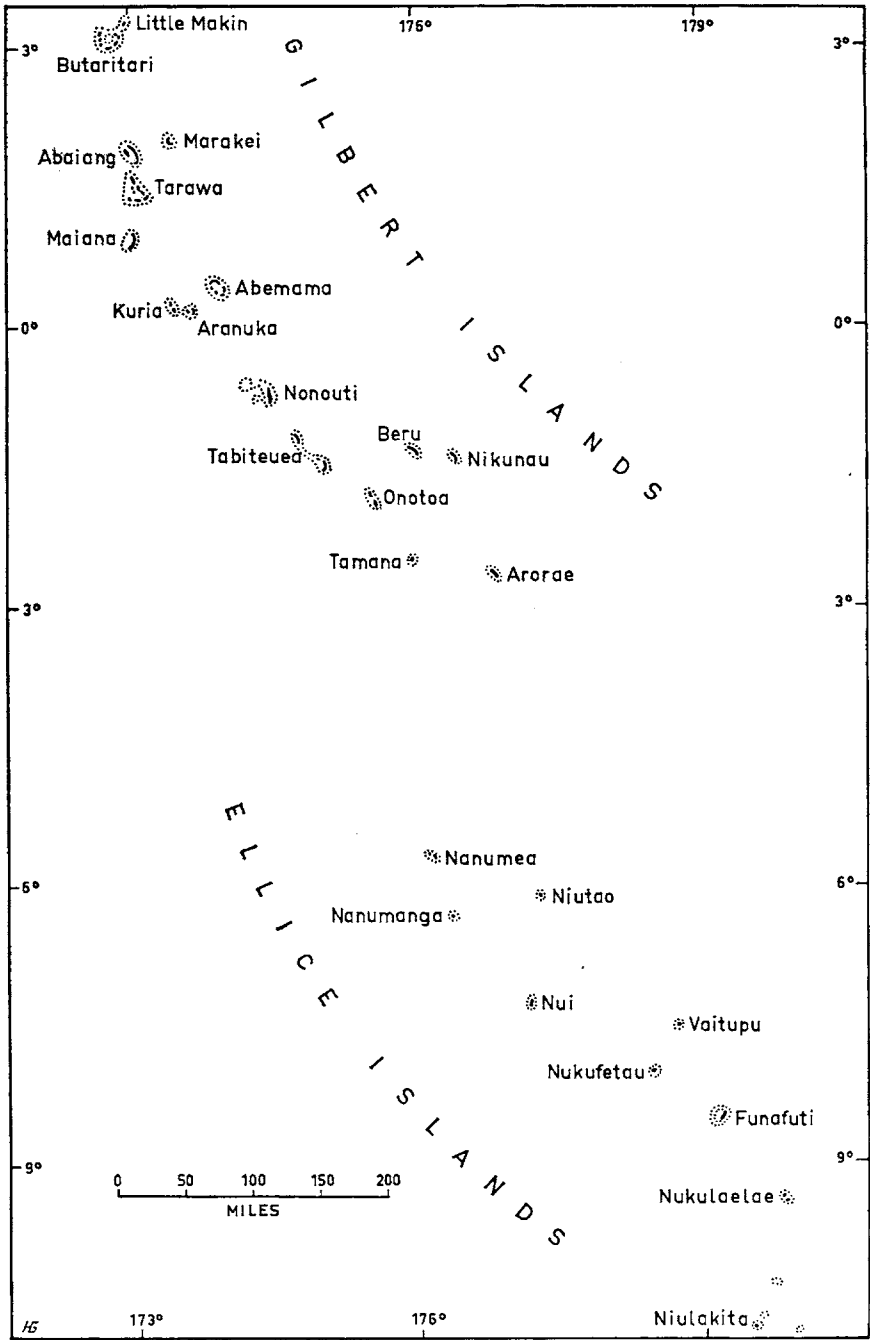
Failure in Melanesia and Micronesia, 1877-1892

I

The quasi-diplomatic functions of the Consul-General had no place in the twelve other groups which the 1877 Western Pacific Order in Council specifically named as being within the jurisdiction.* Here there were fewer of the immediate complications that bedevilled attempts to guide events in the Polynesian kingdoms. The aspirations of indigenous élites were not an immediate problem; the imperialist designs of Tem Binoka of Abemama, the relations with labour recruiters of Gorai in the Shortland Islands, impinged upon the consciousness of British authority only in so far as they involved British subjects. In these groups where, as the Secretary of State's original instructions to Sir Arthur Gordon had truly observed, no settled government generally existed, the functions of the High Commissioner alone were involved; and, until protectorates were declared over some islands in 1892, his concern was mainly with the conduct of his own nationals.

His task was to submit to British law the relations with islanders and with each other of seamen, traders, and planters, spread across about 8,000,000 square miles of sea and located in many hundreds of islands, from the atolls of Micronesia to the high, densely wooded islands of Melanesia. His authority was the 1877 Order in Council, with its two subsidiaries of 1879 and 1880; his means were a staff which at first seemed a mere extension of Gordon's private household and later appeared to be a tiny satellite of the Fiji government. It was ludicrously inadequate; during most of the 1880s the only full-time official, apart from those in

* These were the Union, Phoenix, Ellice and Gilbert Islands, the Marshall, Caroline, Solomon and Santa Cruz Islands, Rotuma (which was annexed to Fiji in 1880), New Guinea, east of 143°E., New Britain, New Ireland, the Louisiade Archipelago and 'All other islands in the Western Pacific Ocean not being within the limits of the colonies of Fiji, Queensland, or New South Wales, and not being within the jurisdiction of any civilised Power' (Western Pacific Order in Council, 1877, article 5—*Hertslet's Treaties*, XIV, p. 874). The latter phrase enabled the High Commissioner's jurisdiction to operate in the New Hebrides, which were not specifically named in the Order in Council because the Colonial Office had expected the group to be annexed by France (minute by Herbert, 30 October 1878, on Gordon to C.O., 26 October 1878, CO 209/237).



3 The Gilbert and Ellice Islands

Samoa and Tonga, was the Secretary to the High Commissioner, appointed in 1883.*

In the vast area where the Secretary of State had initially instructed the High Commissioner to keep order without a single deputy commissioner to represent him, the actions of British subjects were always uninhibited and frequently violent. The conditions of the frontier made them so. Some districts, however, demanded closer attention than others.

In Micronesia, occasions for the intervention of British authority which could not possibly be ignored remained few. The indigenous social structure continued to restrain both islanders and Europeans in their mutual relations. Village communities were able, in general, to protect foreigners and to require them to respect local usages. In practice, the High Commissioner had little concern for any group further above the Line than the Gilbert Islands. In the southern Gilbert Islands European residents lived under the eaves, as it were, of the *maneaba* governments which ordered the societies. The thatched, barnlike *maneaba* were the immediate characteristic of the Gilbertese scene; they were the focal point of that government by discussion of the heads of lineages—modified by the Samoan pastors of the London Missionary Society and the Hawaiian teachers of the American Board of Missions—which was the islands' most important feature, in the eyes of trader and administrator alike. Further north in the Gilbert Islands the situation was somewhat different, in that high chiefs held sway. On Kuria, Aranuka and Abemama, for instance, the Binoka family had established a powerful dynasty, whose head grew rich on copra and sometimes employed a European to run his own schooner. In these islands, as in the Ellice to the south, the local European agents of half-a-dozen small firms—out of Auckland, Sydney, and San Francisco—could trade in reasonable security. They were subject to the vexation of Sunday observance laws drawn up by mission teachers, as well as of occasional tabus on trade designed to raise the price of copra; and on most islands they were obliged to dodge bullets in the intermittent civil disturbances which they themselves facilitated by selling firearms and

* On Wilfred Collet's appointment to be Secretary to the High Commissioner (in place of J. B. Thurston, who had held the office in combination with that of Colonial Secretary of Fiji), see Des Voeux to C.O., 3 July 1883, *WPHC Despatches to S of S*. Collet, originally a member of Des Voeux's private staff, had latterly been an inspector of imported labourers in the Fiji immigration department. He was a man of more than average ability. His office, which was not made a permanent, pensionable one until 1887, ranked considerably below that of the Colonial Secretary of Fiji. Collet was promoted in 1897 to a District Commissionership in Cyprus. His successor, Merton King, who had previously been District Commissioner of Nicosia, came only with reluctance to the Western Pacific and was not an efficient Secretary to the High Commissioner. The only other permanent official—and, like the High Commissioner himself, a part-time one—was the Chief Judicial Commissioner.

exacerbated by retailing liquor. But their own lives were not often in danger and they themselves were not the most lawless of their kind.¹ They were noted for the alcoholism that leads rather to insensibility than to murder.*

Yet known murderers there were in Micronesia, such as the Welshman, John Rees, of whose killings on Kapingamarangi in 1879 sworn depositions were on file in the High Commissioner's Office. Despite the admirably clear description of him obtained in Apia, where he had once lived—a middle-aged man, nostrils affected with syphilitic cancer, tattooed with an elephant and a dancing-girl, 'has the appearance of a heavy drinker—swaggering gait—wears rings—ears believed to be pierced . . . usually dressed in shirt, trousers & a monkey jacket—slouched straw hat without ribbon—shirt open at the breast . . .'—he died in his bunk, undisturbed by the law.²

Rees was actually more typical of the Europeans and part-Polynesians who traded in New Britain, mostly for the Deutsche Handels- und Plantagen-Gesellschaft and for Hensheim & Robertson. Reports from that area, in the years immediately after the principal Order in Council was issued, showed that there was much violence amongst members of the foreign community and between them and the islanders. The principal British trader was Thomas Farrell, an Auckland man, whose agents were strung along a dangerous coast at primitive stations, paid a pittance, and visited at rare intervals. The German traders were better equipped and their business was conducted on a larger scale: Hensheim in 1881 was running four ships between New Britain and Hong Kong and was alone in maintaining stations on the east coast of New Ireland. The visits of these ships provided opportunities for hard drinking, which could end in violent death. In about 1879, for instance, one Patrick Bourke boarded the brig *Adolphe* and, after a drinking bout, picked a quarrel with J. Wilson, who beat him to death with a belaying-pin. The *Adolphe's* master was murdered in similar circumstances by John Knowles, a half-caste

* Some indirect explanation for the chronic alcoholism of many Gilbert and Ellice Island traders is provided by a letter from George Westbrook, lately a trader on Funafuti, to the Trustees of Henderson and McFarlane's estate, dated 10 January 1891:

down the island I was there were only two of us Europeans. If a vessel stayed away a long time & we got short of provisions, which often happened, all there was to eat was fish & coconuts & a little pork, fat pork not very palatable with coconuts.

If you would only bear in mind what a wretched life it is living on one of these sandbanks, no company, no amusement, no Theatres, no Bank Holidays, no Beef-steaks or fresh vegetables for 7 years, if sick no doctor, no news from home or friends, letters often lost or laid carelessly by, several times I have not received letters until long after written. (Papers of George Egerton Leigh Westbrook, No. 43.)

Tongan trading on New Ireland, who had already disposed of a Portuguese trader as they returned in their boat from a convivial visit to a German barque in St George's Channel.³

When the islanders were aggrieved by changing circumstances following on European contact, they resorted to violence. In 1878 Fijian teachers of the Wesleyan Mission were killed near Blanche Bay by people who feared that, as they pushed inland, the teachers would carry the goods of European manufacture which they themselves had hitherto supplied to the bushmen. In 1881 there was a rumour of a widespread plot to kill all the Europeans in New Britain and the Duke of York Islands.⁴

These were, in practice, the fringes of the High Commissioner's jurisdiction. In the Solomon Islands—a group which eventually, with the Gilbert and Ellice Islands, was to experience High Commission intervention in depth*—the trading pattern was similar; but there was less large-scale violence than in New Britain, whether amongst the Europeans or between them and the islanders. This, more than any other area—with the possible exception of the south-east coast of New Guinea—was the working-ground of freelance schooners, mostly out of Sydney and the Queensland ports. Clearing harbour for a destination given simply as 'the South Sea Islands', so that there was no check on their movements, they spent months at sea, seeking out and fishing reefs for *bêche-de-mer* and pearl-shell, calling at villages where they maintained native agents who built up caches of copra and shell in return for trade goods. Sometimes a European would be landed as the ship went north, to prepare such a cache against her return.

Trade of this kind required tact and confidence on both sides. Though these were often not wanting, there were occasions when a master was cut down at a village where he felt on good terms with the people or a man killed for the goods with which he landed. On the other hand, it was very difficult to know how well traders observed the proprieties on their side. The *bêche-de-mer* and pearl-shell fishers were known to be careless on occasion of islanders' rights. Theirs was a speculative business, the supply of these articles on a particular reef was limited, and in the last stages of collection it might be worthwhile to treat neighbouring communities roughly in order to collect as much as possible before a competitor appeared. In trade of this type there was, in fact, great scope for the psychopath, such as Sorenson of the schooner *Albert*, who was kidnapping and shooting in these waters in the early 1880s.⁵

The firms which kept permanent European agents in the Solomon Islands could generally be relied on to proceed with care. Several small Sydney houses ran ships to a few central places in the group, where native

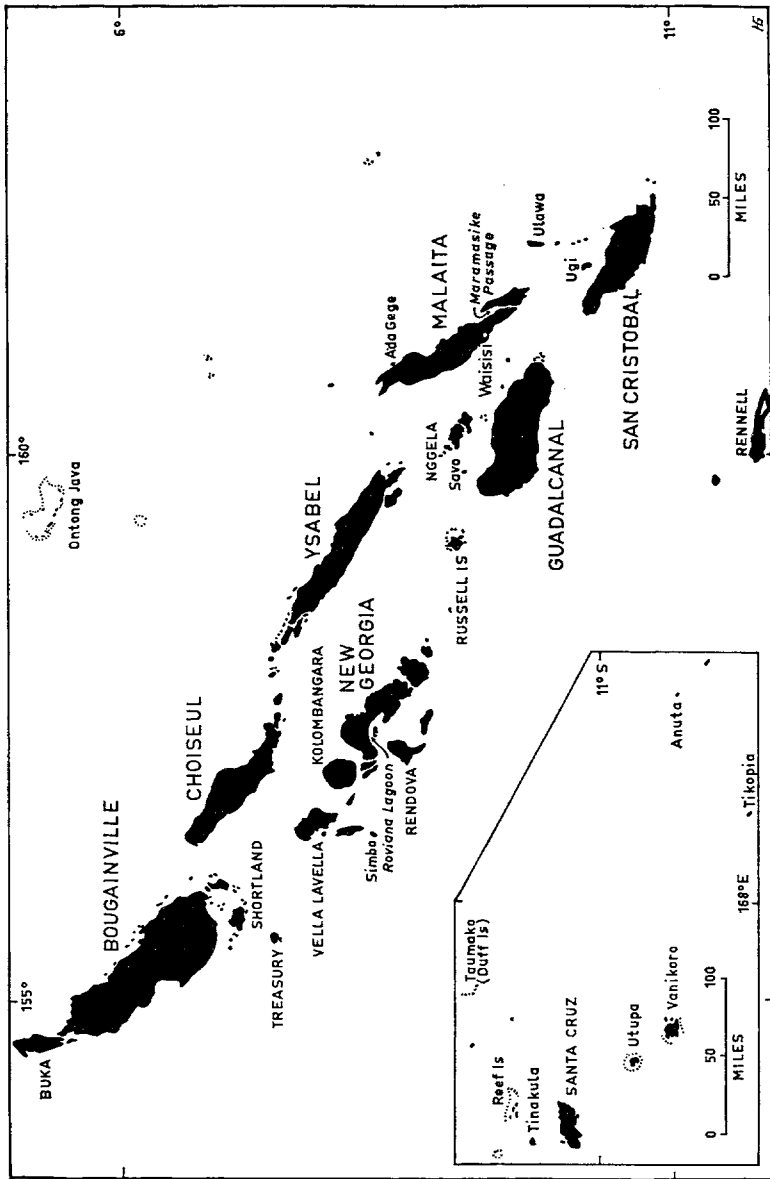
* See below, pp. 256-8, 270-81.

produce—mostly copra and ivory-nuts, with some tortoise-shell—was trans-shipped from small craft or brought aboard from shore stations. In the 1870s Cowlshaw Brothers were the largest firm engaged in this business, employing ten ships—from a 380-ton barque to an 8-ton cutter, and including two small steamers. In 1881, protesting that they were forced to do so by the virtual withdrawal of naval protection following on the High Commissioner's appointment, they sold out to Kelly, Williams & Woodehouse. This syndicate shared the bulk of the Solomon Islands trade with G. J. Waterhouse & Co. until both collapsed in the 1890s. There was no large-scale European settlement. Even in 1896 there were in the group only about fifty foreign residents, whose interests were centred in their ships and shore-stations.⁶

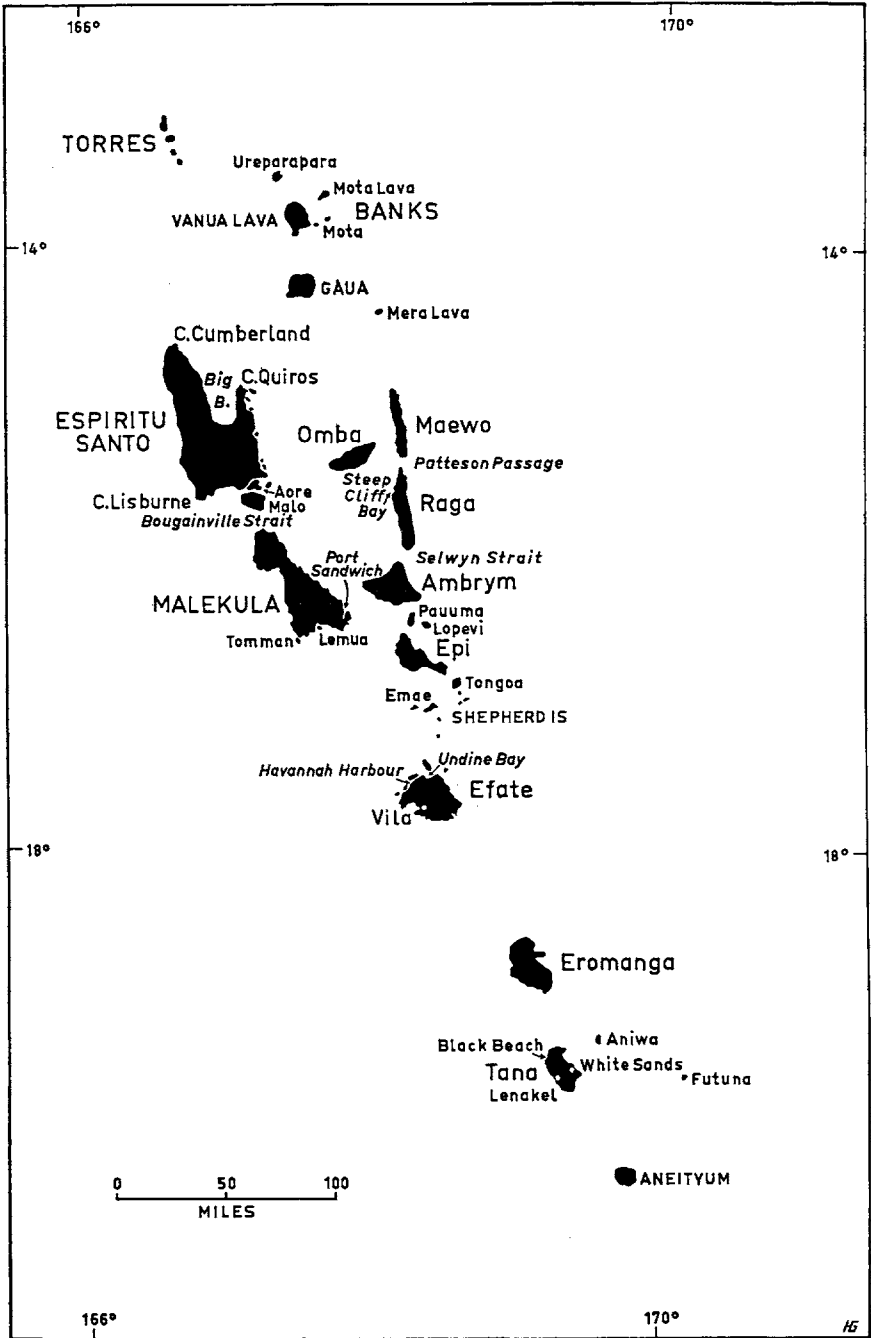
In the latter respect, this and every other group within the High Commissioner's jurisdiction were in marked contrast to the New Hebrides. Those naval reports which convinced the imperial government that action was necessary if a situation similar to that in Fiji was not to develop elsewhere in the Western Pacific had been devoted specifically to this group.⁷ The New Hebrides, especially, justified the Colonial Office's apprehension that those of Fiji's residents who resented government restrictions would make off to other islands.

In 1878 Sir Arthur Gordon's special envoy, R. B. Leefe—sent out to tour the Solomon Islands and New Hebrides—found at Havannah Harbour a number of old Fiji hands.⁸ They replaced earlier residents who had been driven out by drought, hurricane, and the High Commissioner's refusal to sanction unsupervised inter-island recruiting.* Here were still to be found the planters Ford and Young, of whom the former had decamped from a rented plantation on the Rewa, leaving the Fiji government to fend for his unpaid labourers.⁹ Pre-eminent, in terms of raffishness, was Colonel James Proctor, whose American citizenship did not prevent his figuring frequently in High Commission records. An ex-Confederate officer who had left a leg on a Civil War battlefield, Proctor had been a Ba planter. Finding the crown colony's atmosphere unsympathetic, he took refuge after Cession as a trader on Wallis Island. He was brought back to Levuka in 1876 in a French warship, for snapping his revolver at the bishop. Until a similar, but fatal, exploit obliged him to leave in 1892, he thereafter exercised his talent for handling 'niggers' as a recruiter in the New Hebrides, often in association with the best-known British resident there. This was Captain Donald McLeod, a suspected blackbirder into New Caledonia in the early 1870s. Until his death in 1894, McLeod was prominent as schooner-owner, planter, manager for a time of the Com-

* See below, pp. 177-82.



4 The Solomon Islands



5 The New Hebrides

pagnie Calédonienne des Nouvelles-Hébrides, and middleman for British copra-traders in the northern islands of the group.¹⁰ In addition to Europeans actually resident in Melanesia, many others visited the area each season aboard labour ships.

Christian missions were also at work. The Melanesian Mission was attempting to propagate High Anglican tenets in the northern New Hebrides and the eastern and central Solomon Islands by taking young men to its headquarters at Norfolk Island to be educated as teachers and by placing a few European missionaries in the islands for several months each year. By the early 1880s Nggela was becoming Christianised and some success was achieved at odd villages on Malaita, Ulawa, San Cristobal, Ysabel, the Banks and Torres Islands, Omba and Maewo. Success was never commensurate with effort. The Mission was characterised by a spirit of tolerance. Its success was perhaps limited as much by its failure to arouse fervour in its converts by wholesale proscription of native customs as by its method of working, which was defective in that converts were left without their missionary's guidance for more than half the year.

The members of the New Hebrides Presbyterian Mission, on the other hand, resided at their stations throughout the year and native customs received little toleration from them. Dour fundamentalists of Scots extraction, as many of them were, they evidently found immense strength in the conviction that 'we labour among very, very low, and fearfully degraded races'.¹¹ By the early 1880s they were established on Efate and most of the southern islands and were beginning to open stations in the islands northward. They were a tremendous power for the political future of the New Hebrides through their organisation in Australia and New Zealand. The degree of their success in conversion was doubtful. In 1883 the major spokesman of the Mission, the Reverend J. G. Paton, asserted that 'now about 8,000 on our group are under Christian instruction, and 70,000 ready and pleading for the British missionary to give them the Gospel'.¹² Paton, however, was constitutionally incapable of refraining from embellishment of the truth and the Mission's own detailed annual reports indicate that each missionary was hard-pressed to maintain the rudimentary faith of a few score adherents.

To bring European law and order to Melanesia necessitated wide, supple legal powers, large financial resources, and the will to employ them vigorously. In the first two years of the High Commissioner's appointment great vigour was actually shown and several offenders appeared before the court. In 1879 John Daly, master-owner of the *Heather Bell*—who had been pursuing a rambling, fornicating cruise, kidnapping at Ocean Island and robbing copra-stations on the coast of New Caledonia—was haled before Chief Judicial Commissioner Gorrie, sentenced under the Protection

Acts to six months' imprisonment, fined, and required to enter into bonds for his future good behaviour.¹³ William Waite, master of a Fiji recruiter, was imprisoned and fined for instigating his Tana boat's crew to fire on people at Santo.¹⁴ C. S. Kilgour, master of Queensland's *Mystery*, was fined and bound over for burning a village on Omba whilst recovering a boat lost there on a previous voyage, when its crew were killed; the village burned was not the one responsible for the murders.¹⁵ The half-caste Tongan, John Knowles, was brought down from New Ireland in a warship and handed over to be dealt with by his own sovereign.¹⁶ And for his part in the punitive raid at Blanche Bay in 1878, the Reverend George Brown would have suffered what Gorrie considered should be the consequences, had not Gordon intervened;¹⁷ but at this point the Chief Judicial Commissioner's joyous tracking down of offenders was interrupted by the results of his own duel with Commodore Wilson. It was never taken up again with the same zest. Between 1800 and 1882 disenchantment set in and inhibited forward action.

It became apparent not only that the High Commissioner's judicial authority was so limited as to set very close bounds on his proceedings, but also that through lack of an efficient staff he could not make effective such jurisdiction as he had. All the offenders sentenced in 1879 were brought before the court as a result of fortuitous circumstances. Waite was sentenced on the evidence of his native boat's crew, who, after normal practice, would have been returned to Tana on the voyage home, but for the onset of bad weather. Daly was brought to justice largely through the exertions of Consul Layard at Nouméa, who pursued him the more vigorously in that he was associated there with people to whom Layard was opposed. And Kilgour was picked up in the Solomon Islands on a later cruise by a naval schooner, which had been entrusted with a warrant for his arrest, a chance meeting the like of which was never to occur again.¹⁸ In all these arrests there was a great element of good fortune in favour of the High Commission, reliance on which in future would be no substitute for the appointment of deputy commissioners to reside in the islands, able to detect offences and with the resources to deal with offenders.

The original vote of £5,000 a year for High Commission purposes, however, had seemed to the Colonial Office inadequate to enable it to authorise the appointment of deputy commissioners other than to Samoa and Tonga. And throughout the 1880s the High Commission had actually to operate on a sum even smaller than this.

The vote was reduced initially to £3,000 as the result of misunderstanding between Colonial Office and Treasury. In December 1876 the former had requested that for the following year, and as a continuing

item, the imperial grant-in-aid of Fiji should be increased by £5,000 to meet High Commission expenses. The Fiji vote for 1877-8 did include this sum, in addition to the £30,000 voted for the colony's own purposes. Both Gordon and the Colonial Office believed that it was voted on the understanding that any of it not required to meet High Commission expenses could be devoted to Fiji. When the Treasury was approached to enter the same sum on the 1879-80 estimates, however, it refused on the grounds that apparently none of the first £5,000 had gone to the High Commission but had all been spent on the crown colony; it declined to admit that this had been in any way sanctioned. Gordon protested that, although the Order in Council had been issued for only a few months when the financial year ended, some £3,000 had in fact been spent in implementing it. On this, the Treasury agreed to enter no more than that sum on the 1879-80 estimates, with a recommendation that Gordon should be instructed to keep his expenditure within it.¹⁹

He had actually already drawn up a program to spend a full £5,000, with two deputy commissioners in Melanesia and provision for heavy travelling expenses. The revised estimate would, he protested, make the High Commission 'a mockery and a delusion'; it would be better to revoke the Order in Council 'than to render the impotence of its administration a byword and object of derision'.²⁰ The Colonial Office agreed; but the Treasury stood firm, promising, however, to reconsider the question at the end of the year on receipt of Gordon's authenticated accounts and of more detailed estimates than had yet been received from him.

These were not forthcoming. In January 1880 Gordon submitted estimates totalling £6,050—including the cost of one deputy commissioner to New Guinea, one to the Solomons with New Britain and the New Hebrides, and a £1,500 subsidy for a steamer between Tonga and Fiji—which the Colonial Office considered provided totally inadequate information to warrant their recommending them to the Treasury; about the Tonga steamer, for instance, they knew nothing. In July, at their insistence, he sent an amended estimate with explanations; in this, however, he provided only for the Samoa and Tonga deputies, on the grounds that until the dispute with the Commodore was finally settled he was anxious to take no active steps that might provoke renewed conflict. This estimate amounted only to £3,000 and the Treasury accepted it. It was repeated for 1881-2, in the absence of further detailed accounts from Gordon.²¹

Early in 1881, indeed—but in a despatch which was only received after the estimates for the coming financial year had been prepared—he insisted again that only a sum in the region of £5,000 would be sufficient to enable the High Commission to fulfil even the limited functions which

the imperial government seemed to envisage for it. He considered it absolutely indispensable to have deputy commissioners in the Solomon Islands and the New Hebrides, holding that the increase in the number of British subjects lately killed in those groups, now the subject of so much hostile comment in the Australian press, was largely due to the offences committed against islanders by others of their countrymen. And, so long as the High Commissioner was unrepresented in the islands, it was impossible to punish or even to detect those offences.²²

The Colonial Office, however, was not now inclined to fight Gordon's battles with the Treasury. Whilst on leave in 1878, he had persuaded the Secretary of State to provide him with a steam yacht, promising that Fiji would meet half of her maintenance costs; but on moving to New Zealand in 1880 he supported Des Voeux's protest that this expenditure would not be balanced by any advantage to the colony. Since this was the condition on which the Treasury had sanctioned her purchase, the yacht had to be disposed of to the Admiralty at a departmental loss. The *Cruizer* fiasco was held against the High Commission for the next ten years.²³

The salary of one extra deputy commissioner, however, was usually entered on the High Commission's minimal vote after 1880. It was inserted specifically to provide a deputy commissioner in the New Hebrides, where one was most needed; but Gordon's attention was riveted upon the extreme north-west of his jurisdiction and especially upon New Guinea, the prospect of whose uncontrolled settlement from Australia had been a constant spectre before his eyes since he was first appointed.²⁴ In March 1881 he appointed H. H. Romilly a deputy commissioner, with instructions to visit New Guinea and New Britain to prepare reports on the activities of British subjects there, with particular regard to their land purchases, and then to visit the Solomon Islands 'or the more distant Equatorial groups as circumstances may seem to be most expedient'. It was to be, so Gordon told him privately, 'an ambulatory mission of inspection of British Beachcombers'.²⁵

Commodore Wilson gave Romilly passage to Ugi in the *Cormorant*, which was then proceeding against the *Sandfly* murderers. He transferred there to the *Beagle* and in her spent four months cruising to New Britain, New Ireland, the Admiralty Islands, and New Guinea. Of suspected malefactors whose behaviour he was ordered to inquire into, he met both the *Dancing Wave*, which was reported to have fished reefs in a wantonly provocative manner, and the *Venture*, whose master had been accused by a passenger of kidnapping; but he was unable to obtain further evidence against either of them.

He came, however, upon the aftermath of the second large-scale punitive expedition launched by Europeans around New Britain. In May 1881,

after the murder of three Germans on Utuan island, off Meoko—centre of white settlement in the Duke of York Islands—Thomas Farrell had led an expedition of fifteen Europeans and forty islanders against the Utuan people and their supporters; two were shot and twenty prisoners were handed over by the Europeans to be disposed of by their native allies. Romilly held a magisterial inquiry into Farrell's actions, with a view to committing him for trial in Fiji before the Chief Judicial Commissioner; but from the evidence presented to him—which included that of the Wesleyan missionary, Danks—he concluded that the attack was justified in self-defence.²⁶ Both Gordon and Wilson were critical of Romilly's failure to indict Farrell, but his tour had at least displayed the civil personnel of the High Commission on a wild fringe of the jurisdiction in a manner capable of exacting obedience.

The same was not true of Romilly's second tour. He returned from his first cruise full of fever, was on sick-leave until early in 1883, and then provided a spectacular example of High Commission impotence from lack of funds. It was intended by Gordon—who was then in England, having resigned the governorship of New Zealand, but still titular High Commissioner—that he should go north again in a man-of-war to choose his own headquarters and spend about ten months of each year in the islands, most of it aboard warships; but the new Commodore, J. E. Erskine, refused to attach a civilian to his ships. When Romilly sailed from Suva in July 1883 it was in the labour vessel, *Meg Merillies*, bound for New Britain; for the New Hebrides, whose need for a resident deputy commissioner was more desperate, he professed to have been unable to find a seaworthy ship.²⁷ He spent the next few months at Matupi, dependent for a roof on the hospitality of his friend, Hershheim, with no means of arresting offenders nor of detaining them in custody had they obeyed his simple warrant. He needed at the very least, he complained, an open whaleboat with a Fijian crew, a European assistant, and a supply of firearms.²⁸ His appeals awoke no favourable response in Suva, where neither Des Voeux, who was Acting High Commissioner, nor Thurston, who was in charge of the High Commissioner's Office during his absence at the Sydney Intercolonial Conference, had any personal regard for Romilly.* They were, in existing circumstances, content with the expedient which had been adopted to offset the absence of efficient civil deputy commissioners.

It had been apparent by the beginning of 1881 that, since effective British

* Romilly seems to have aroused the disapproval of his local superiors by his drinking, which apparently was heavy even by Fiji standards. And his frequent sickness awoke no sympathy. Dr MacGregor remarked cynically that he 'should not be surprised to see the ill-health of Romilly, the product of his own excesses, set down as the effect of climate, exposure, & overwork, and him duly rewarded' (MacGregor to Gordon, 21 January 1886, *BM Add* 94203).

authority only operated where a warship appeared, there must be restored to naval officers some of the *de facto* authority over their own nationals of which they felt the Order in Council deprived them; in this way only could that instrument be applied where it was now a dead letter. Gordon and Wilson agreed that it could best be done by making commanders members of the High Commissioner's Court. In March and May 1881, therefore, Gorrie drew up rules under article 152 of the Order in Council enabling them to act as committing magistrates and as arbitrators in civil disputes. These the Colonial Office was obliged to order withdrawn, though agreeing in their principle, since they were clearly *ultra vires*; when, from its context, it was apparent that article 152 only enabled the High Commissioner to issue procedural rules for the court, the effect of the rules was to add new provisions to the Order in Council.²⁹ The situation was desperate and the only alternative was to adopt, as a general practice, the expedient, already temporarily resorted to, of appointing naval commanders to be full deputy commissioners. Commissions had been issued in March 1881 to the captains of the *Emerald* and the *Diamond* for a cruise in Micronesia and the Solomon Islands respectively. They received from Gordon instructions identical with those he had given Romilly, except that they were phrased as requests, and they reported to him under flying seal via the Commodore.³⁰

This set the pattern for the future. The jurisdiction became at last in some sort a reality. And Romilly's complaints received the less support from the High Commissioner's Office in that his work compared unfavourably with that of the naval deputy commissioners. The Colonial Office was informed that he had not been intended to function as an active magistrate but only to serve as an observer. Des Voeux had actually been reluctant to send him out at all and, if the Secretary of State had agreed, would have ended his appointment and used his salary as a special gratuity for naval commanders.³¹ It was obvious, personal qualities apart, that a deputy commissioner who commanded a warship would obtain obedience more readily than one who lived on the hospitality of traders and travelled in labour ships. Yet the system had disadvantages. In particular, when the main executive officers of the High Commission were naval commanders, who spent only three years on the station and were without legal training, the deficiencies of the principal Order in Council were accentuated.

Those who directed the drafting of the Order in Council had congratulated themselves on its aptness for the situation it had to meet; but Gordon, Hoskins, and Wilson were agreed that it was framed 'by men who had not fully grasped conditions of life essentially different from their own'. And Des Voeux thought it impossible to suppose they were aware that even in Samoa and Tonga the deputy commissioners might not receive

answers from the High Commissioner to their reports for five or six months.³² The Law Officers' fears that certain judicial procedures would be dangerous to the liberties of the subject proved groundless, chiefly because it was very difficult to bring offenders to trial.

Of the Order in Council's total of 331 articles, 325 dealt with the constitution and procedure of the court, setting up a cumbersome system which left many loopholes of escape. The stipulation that a month's notice must be given before a case could be tried, and the limitation that proceedings must be commenced within three months after the offence was committed, secured a large measure of immunity to offenders.³³ The deportation clauses proved particularly difficult to use: the difference in procedure between acting on orders of removal and on orders of deportation made it very easy to commit a costly error. There were, moreover, no prisons outside Fiji in which deputy commissioners could confine a convicted offender, so that they were restricted to imposing fines.* And in order to secure to a major offender the punishment which only a judicial commissioner could inflict, a commander would have to leave his station and sail hundreds of miles to Fiji, often against the prevailing winds.

Gordon had never regarded the appointment of naval deputy commissioners as more than a temporary expedient. He made this and other views clear when, in 1883, he was associated with two former Commodores on the station—Hoskins and Wilson—in a committee to report upon the working of the Orders in Council. Presented in October 1883, their report was generally condemnatory of the existing situation: in most of the jurisdiction the High Commission thus far had been 'practically powerless for good'. In order to amend this, it advocated the appointment of an independent High Commissioner able to devote his full attention to implementing the Orders in Council, living in the Western Pacific proper. And since throughout the greater part of the jurisdiction he must work through his deputies, it was 'indispensably necessary that their number should be increased, and that they should be chiefly resident in the islands'. The committee therefore recommended the appointment of five deputy commissioners apart from those to the Polynesian kingdoms.† Each should be provided with a vessel capable of making local voyages. For the High Commissioner's own use a fully sea-going ship was required.³⁴

* Under article 45 of the principal Order in Council, the High Commissioner named certain islands in the Western Pacific as being places where offenders might be imprisoned. There was, in practice, no means of detention and no British subject was ever imprisoned ashore in the Western Pacific islands, except in Samoa and Tonga, until protectorates were established.

† One of the five proposed new deputy commissioners was to reside at Havannah Harbour, one in the Duke of York Islands, one each at Marau Sound and Roviana, and the other in New Guinea.

The Colonial Office immediately doubted whether the Treasury would accept these proposals, given its usual attitude on Western Pacific matters. Moreover, the Colonial Office itself was extremely hostile to the report, which officials recognised as being mostly Gordon's work. Its tone was somewhat lofty and some of Gordon's own mistakes—as, for instance, his responsibility for the *Cruizer* fiasco—were smoothly glossed over.* It was characterised by Herbert, usually a supporter of the High Commission, as being 'feeble & offensive'.³⁵

Above all, although the Colonial Office fully agreed that the British authority system in the Western Pacific would have to be improved, it disagreed with the Committee as to how this could best be done. A major theme of the report was that the conduct of affairs in the islands was an imperial responsibility, which could not be delegated to any colony. This was entirely opposed to Colonial Office policy as by that time it had developed.

From about 1881 the future of the High Commission had been a subject for serious questioning in the Colonial Office. The post had been to a great extent personal to Gordon, one for which it was felt that he possessed special qualifications;³⁶ but he had by this time lost most of his superiors' goodwill.³⁷ Officials were asking whether the powers of the Orders in Council should not be transferred to the Commodore. Gordon vigorously opposed the idea, although he thought that the Commodore might with advantage be appointed Assistant High Commissioner. This suggestion the Admiralty disposed of in November 1881, showing conclusively that the advantages were illusory.†

There emerged, at the same time, the conviction that the best solution would be to make over to a federated Australasia the responsibility for controlling British subjects in the High Commission area. At the very least it was hoped that the colonies would meet the expense of a more efficient system of authority in an area where their interests were particularly in-

* The MS. report, with C.O. minutes, is Gordon, Hoskins and Wilson to C.O., 16 October 1883, CO 225/14. 'This report', observed Derby (minute of 6 December 1883, *ibid.*), 'is Sir A. Gordon from end to end', while Fuller (first class clerk at the Colonial Office) considered: 'The individuality of Sir A. Gordon is so strongly stamped upon the Report that it reads as if it might have been written by him & signed by the other members of the Committee as a matter of course'. The Report was criticised in the Colonial Office for contenting itself with advocating a few fundamental changes, whilst ignoring many points of detail—such as the inter-island labour traffic—on which an opinion had been expected from it.

† Minutes on Gordon to C.O., 10 January 1881, CO 225/7. These minutes also discuss the possibility that the High Commissionership might be transferred to an Australasian governor. On Gordon's protest at this suggestion, on the grounds that it would be an undeserved reflection on him (Gordon to C.O., 20 April 1881, CO 225/7), Kimberley minuted: 'Sir A. Gordon's sensitiveness almost amounts to a disease and most seriously detracts from his usefulness as a public servant'.

volved. The movements in Australia and New Zealand in the early 1880s which had as their object a federal union seemed to give substance to this hope.³⁸ In April 1883 Queensland raised the flag on the southern coast of New Guinea, as a defensive measure. In disavowing this action during July, Derby observed:

The affairs of the Pacific Ocean . . . are matters of the highest importance to those Colonies, and require to be dealt with on broad and clearly defined principles, and by the united action of the Colonies. . . . I trust the time is not now distant when, in respect of such questions . . . the Australasian Colonies will effectively combine together, and provide the cost of carrying out any policy which after mature consideration they may unite in recommending, and which Her Majesty's Government may think it right and expedient to adopt.³⁹

Partly as a result of this despatch, an Intercolonial Conference was held in Sydney in November and December 1883, attended by delegates from New Zealand as well as from the Australian colonies. It was also attended by the Acting High Commissioner, Sir William Des Voeux, and questions relating to the Pacific islands were much discussed.⁴⁰ The Conference was still sitting when the Report of the Western Pacific Committee was received in the Colonial Office. The department's hopes of what the Conference would promise in united financial aid made it very hostile to the report's general tenor.

The report argued very forcefully that no colony under a representative government should be allowed any voice in the administration of the Orders in Council, or of any system which might replace them. It insisted that 'the temptation which presents itself to make over to a federated Australia' the responsibilities now borne by the imperial government in the Western Pacific must be firmly resisted. Since Queensland's flag-raising in New Guinea, the question of annexation by colonial governments had been in the air. The report was particularly anxious to exorcise this spectre: if any islands were annexed to a single colony or even to a federation, the result would infallibly be 'to place the destinies of many millions of men entirely in the hands of those whose interests are always alien, and too often antagonistic, to their own . . .'. Federation was no solution, for

Whatever be the condition of Australia, the employers of coloured labour in the north, the shipping interests of Sydney and Auckland, and the capitalists who have invested money in South Sea enterprises, must always exercise a powerful influence, which every Government would seek to propitiate and conciliate.

The result would be to give the government of every group annexed into the hands of the Europeans resident in it, with disastrous effect on the islanders. It would, therefore, be 'in the highest degree unfortunate' to

retreat from the received principle that, where a large number of natives and a small number of whites were brought under one government, the administrators should be imperial officials alone, owing no obligation to any other colony.*

This was the authentic voice of the great crown colony governor, who saw his first duty as being towards indigenous people and who had had intimate experience of settler arrogance. The argument and conclusion were very unwelcome to his superiors, who therefore overrode them. It was considered in the Colonial Office to be

a somewhat retrograde movement to propose that the authority of the colonies in the W. Pacific should be determined, at a time when events are tending every day to increase their interests and powers in these seas.⁴¹

But the department's care to delay the presentation of the report to Parliament until the outcome of the Conference was known, and then to introduce it in terms which constituted a virtual disavowal, did not help to produce the results for which the Colonial Office had hoped.⁴²

The Sydney Conference passed resolutions advocating that a Federal Council should be set up to watch over, among other matters, colonial interests in the Pacific and asked that New Guinea should be included in the Empire. As a general principle it declared that

further acquisition of domination in the Pacific, south of the Equator, by any Foreign Power, would be highly detrimental to the safety and well-being of . . . Australasia, and injurious to the interests of the Empire.

In particular, and notwithstanding the Anglo-French agreement of 1878 which recognised their neutrality, the imperial government was requested

* 'Report of a Commission . . . into the Working of the Western Pacific Orders in Council', *BPP* 1884, LV, p. 794. In an editorial of 7 July 1884, the *Brisbane Courier* made a remarkably frank reply to the Commission's remarks on Queenslanders' attitudes towards the Australian Aborigines:

It should be noted that the process of dispossessing the natives of their country in Queensland does not differ from that adopted in the older colonies: it only happens that whereas it is complete in Victoria and New South Wales, it is still in progress here . . . we may . . . assert that Queensland colonists are only doing what Englishmen have done in all parts of the world where they found a savage race in occupation of territories which they wished to occupy themselves. If the savages had any form of tribal government, and especially if they were able to make some effective attempt at self-defence, the process of dispossession was somewhat slow and rather complicated . . . By whatever name the process was known, however, the result was always the same. The white men got the coloured men's lands, and if the latter resisted . . . they were shot down . . . It was not possible [in Australia] to go through the formula of making pretended bargains with them, as British colonists do elsewhere, so the land was simply occupied, and if the natives resisted . . . they were shot. That is our case, plainly stated.

to obtain possession of the New Hebrides. Financial assistance was promised.⁴³

Matters hung fire until May 1884, when the Secretary of State sent a general despatch to the Australasian governors with the oblique suggestion that their legislatures should set about passing the federal council bill and asking for a guarantee of an annual sum of £15,000 to pay for an independent High Commissioner, or at least a deputy commissioner, with a steamer and an adequate staff, to operate particularly on the south-east coast of New Guinea.⁴⁴ This sum was immediately guaranteed. At an interview in July between the Secretary of State and the Agents-General for several colonies, however, it became clear that a wide divergence existed between what the Australasian governments considered should be done in the Western Pacific and the action which the Colonial Office had in mind.

The Agents-General requested that actual protectorates should be established, not only over New Guinea but over New Britain, New Ireland, the Solomon Islands, and the New Hebrides and Santa Cruz groups also. These were similar demands to those against whose gratification the Western Pacific Committee had so vigorously argued. And even when the Colonial Office was condemning the committee, it had not accepted the principle of annexation, even on colonial responsibility and at colonial expense. The Australasian financial contributions for which it devoutly hoped, and in return for which it was prepared to give the colonies a voice in the Orders in Council's administration, were only intended to be used to improve the existing system of extra-territorial jurisdiction. A protectorate over part of the New Guinea coast was contemplated, no more. Derby immediately recoiled from the colonial demands. What was wanted, the Agents-General told him, was

the extension of British authority under some form of protectorate over New Guinea and the islands of the Western Pacific, which would preserve them from being appropriated by Foreign Powers, and secure them eventually for Australasia.

This, Derby replied, was a sort of Monroe Doctrine which they had no right to assert and to which Her Majesty's government could not accede.⁴⁵

The colonies, however, had some claim to feel that they had been misled, since the May despatch was so worded as to suggest that a policy of accepting territorial responsibility might be contemplated. And the Colonial Office was reluctant to make any move, even to make effective the existing jurisdiction, since it was never confident that some form of federal union would in fact emerge. New Zealand would not participate even in the minimal approach towards a union with Australia that the Federal Council represented. She feared that membership would involve the weakening of her legislative autonomy and of the influence which she aspired to establish

in the Pacific.⁴⁶ New South Wales also stood out, as did South Australia. Without New South Wales, the Federal Council's existence would inevitably be one more of shadow than substance.

The Colonial Office continued to be opposed to approaching the Treasury for an increase in imperial spending on the High Commission so long as there remained any possibility at all that Australasia would shoulder the burden.⁴⁷ Policy was still balanced thus, between hostility to the Western Pacific Committee's recommendations and a waiting on colonial contributions, when international factors intervened. In August 1884 the German flag was hoisted in New Ireland, the Admiralty, Hermit and Anchorite Islands, and on the north-east coast of New Guinea. This precipitated the imperial government into action; in October a British protectorate was declared over New Guinea's south-east coast. An Administrator was appointed with, initially, the authority of a deputy commissioner; he owed allegiance to three Australian capitals—to Brisbane in particular—not to the High Commissioner. The promised colonial financial contributions went to maintain this new protectorate, which was clearly more immediately important to Australian interests than was any other group. Contributions were, in practice, not to be extracted from the individual governments without considerable difficulty and there was no money available to improve the High Commissioner's implementation of his authority in the Western Pacific at large.

The attention of the Colonial Office was also centred hereafter on New Guinea; the administration there, in its need for additional assistance from the imperial Treasury and in its complex relations with three colonial governments, perhaps imbued the ideal of Australasian responsibility for the Pacific with a certain disenchantment. Whilst the New Guinea administration was being established, no positive imperial action could be expected in the High Commissioner's own jurisdiction.

There also, moreover, international forces were intent upon a partition of the islands. In September 1884 the German Ambassador in London suggested that an Anglo-German Commission should meet to arrive at an understanding on the protection of both countries' interests in the Pacific and to define precisely their areas of influence. At about the same time, the French began pressing their claims in the New Hebrides in an attempt to obtain sole control. Against both these moves the imperial government was on the defensive, but the quality of the defence differed in each case. France might be resisted in the New Hebrides as elsewhere, but she could only be combated in Egypt if goodwill were stored up with the German Chancellor by acceding to his ambitions in such lesser colonial areas as Equatorial Africa and the Western Pacific. Although respect for New Zealand's susceptibilities demanded that Bismarck should not be per-

mitted to take Samoa, similar objections did not so directly apply to islands on the far north-east, nor even on the less remote north-west, of the High Commissioner's jurisdiction. In March 1885 J. B. Thurston, British representative on the commission, was informed that his government desired to stand on an equal footing with Germany in Samoa and Tonga; it recognised the predominance of German trade in New Britain, New Ireland, and the Duke of York Islands, and was prepared to acquiesce in the German protectorate there; and it considered that in other islands under no protectorate it might be well to make arrangements to safeguard British and German trade, either by joint or independent action.*

In these other islands Thurston, for his own part, proposed to obtain German—and, if possible, French and American—agreement to what his superiors described as 'a policy of Free Trade and Neutralisation', instead of partition. Before actually meeting the German representative, he prepared a scheme for the neutralisation of the New Hebrides and Banks Islands, the Solomon, Santa Cruz, Gilbert, Marshall, Eastern Caroline and Ellice Islands, as well as Tonga and Samoa. Europeans herein would be answerable to an international mixed commission with extensive powers, for which he thought that the Congo settlement might form the pattern. This did not greatly appeal to officials in the Colonial Office; one of them protested that 'we do not wish to establish a state in the South Seas, or to give it a constitution', and considered it better 'to get the best we can out of existing machinery'. The Germans, moreover, insisted on partition. Under the joint declaration of April 1886, the Marshall and Caroline Islands went to Germany, the Gilbert and Ellice Islands were reserved to British influence, and the Solomon Islands were partitioned north of Malaita.⁴⁸

Even within this truncated area of jurisdiction, the High Commissioner was not enabled to function efficiently. The third civil deputy commissioner, Romilly, had been attached to the New Guinea administration since October 1884, though still drawing a salary from High Commission funds. When he returned to the High Commission in 1889 he was dispirited at

* F.O. to Thurston, 21 March 1885, *FOCP* No. 5105; C.O. minutes of late 1884 (in minute paper with C.O. to F.O., 12 March 1885 (draft), *CO* 225/19) discuss what instructions should be given to the British representative. For later recognition in the Colonial Office of what was the main consideration of British policy at this stage, see minutes on Thurston to C.O., 28 June 1892, *CO* 225/38. Fuller admitted that in the mid-1880s, 'There was every inducement on the part of H.M.'s Govt. to deal pacifically with Germany'. And Meade (Assistant Under-secretary) pointed out:

As we incur [?] everywhere the hostility of France, so we have to purchase support from Germany in regard to Egypt by pliability in other matters. This confronts us in every Colonial question, where Germany France or Italy are in the least concerned.

On this point generally see also Ronald Robinson and John Gallagher, with Alice Denny, *Africa and the Victorians*.

his lack of promotion and, after a short period spent in the New Hebrides,* retired permanently from the Pacific. The attempt made in November 1884 to rationalise the jurisdiction by attaching the Solomon Islands to the Port Moresby administration was of no practical effect.⁴⁹ The shifts and failures since 1884 had left the Colonial Office without energy or direction in Western Pacific matters outside New Guinea.

Some soul-searching took place, but no concrete proposals emerged. In 1890 H. R. Round of the accounts department admitted that in the thirteen years since the principal Order in Council was issued, 'with a flourish of trumpets', they had spent much time discussing how to implement it 'and may fairly be charged with only having discovered "how not to do it"'.⁵⁰ His colleagues raked over former fiascos, seizing particularly on that surrounding the *Cruizer's* purchase and, eight years after she had joined the Australian Squadron as H.M.S. *Dart*, launched a doomed campaign against the Admiralty to have her placed almost exclusively at the High Commissioner's disposal. R. H. Meade, averring that the High Commission was 'a gigantic farce', proposed to amend this by resurrecting the hoary plan to make the naval Commander-in-Chief High Commissioner. Some comfort was obtained from the reflection that, if the High Commission vote had declined from £3,500 in 1882-3 to £2,290 in 1888-9, this was because the High Commissioner himself had not asked for more and frequently had not spent all that he was given. It was agreed that on the only occasion when the Treasury had been approached with a definite scheme—the purchase of a steam yacht—it had not been unresponsive.† No effort was made to proceed on this analysis and to place before it another scheme.

Certainly there was no disposition to consider anew the proposals of the Western Pacific Committee, the most developed plan yet advanced. By 1891, indeed, its report was no more than a subject for departmental jeers.‡ No company came forward at this stage to supply the African expedient of ruling, under British government charter, an area which that

* See below, p. 210.

† Minutes on Thurston to C.O., 26 November 1889, CO 225/30. These minutes are curiously inaccurate on matters of departmental and High Commission history. For instance, Meade believed that, whilst Gordon was High Commissioner, the *Cruizer* had been 'means for his getting about', whereas, in reality, she had only appeared in the Western Pacific as a naval vessel and had never carried the High Commissioner. For steps taken at this time towards amending and consolidating the Orders in Council, see below, pp. 252-3.

‡ For a jeer at the report, see Bramston's minute on F.O. to C.O., 15 April 1891, CO 225/37. A Commons question of March 1885, as to when government action on the Report's recommendations might be expected, had been staved off with the reply that no action could be contemplated until the Anglo-German Demarcation Commission had reported (*GBPD*, 3rd Series, CCXCVI, p. 996). To judge from the inaccurate memories of the Report's recommendations which, as Bramston's minute reveals, were current in the Colonial Office, it was not often consulted there.

government itself was not prepared to rule. The High Commissioner, in the meantime, had continued to operate under difficulties, even apart from his lack of resident civil deputy commissioners, whose removal the committee had recommended.

II

Even as regards the judicial bases of his authority over British subjects, the High Commissioner's powers were open to interpretation and hence to evasion. It was a question very seriously grounded in law whether British subjects who returned to Australia or New Zealand after committing offences in the islands were justiciable therefor in colonial courts, and whether they could be extradited to the High Commissioner's Court. Doubt was cast on these points in January 1879 when, in the Supreme Court of New Zealand, Chief Justice Gillies ordered the release on a writ of habeas corpus of Thomas Rennell—one of McArthurs' traders, charged with the murder of Captain Moller on Butaritari—on the mistaken grounds that no Order in Council under the 1875 Protection Act had yet been issued to confer on any court jurisdiction over offences committed outside an Australasian colony.⁵¹ Even if the New Zealand authorities had paid proper attention to the 1877 Order in Council—a copy of which Gordon had forwarded to them in March 1878⁵²—there would, apparently, have been no power to send Rennell within the High Commissioner's jurisdiction to be tried. There was no direct provision for extradition to the High Commissioner's Court from an Australasian colony.

It was thought, however, that if the point arose again it would be met in combination by the Foreign Jurisdiction Act, 1878, the Western Pacific Order in Council, 1879 and the Fugitive Offenders Act, 1881. Of these, the first empowered the Crown by Order in Council to direct that the Fugitive Offenders Act, 1863, or any statute amending it, should extend to any place where that act applied, and declared the Western Pacific to be such a place. The second provided for the extradition of offenders from the islands to the dominions but not, curiously enough, from the latter to the High Commissioner's jurisdiction. And the third empowered the Crown by an Order in Council to direct that its provisions should apply to any place beyond the dominions where extra-territorial jurisdiction was exercised.⁵³

When in 1884 the question was raised whether the government agent and master of the Queensland recruiter *Stanley* could be extradited from that colony to stand trial in the High Commissioner's Court for their violent proceedings in the Laughlan Islands, it was discovered that no such Order in Council had yet been issued.⁵⁴ In order to refuse their release on a writ

of habeas corpus, Chief Justice Lilley in the Supreme Court of Queensland was obliged to strain considerably the meaning of the Foreign Jurisdiction Acts and the Western Pacific Orders in Council. Interpreting the 'jurisdiction' conferred thereby as being synonymous with 'power' or 'dominion', he argued that there was 'as much of the "territorial" element in this . . . "jurisdiction" . . . as is essential to uphold and exercise it'. For the purpose of the Fugitive Offenders Act, 1881, therefore, he held that the Western Pacific islands were part of the dominions and hence that for offences committed there offenders might be extradited from a colony to the High Commissioner's jurisdiction.⁵⁵

The *Stanley* case represented an opportunity for the High Commissioner to fill a large gap in his jurisdiction, by obtaining effectual oversight of the Queensland labour traffic. According to the Secretary of State's original instructions, the control of labour recruiting was to be one of the High Commissioner's particular duties. Clearly, if he was to exercise any real influence in the Western Pacific, it was essential that he should have such a control, for in the New Hebrides and Solomon Islands, especially, the main agents of racial contact were labour ships recruiting for the plantations of Queensland, Fiji, and Samoa, and for the nickel mines of New Caledonia.*

Over the traffic to New Caledonia and Samoa, of course, the High Commissioner had no claim to any control, even though—in the former case, especially—the ships employed under foreign flags were often British-owned and the recruiting agents were frequently British subjects. Ships under the German flag sailing out of Apia were under no other supervision than could be exercised by the German Consul-General at that port. Those sailing under French colours out of Nouméa carried government agents who frequently proved untrustworthy.† The ships from both these places achieved well-founded reputations for kidnapping and murder.⁵⁶

The traffic into Queensland and Fiji was conducted on a far larger scale than either the French or German traffic. At the height of the trade in 1880, Queensland licensed fourteen ships which, in a total of twenty-eight voyages, brought in 2,326 recruits, whilst Fiji's thirteen ships obtained

* Of these four branches of the labour trade, that of Samoa ended in the 1890s and that of Queensland in 1906; the Fiji traffic was ended in 1911, on the instructions of the Secretary of State. The traffic into New Caledonia was the longest-lived: it was closed in June 1882 after a series of kidnapping incidents by Nouméa ships (to which attention was drawn by the British Consul), was reopened in November 1883, closed once more in February 1885, with the object of forcing employers to use the labour of recidivists, and again reopened in 1890; it was still continuing in 1914.

† See, for example, the evidence given at the *Aurora* kidnapping trial in Nouméa in 1882, when it was revealed that government agents were chosen from amongst the impecunious clerks in the office of the Director of the Interior in order to give them a well-paid holiday (encl. Layard to Erskine, 16 May 1882, *RNAS*, XVI).

2,534. The same ships that year returned a total of 1,755 islanders whose terms of service had expired.⁵⁷ Each 'return' was laden with firearms and ammunition,* hardware and drapery—a selection of whatever goods the Queensland stores had contained or the government contractor in Fiji had seen fit to provide. How they were affected by their experiences abroad is a question beyond the scope of the present study and one that interested most contemporaries only in passing;† but the character of the labour trade itself was a matter that attracted constant attention.

In eighty-two surviving journals kept by Fiji and Queensland government agents—sixty-seven of them relating to the Fiji trade, so that the record is not so well balanced as could be wished‡—the labour traffic emerges in something approaching its true character. It was a speculative business, in which the smallest practicable amount of capital was invested and the largest possible returns demanded. It involved considerable danger for those who went inshore with the boats and even—at an island like Malaita, where ships themselves were sometimes attacked at anchor—for those who remained on board. It attracted, in the main, a shiftless, drunken set of seamen, who were kept under scant discipline. And in obtaining recruits it thrived on cajolery, the dissemination of discontent in island communities, and petty deceit, backed up occasionally by force.

As a business, however, the labour trade required the substantial consent of all concerned, which was, in a considerable measure, forthcoming from the islanders who were involved with it. Missionaries, indeed, expressed doubt as to how far the contract was understood by islanders who recruited, and habitually spoke of the labour vessels as slavers. In 1879 the *Winifred* recruited people from Santo and Raga, of whom the government agent wrote that 'none . . . could either understand or be understood by anyone on board';⁵⁸ but in the early 1880s the majority of the people of the New

* In 1883 a naval commander estimated that no fewer than 100 rifles and 1,500 muskets, with appropriate supplies of ammunition, went into the New Hebrides each year from Queensland alone, whether given as presents for recruits or bought by time-expired labourers with their wages (Moore to Erskine, 7 November 1883, *RNAS*, XVI). The Solomon Islanders—especially the Malaita men—were no less well equipped.

† In the early years of the traffic, returned labourers made an unfavourable impression on most European observers. Missionaries found them an obstacle to their work and some returned labourers took a leading part in attacks that were made on recruiters themselves. In the later years, however, their influence was important for economic development. On Omba, for instance, they brought about the increased cultivation of coconuts as a cash crop and caused the end of the traditional graded society (M. R. Allen, 'The Nduindui. A Study in the Social Structure of a New Hebridean Community' (Ph.D. thesis, A.N.U., 1964), pp. 15-17).

‡ These journals are listed in the bibliography. They are a most valuable source but are so small a sample that they do not allow more than an impressionistic account of the labour trade to be attempted. It can, however, be one closer to reality than has yet been written.

Hebrides and, for the most part, of the eastern Solomon Islands also, could be communicated with. The trade was its own harbinger, in that returned labourers were able to explain to prospective recruits what plantation work involved.*

Consent, moreover, emerges very clearly from the preference which recruits showed for particular places. New Caledonia was widely detested, 'as they say they have to break stones & get too much rice'.⁵⁹ Of those who went to Samoa, a considerable number were kidnapped by Proctor or one of his associates, on the pretence that they were being taken to Queensland or Fiji.⁶⁰ And Fiji itself found it very difficult to get recruits. Employers under the crown colony reaped the results of former days when recruits had been kidnapped, were ill-fed, ill-paid, and not returned when their terms of service were completed. The result was a widespread repugnance to working in Fiji, which improved conditions there after Cession did not remove.⁶¹

Except in areas where the people preferred the yams and other vegetable food prescribed for them in Fiji to the meat and rice of Queensland,⁶² and except where they were very unsophisticated, Queensland was the favourite place in which to work. Its main advantages in the eyes of recruits were, apparently, that its wages were £6 per annum as against Fiji's £3 and that 'returns' were able to choose in the stores what they wanted to buy with their wages, instead of being saddled with the inferior goods provided by a single contractor, as happened in Fiji.† A further reason was probably

* This opinion was strongly expressed by, for instance, the son of Consul Layard, who made a tour of the New Hebrides in 1877 (Leo Layard to Layard, 28 July 1877, encl. F.O. to C.O., 14 November 1877, CO 83/15). Communication with intended recruits was sometimes carried on in a very rough and ready manner. On the Malaita coast in 1882, the agent of the *Oamaru* noted that he had picked up from Saa a man who spoke English, to explain the terms of the engagement to recruits: 'Most of them know this already from what the return labour tells them. However while I had an Interpreter I told him to inform intending Recruits & when I had not I done the best I could in broken English' ('Journal of E. Reilly, *Oamaru*, No. 39', 21 October 1882). The Fiji Agent-General of Immigration was prepared to indenture new recruits so long as 'reasonable inference can be shown that . . . [they] . . . have some idea of what will be required from them' (Anson to Colonial Secretary, 11 February 1884, *Fiji CSO*, no. 316 of 1884).

† The advantages for the labourer of the Queensland system over that in force in Fiji are well described in William T. Wawn, *The South Sea Islanders and the Queensland Labour Trade*, pp. 121-3. The Fiji system of putting out to tender the right to sell goods to time-expired labourers was defended by Thurston on the grounds that the ensuing competition for the contract produced good-quality goods at low prices (Thurston to C.O., 28 January 1884, CO 83/36). There was ample evidence in the Colonial Secretary's Office to show that this was not so. The successful contractor frequently engaged in sharp practice at the expense of the labourer. In 1882, for instance, it was found that Messrs Henry Cave & Co. were selling an inferior brand of axe, which they had disguised to look like the approved, good quality article (Anson to Colonial Secretary, 13 February 1882, *Fiji CSO*, no. 448 of 1882).

that labourers in Queensland found life gayer there than in Fiji; there were more towns to roam and more opportunities to drink alcohol. Returned labourers from Queensland were notably more self-assured than those from Fiji; as a Fiji government agent put it:

a more saucy insolent lot [than Queensland returns] 'twould be difficult to conceive, there is a marked contrast between the returns from Queensland and those from Fiji, so, that judging from effects, our discipline is superior to that of the other colony.⁶³

Recruits showed preference for certain districts in Queensland. Maryborough was much better liked than Mackay or the Herbert River, 'as they made them *work in the rain*' at Mackay.⁶⁴ Ships were inspected by potential recruits before they engaged and a vessel that kept far off shore was reckoned by them to be either a trickster—as, for instance, a Samoa ship pretending to be recruiting for Queensland—or unseaworthy. At least one instance is recorded in which people who wanted to recruit were awaiting the arrival of a particular ship which they knew to be a good one.⁶⁵ Those who had been abroad before would often stipulate to which particular master they must go and what kind of work they would do. Thus the *Winifred's* government agent reported about an old hand from the Banks Islands who had decided to recruit for Fiji, that he

had been 6 years in Queensland and asked all sorts of questions before engaging: I had to promise him a good master, that he should be allowed to live with his wife . . . & he wishes employment as a horse or bullock boy, for either off which he is fit by his own a/c. He also made a claim to another wife . . . but that of course I explained was impossible, tho he assured me most earnestly that 'white man he two woman Queensland'.⁶⁶

In the early 1880s it seems that Queensland ships could still obtain recruits in the traditional manner, by sending in their boats, laden with trade goods, to attract the people of the coastal villages; but it was an axiom of the Fiji trade that no recruits for the crown colony were likely to be had from among these salt-water people, who, from frequent contact with Europeans, were sophisticated enough to recognise Queensland's advantages. Fiji ships had to rely upon filling up with bushmen, whose acuteness was not so well developed. As was observed by Theodore Hoyt, government agent of the *Mavis*:

There is next to nothing done, by cruising in the boats alongshore, looking for volunteers, the only thing, is to find out when bushmen are expected down, at any given point for the purpose of trading with the coast people—*then*, by attending with the boats, recruits may be had.⁶⁷

The ships of Fiji concentrated, therefore, on islands such as Malekula,

Santo, and Malaita, where the bush population was comparatively dense and where—in their need for trade-goods, which could be obtained in large quantities in no other way—many men were willing to engage. By anchoring in a favourite spot—as inside the islet of Lenore (modern Lemua) on the south coast of Malekula, or at the mouth of the Jordan River in Big Bay, Santo—and by sending up a messenger to the inland villages, many recruits could often be had in a few days.⁶⁸ A ship might be lucky enough to arrive at a time when a leader in the community had decided to recruit and had induced others to accompany him. The *Mavis* was fortunate in this way at Malekula in 1882, as Hoyt reported:

‘Ai divi’ No. 42 had persuaded the others into promising to go with him, in the first ship that came to Lenore—he then arranged with an acquaintance on the Coast to inform him of the first arrival, as their town is but 5 miles back, they knew of our arrival the same day & the next, they were on board. We might have cruised alongshore a month before securing half a dozen men. . . .⁶⁹

Despite the comparative ease and rapidity with which a ship could be filled with bushmen, Fiji recruiters were envious of the Queenslanders’ ability to attract the coast people. Complications, indeed, were occasionally caused to the Fiji ships by the fact that, where messengers were needed to inform the bushmen of a ship’s arrival, these could only be obtained from the coast people. And the latter sometimes had a vested interest in reserving the bushmen for a Queensland ship. As the observant Hoyt explained:

it is the Queensland ships that get the coast people & that accounts for the opposition of the beachmen to the others going in Fiji ships,—by keeping them back till the Queensland comes (in which he means to recruit himself) the beachman not only gets head money from the Captain, but secures for himself companions who relieve their sophisticated friend of many an odd job of work on the plantation.⁷⁰

By the late 1880s, however, it was reckoned that comparatively few of the salt-water people engaged at all. In the last years of the Queensland trade, 90 per cent of its recruits also came from the bush. The coast people stayed at home, making copra for the traders and in the labour traffic developing their role as middlemen. They now obtained their trade-goods by acting as intermediaries and interpreters for the bushmen, as well as by extracting a toll on the contents of the latter’s boxes when they returned home.⁷¹

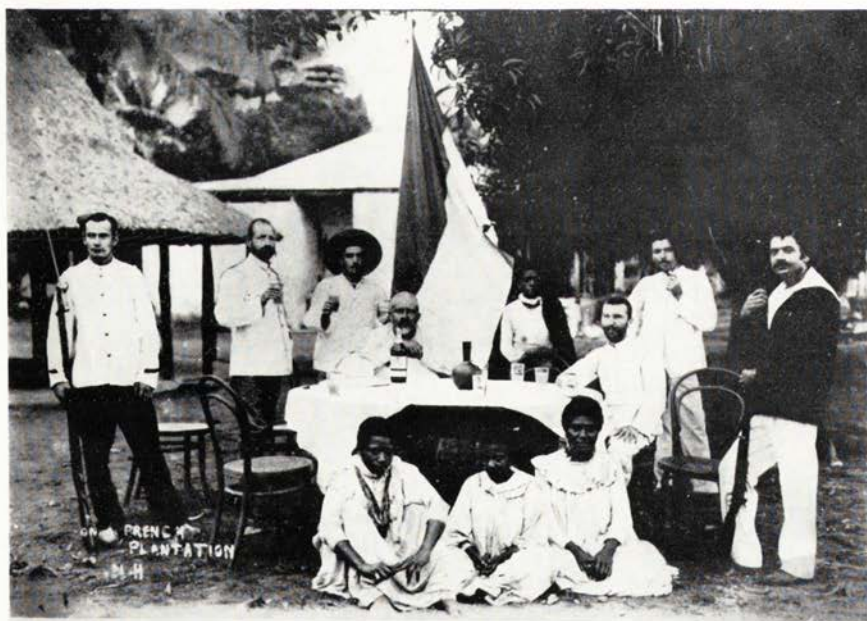
In the Solomon Islands, New Britain, and New Ireland many recruits were obtained, in return for presents, through the intermediacy of their own dignitaries. The attention of the Queensland government was drawn to this giving of presents in return for recruits in 1877, when one of their agents published an account of recruiting in the New Hebrides in which he



12. A trader's station at Efate in the early 1890s. Donald McLeod stands on the right



13. 'Rathmoy', Undine Bay, Efate—the plantation of Robert Glissan in the early 1880s



14. On a French plantation in the New Hebrides

(Plates 12-14 by courtesy of the Trustees of the Mitchell Library)



15. Tulagi, seat of government of the British Solomon Islands Protectorate



16. Trading station, Roviana Lagoon, New Georgia



17. Levers' Pacific Plantations' wharf and office, Gavutu

(Plates 15-17 by courtesy of Levers' Pacific Plantations Ltd)

suggested that it encouraged a form of slave-dealing, in that powerful communities were thus given an incentive to raid their neighbours for prisoners, whom they sold to the labour ships. On this supposition, the then Colonial Secretary—John Douglas, a staunch opponent of the traffic—issued instructions that in future no presents should be given for recruits.⁷²

So far as the New Hebrides were concerned, the supposition seems to have been groundless. There the practice of giving presents was a recognition of the community's rights in its constituent individuals, a custom the observance of which was necessary if a recruit's relations were not to complain to the next warship that their kinsman had been 'stolen'. The Bishop of Melanesia himself gave presents to the families of the acolytes whom he took for Christian instruction to Norfolk Island.⁷³

Elsewhere in Melanesia the position is less clear. Off New Ireland in 1884, indeed, the government agent of a Queensland labour ship recorded the attempt of a dignitary to sell a prisoner and remarked that recruiting was 'kidnapping in the second degree, we do not steal the boys ourselves, but we incite the Chiefs to do so and buy from them'.⁷⁴ In the Solomon Islands, the ships of both Queensland and Fiji obtained large numbers of recruits through Gorai in the Shortland Islands and Kwaisulia at Ada Gege, one of the artificial islands off the north-west coast of Malaita. Both Gorai and Kwaisulia were prepared to do a little slave-raiding on behalf of labour ships; but the majority of the recruits whom they provided seem to have come from amongst their own people and to have required no great compulsion.⁷⁵

In most cases it seems that recruits were willing to engage and that presents were designed to secure the consent of their communities to their departure. That consent was essential if the labour traffic was not to breed ill-will. The journals record many cases when, though presents were forthcoming and the recruits themselves were willing, it could not be obtained. Boats were often told that too many men were already away on the plantations and that no more could be allowed to leave until these returned. People were frequently prevented from recruiting by force. As the *Oamaru* worked Malaita in 1882, her government agent complained:

We could get a good deal more recruits only the old men won't let them go. One native (of about 14 yrs of age) today got one of his legs into the boat & regular cried to get away but another fellow had him by the arm & then they were pulling away for 20 minutes until they got him away from the Boat.⁷⁶

The regulations did not stipulate that the consent of the community must be obtained before a recruit could be engaged and, whenever they could bring people off to the ship despite the opposition of their friends, the recruiters did so. At Nikunau in the Gilbert Islands in 1882 the *Minnie Hare*

recruited by night in order to enable prospective labourers to evade their friends who would otherwise 'seize them by their hair [and] drag them away from the boat'.* In his published account of his voyages as a master in the traffic between 1875 and 1891, W. T. Wawn notes incidents in which he got runaways aboard in the face of opposition and, in consequence, 'should not have cared to have shown' himself at the place 'for at least a month to come'.⁷⁷ The spirit which prevailed in some ships is illustrated by an account of recruiting at Eromanga in 1877, written by a passenger in Queensland's *Bobtail Nag*.

On our way down the coast we saw two women and a man making signals for us to pull in towards them which we accordingly did. One of the women was quite a young girl of about sixteen years of age, she evidently wanted to come with us, as she kept on running out into the water and back again. The other woman did not want her to come, and the man who was both ugly and old, shook a club several times at us. However Mike (the Mate) not caring a rap for him ordered the crew to pull in, and on seeing that we were determined on having the girl, the old fellow made a rush to seize her, so she jumped into the water and swam out to us. . . . The old man . . . uttered a hideous yell and ran off up into the bush, I suppose to induce some of his countrymen to come and demolish us, but . . . we beat a retreat, leaving the old Lady kicking up her heels on the beach and yelling like an Australian dingo.⁷⁸

To take any runaway was to arouse the anger of his community and to render it likely that the next ship to call would be fired on. To take a woman in this way was especially provocative. In most Melanesian societies women represented, to their fathers, potential wealth in pigs and shell-money and, to their husbands, the investment of that wealth in bride-price. Therefore to take a woman unaccompanied by her lawful protector was outright theft. But most Melanesian societies, again, had their share of discontented females and it was a recognised sport among the young men to elope with married women. The latter belonged, generally, to older husbands, who alone had the resources with which to buy them. The labour ships were a haven for eloping couples and their visits facilitated the growth of the sport. A man would quietly arrange during the day that he and his 'Mary' should be picked up at night from a pre-arranged landing-place, and the government agent would enter them as man and wife, which often they were not. When women ran away alone they were likely to be paired off with an unmarried male. Many young boys also stole

* 'Journal of F. P. Bevan, *Minnie Hare*, No. 42', 28 April 1883. On her next voyage, the people of Tapiteuea seized control of the deck in an attempt to recover one of those who had recruited ('Journal of C. P. Croft, *Minnie Hare*, No. 49', 30 October 1883).

away without their parents' consent.* The sole criterion that they were old enough for plantation work was the presence of pubic hair.⁷⁹

The result was that the senior members of the community viewed the arrival of a labour ship with mixed feelings: with cupidity when the women were contented and there were young men in sufficient numbers that some could engage without weakening the village, and with irritation when the situation was the reverse of this. Volleys of musketry from the bush were a frequent indication that the boats were unwelcome. The shots in themselves, according to the master of one labour ship, were a challenge to the energetic recruiting agent, indicating that young people wanted to recruit.⁸⁰

To the recruiting agents' whaleboats came, therefore, bushmen for whom work on the plantation was the only way to obtain trade-goods, eloping couples and youthful runaways fired with curiosity, people driven out of their islands by famine† or warfare,⁸¹ those who had committed offences and were fleeing to save their lives,⁸² and those who were simply seduced by the recruiting agents' patter. Malo girls, renowned for their lubricity, acted as decoys; native boats' crew urged the hesitant to come and acquire that knowledge of the white man's ways which they themselves had found so rewarding.⁸³ In most ships there was also a strong leaven of old hands, recruiting for another term. Some of the factors which led returned labourers to recruit again were described by a Tana man to the government agent of the *Bobtail Nag*: 'Along o' island me no get him tobacco, me no get him grog, me get him nothing; Rockhampton very good place'.⁸⁴

Despite the strong element of consent, trickery at the moment of engagement often obtained on both sides. Islanders sometimes pretended to recruit to obtain presents, and then deserted the ship. People were engaged by recruiters on the assurance that they were going to a favoured place, when in reality the vessel was recruiting for the detested Mackay.⁸⁵ And there were native interpreters who declared with pride: '“Me plenty steal 'em boy, me plenty gammon altogether”'.⁸⁶ Once aboard ship, recruits were often subject to further deceit; the petty economies practised at their

* Selwyn to Fairfax, 18 September 1888, encl. Fairfax to Musgrave, 10 November 1888, *Queensland CSO*, no. 3201 of 1889. Under the revised Queensland regulations of 1884, boys under the age of sixteen years were not to be recruited at all, whether they were accompanied by their natural guardian or not; but this rule was broken by every ship that returned with a full complement of recruits. Fiji ships were allowed to recruit without age restriction at the rate of two boys to one adult until 1891, when new regulations were issued forbidding the recruitment of youths under sixteen, except with the express permission of the Agent-General of Immigration.

† This applied especially to the Gilbert and Ellice Islands, with their periodic droughts; but in the late 1870s, when the New Hebrides were ravaged by hurricanes, this factor operated there also.

expense aboard the *Lizzie*, for instance, sickened even the hardened 'Vagabond' who was no sympathiser with those whom he called 'niggers'.⁸⁷

At sea in the labour ships, the lives of labourers were often in danger. The vessels themselves were ordinary coasters and island traders, with no special qualification for carrying passengers except two or more tiers of bunks in the hold and a large selection of cooking-pots. The inspection by a Shipping Inspector which they were supposed to undergo before a licence was issued to them was of the scantiest kind. Always ill-found, the ships were often downright unseaworthy. Vessels were put into the trade when they were too decrepit to carry an inanimate cargo which could not itself man the pumps when seams, strained by years of hard usage, began to gape open. The bottom planking of the *Hector*, for instance, was so ripe that nails would not hold in it.⁸⁸ Surprisingly few ships actually went down at sea, however, though several ended their lives upon Melanesian reefs when their inferior ground-tackle parted.

The main danger to passengers derived from the insanitary conditions which prevailed in the ships. They were forcing-houses for disease—crowded, foul-smelling, often so long at sea that the supply of yams bought in the islands ran out and the islanders had to be fed on rice, which new recruits detested. Debilitation and disease then ensued.⁸⁹ Sometimes the ships were caught out in the hurricane season, between January and March, and in very heavy weather might have to confine their passengers to the dank, ill-ventilated holds. Dysentery then spread among them like wildfire.

Dysentery was endemic in the ships of both Queensland and Fiji. In 1878 Fiji's *Daphne* lost twenty-four of her total complement of fifty-three passengers to the disease;⁹⁰ in the following year more than fifty recruits from the *Stanley* died of it, after spending several days battened down below in a hurricane.⁹¹ In 1877, after a cruise in the New Hebrides aboard a notoriously leaky ship, with dysentery raging on board, the government agent of Queensland's *Bobtail Nag* noted: 'It is miserable work, this Slave Trade and only fit for men without bowels. Here they are sickening and dying under my very nose and I can do nothing to help them.'⁹²

In the circumstances under which the labour trade was conducted, disease was inseparable from it, whether the infection was picked up ashore or engendered in the uncleanly conditions aboard ship. Despite efforts by the Fiji government, at any rate, to give its agents medical instruction, to equip them with a medicine chest and to insist that they educate recruits in the basic principles of personal hygiene, epidemics took toll of recruits at sea so long as the trade lasted.

In both Queensland and Fiji the treatment of labourers on the plantations varied with the humanity of individual plantation owners and their

overseers to an extent that neither government was able to regulate. During a tour of thirty-five estates at Mackay in 1878, an inspector of Polynesian islanders found that on twenty the labourers were contented. On the other fifteen they complained of lack of warm clothing to protect them in the cold of the early morning when they began work; their food was inadequate or badly cooked; and they were beaten by the overseers or owners: '“plenty fight along o' boy, kick him and hit him”'.⁹³ In Fiji, one prominent Taveuni planter was described as being 'an open apostle of the lash',⁹⁴ and on the Penang Sugar Estate at Raki Raki the manager was given to flogging recalcitrant labourers, in one case causing a man's death.⁹⁵

Islanders were imported into Queensland because employers held, with Captain Wawn, that 'a cheap and servile labour was absolutely necessary for the cultivation of sugar-cane under a tropical sun'.⁹⁶ In the interests of white manual workers, Queensland legislation confined them narrowly to sugar plantations, where it was axiomatic that whites themselves could not work without risk to their health.⁹⁷ To many Queenslanders the islander was acceptable only when he was actually on a plantation, serving a function. A popular journalist averred that the time-expired labourer, if allowed to stay on and work as he chose, would be 'the thief of the birth-right of a white man'.⁹⁸ The sight of time-expired labourers living in a town until a ship was available to take them home and drinking, gambling, or simply sitting on the footpath, offended the sensibilities of the rate-payers, whose wives and children had to pass near them.⁹⁹ In Fiji, the imported islander, like the indentured Indian, was a 'human subsidy'¹ to the government's native policy, the keystone of which was that the Fijians must not be forced to work on European plantations.

In both colonies the mortality among islanders engaged in growing sugar was so great that it might have been considered a decisive objection to employing them.

The death rate has been very high among the South Sea Islanders [observed the Queensland Registrar-General in his Report for 1875]. The estimated mean number of this class for the year being 4,441, and 788 deaths among them having been registered, the mean death-rate is 85.11 per thousand. The general death-rate for the year being 23.18, the mortality among Polynesians is seen to be nearly as 4 to 1 of the general mortality, although there are few if any young children among them, and on this account, other things being equal, the death-rate should be lower than among any other races in the colony. The chief causes of death have been dysentery and measles.²

The same comments were applicable to Queensland mortality figures among Pacific islanders for the next thirty years, with room for an

occasional expression of pleasure towards the end when their death rate fell to about twice that of the general rate.* In the early 1880s mortality amongst the labourers was of horrific proportions. It reached 147.74 per thousand in 1884, when people were imported from the western Solomon Islands, New Britain, and New Ireland and died off like flies.³ In Fiji the death rate was generally even a little higher than in Queensland in the early 1880s, except in 1884, when it was only 120 per thousand.⁴ Of 9,256 islanders passed as fit to work in Fiji between 1 January 1878 and 31 December 1882, 1,752 died before they could be repatriated.⁵

Fiji officials were far more outspoken than were those of Queensland in analysing the causes of death.† The Fiji Agent-General for Immigration in 1883, H. Anson, was a humane man. His acting successor during the years 1885-7, B. G. Corney, was Chief Medical Officer of the colony. The cases which came under their notice left them with a horror of employing imported islanders on sugar plantations, especially on large, newly opened plantations belonging to big companies, where the soil was unbroken and the labourers were entirely subject to overseers.⁶ Medical evidence was clear that newly-recruited Melanesians were physically unfit for the heavy work entailed in clearing the land for, and growing, sugar cane. Many failed to survive the early months of hard, regular labour, on an uncongenial diet and under the often unmerciful driving of the overseers. Of some 587 labourers indentured to the Rewa plantations of the Colonial Sugar Refining Company in the last six months of 1881, 220 were dead by September 1882.⁷ Where heavy mortality had occurred in 1884, reported Corney,

the opening up of new land for sugar cultivation seems to have been the source of the *materies morbi*, and epidemic dysentery, often attended with sloughing ulcerations of the mouth, gums, and rectum, the result.⁸

In a departmental minute which he wrote several years later, as Chief Medical Officer, Corney gave it as his considered opinion that the allot-

* For a similar comment, fifteen years later, see *QVP*, 1891, III, p. 676. During the 1890s the death rate among islanders varied between 6.174 per cent in 1891 and 2.87 per cent in 1898; in 1900 it rose from the last figure to 3.128 per cent. Mortality among Europeans was 1.555 per cent in 1891, 1.24 per cent in 1898, and 1.131 per cent in 1900. (These figures are all taken from the Reports of the Registrar-General, which are more accurate than those supplied by the Immigration Department; see *Queensland CSO*, no. 521 of 1881.)

† Whilst believing that the main cause of death was the physical incapacity of Melanesians for heavy labour during their first year of indenture, Fiji officials held that a subsidiary cause was that employers regarded their labourers as so many 'hours of labour'. Thus Anson drew particular attention to the estates of the C.S.R. Co., remarking that an 'appalling number of actual deaths . . . have taken place thereon and examples of a grave nature have been observed by myself and the Inspectors upon the estates of Navusa and Nausori which very nearly amount to manslaughter'. (Anson to Colonial Secretary, 14 September 1884, *Fiji CSO*, no. 2185 of 1882.)

ment of newly-recruited labourers to sugar plantations was 'morally and economically an unseemly policy, and ought not to be sanctioned'.⁹

It was stressed above that the continuance of the labour traffic depended upon the consent of those who were recruited, if not upon that of their communities. The deaths of labourers abroad brought anger and violence from their friends,¹⁰ but recruits continued to be forthcoming, although in the last decade of the trade new recruits were predominantly boys and of poor physique.¹¹ Many observers believed, however, that kidnapping had introduced the labour trade to those groups where, in the late seventies, eighties and nineties, it was an accepted feature of islanders' lives.¹² It was again resorted to in 1883-4, when the traffic moved westward into islands hitherto unworked. And even in the long-frequented groups there were still men engaged in recruiting for Queensland, at any rate, with whom kidnapping was a stock-in-trade.

During 1882, the one-eyed Carl Satini* and his command, the barquentine *Ceara*—owned by Robert Philp, of Burns, Philp & Co. Ltd—were notorious for kidnapping throughout the New Hebrides. People on the north-east coast of Malekula complained that shooting from the *Ceara's* boats had killed one man and that a seaman—apparently drunk—had wantonly murdered another.¹³ She kidnapped a man from Aore and took four others from the mainland of Santo, without giving presents for them;¹⁴ this, though strictly in accordance with the regulations, was contrary to general practice and regarded by the islanders as 'stealing'. From Eromanga, the Reverend H. A. Robertson reported in detail how her boats had kidnapped a man and woman there, shot dead the woman's father, and then proceeded along the coast firing at everyone in sight. The Eromanga shooting was confirmed on inquiry in Queensland.¹⁵ None of the other reports seems to have been pursued, but two women were found to have been kidnapped in another incident on the south coast of Santo.¹⁶

In 1883 the *Lizzie*—another Philp-owned barquentine—was similarly in trouble in the New Hebrides. She was commanded by Joseph Vos—of whom 'The Vagabond', after travelling in his ship, wrote that 'I think he would not stop at acknowledging a little kidnapping'¹⁷ and her recruiting agent was a bold, unscrupulous Shetland Islander, named Peter Dowell, whom one government agent described as 'a ruffian and . . . palpably unfitted to be entrusted with the responsibility of recruiting islanders'.¹⁸ At Ambrym Dowell recruited a woman without the consent of her people.

* It seems that he actually only had 'a strong cast in one eye' (Gore to Selwyn, 11 August 1881, encl. Kennedy to C.O., 9 January 1882, CO 234/42), but the islanders knew him as 'Captain one-eye'. He may well have been the prototype of 'Marina', the one-eyed kidnapping associate of James Proctor, in Louis Becke's story, 'The Recruiters' (Louis Becke, *Under Tropic Skies*, p. 299).

When they protested, he allowed three men to board the boat, supposedly to go off to the ship and remonstrate with the captain; he landed two of them further down the coast and kept the third as a recruit, with the evident intention of passing him off in Queensland as the woman's husband. The master of the *Borough Belle* was shot in revenge soon afterwards.¹⁹

As the trade moved into the unfrequented waters of New Guinea in 1884, recruiters resorted to the canoe-smashing and shooting that had marked the traffic into Fiji in the early seventies. Most of the recruits brought from the New Guinea area in 1884 had no conception of what they were engaging for, even when they went willingly. And the proceedings of the *Hopeful*—also owned by Robert Philp and with men aboard who had served in the *Ceara* and the *Lizzie*—were akin to those of the *Carl*, of bloody memory.

Kidnapping and murder as engaged in by these Philp-owned ships were not typical of the Queensland trade in the eighties and nineties. More common, probably, were such petty acts of duress as were revealed by statements made by recruits from the *Madeleine* at an inquiry into a voyage of hers in 1884. A man from Raga deposed that:

'I want tobacco, white man gammon to give me tobacco, I want to sell cocoanuts—Johnny Tanna [one of the native boat's crew] and another whitefellow "Bob" catch my hand, he pull me longa boat, me no want to go, he no tell me go Queensland longa sugar cane.'

An Omban youth—whose family were demanding his return from every ship that called—similarly stated: '“Me takem cocoanut, buyem tobacco, Johnny he catchem hand belong me, (left wrist), he throwem me along boat”'.²⁰

Kidnapping of any serious kind could not have occurred if government agents had done their duty. Queensland ships had carried representatives of the government, appointed to report and prevent abuses, since 1871.²¹ They were instructed to keep a journal, as well as lists of recruits and returns; to make certain that the provisions of the Polynesian Labourers Acts touching the issue of food, clothing, and tobacco were observed; to ensure that return labourers were duly landed at their own 'passages', that no islander under sixteen years old was recruited without his natural guardian, nor any married woman without her husband; and to prevent recruitment by 'coercion, undue influence, unfair play, false representation, or treachery of any kind'. They were enjoined always to accompany the recruiting boats; only one boat was to recruit at a time, with another lying off to cover it, if the government agent saw fit.²²

The government agents first appointed inspired no confidence, even in

their superiors in the Immigration Department.²³ In 1875 an attempt was made to attract better applicants by making provision for six permanent posts on the civil service of the colony, at a salary of £200 per year; this replaced the existing system of making appointments merely for individual voyages.* Those of the Queensland agents who were on the permanent list were thus a good deal better off than were the agents whom Fiji appointed after Cession. The latter were temporary appointees until 1882, and were often unemployed during the hurricane season.²⁴ Despite this, the Fiji agents seem to have been kept under closer supervision than were their Queensland counterparts.

In the Fiji service the post was no sinecure. Fiji government agents were expected to make full use of their medicine chests and to keep a detailed medical diary. Since they were also under strict instructions always to accompany the recruiting boats—which might leave the ship before dawn and return after dark—they were kept very fully employed. As they did not fail to complain, theirs was a hard and in some respects unpleasant life, as well as a dangerous one. ‘One earns their pay at this sort of work’, a Fiji agent observed, ‘between irregular meals heat rain & exposure.’†

The work would not have been less onerous for the Queensland government agents had they been under a compulsion to be equally conscientious. But their extant journals contain far fewer references to dosing the sick and disinfecting the hold than do those of Fiji. There were good men amongst them in the early 1880s, such as the brothers R. A. and W. A. McMurdo‡ and George de Lautour;§ but many were drunken and in-

* Cairns to C.O., 16 November 1875 (secret), *CO* 234/35. More than six ships were at sea at the same time, however, so that a list of supernumerary government agents, employed on the old terms, had to be opened almost immediately.

† ‘Journal of E. Reilly, *Oamaru*, No. 39’, 21 August 1882. On a later trip, this man openly rebelled against his medical duties: ‘It is not a nice job attending sick on board ship one has to do everything for them get the washing water put on poultices & bandages, they wont assist in any one way. I am full up of the job.’ (‘Journal of E. Reilly, *Mavis*, No. 46’, 16 May 1883.) Doctoring aboard labour ships was, of course, of a very rudimentary character; the medicaments most used were copper sulphate for venereal disease (or, as it may have been, yaws) and castor oil for almost everything else.

‡ The McMurdo brothers were the sons of a general. Both were determined men who kept masters as closely under control as anyone could have kept them. For a posthumous appraisal of Robert, see Brenan to Under-secretary, 13 April 1899, *Queensland CSO*, no. 3755 of 1899. For William, see the testimonials at *ibid.*, no. 9830 of 1900; Brenan to Under-secretary, 19 April 1901, *ibid.*, no. 4180 of 1901; and below, pp. 156-7.

§ See, for example, *Argus*, 19 January 1884, article by ‘The Vagabond’; *Brisbane Courier*, 10 May, 17 September, 4 October 1884. In 1884, after a series of shipwrecks, de Lautour spent several weeks living in a village on Omba. Next year he returned to the New Hebrides as a trader and settled on Aore (*ibid.*, 1 June 1885). He was a conscientious government agent, but he had quirks of character to which his new life gave free reign and which eventually brought him to a violent death (see below, p. 203).

competent, venal and incontinent. Their contemporaries were generally agreed that they were either broken-down men, 'loafers', whether young men 'who were ne'er do weels at home, and have been sent out to Australia in the hope of righting themselves, but haven't succeeded',²⁵ or elderly failures, who needed a billet in their old age.²⁶ And the consensus was that they nearly all owed their appointments to jobbery.²⁷ They were not, in general, men who would stand up to a master bent on sharp practice and insist that the regulations be observed.

There was every inducement for a government agent to give the master and recruiting agent a free hand, for his life on board ship could otherwise be made unbearable. Moreover, owners often had political influence and were not averse to using it against a government agent whose punctiliousness led to their ships returning half empty.²⁸ An agent who made enemies by a strict attention to the regulations could not rely on being supported by the Immigration Department.

During the 1870s, whatever the views of the administration in power, the Department seems to have been impressed mainly with the need to conciliate the sugar interests.²⁹ Under the administration in the early eighties of Sir Thomas McIlwraith—with his passion for developing the colony's resources³⁰—this attitude was even more marked. In an editorial of July 1883, the *Brisbane Telegraph* remarked:

Any person in the public service of the colony who dares to report any gross breach of the Pacific Island Labourers' Act, either on the part of the captains and crews engaged in the recruiting of islanders, the agents who send out these vessels and conduct the traffic, or the planters who take the men from the Agents, does so at the imminent risk of dismissal in disgrace, because the chances are twenty to one against him.

Inspectors of Polynesians and Government agents . . . know by this time that their only chance of remaining in their situation is to keep things quiet and rub along as comfortably as they can with the captains, owners, and agents of labour vessels, and the employers of South Sea Islanders, because these are really their masters, whatever may be alleged or pretended to the contrary.³¹

Inquiries into reports of misdemeanours by labour vessels were often heard at the home ports of the ships themselves, before Immigration Boards whose members were sometimes personally involved in the trade; amongst them, on one occasion, was the local agent for the vessel's owners.* Government agents newly appointed to the service were given no more adequate briefing than a copy of the printed letter of instructions, whose

* Duffield to Colonial Secretary, 11 June 1884, *OVP*, 1884, II, p. 757. The ship in question was the *Heath*, owned by Burns, Philp & Co., sailing out of Townsville. As a result of further investigations she was found to be licensed to carry far more passengers than the statutes prescribed for a vessel of her size.

main intended function in the early 1880s seems to have been to throw dust in the eyes of inquisitive imperial officials. The commander of H.M.S. *Dart* reported:

When this letter of instruction is mentioned, some of the Agents smile gently, as at some ancient departmental joke. One perhaps exhibits an Act of the Queensland Legislature of later date, which he says allows him to do this or that, and further declares that he has never had the instructions. . . . Another, more downright, produces a well thumbed copy of the 'letter', with the vital clauses scratched out. . . . When asked why he has thought fit to erase these paragraphs, he candidly replies, 'Why, if I was to stick closely to *that* or *that*, we should go home with an empty ship . . .'.³²

The clauses against recruiting unaccompanied boys under sixteen or married women without their husbands were consistently broken, and many of the Queensland government agents never accompanied the boats. They found it both more comfortable and more consistent with maintaining good relations with the master to supervise recruiting from the cabin table, simply questioning new recruits through the recruiting agent or boat's crew who had brought them on board.³³ The Immigration Department—by the government agents' own accounts—did not encourage them to do more than this. According to the agent of the *Lizzie*: 'When I asked Sir Ralph Gore [the Immigration Agent] for information on being appointed his last words were "*Don't you tread on the Captain's toes too much*".'³⁴ T. E. Arman—who was government agent of the *Ceara* when Satini was master and who hardly ever accompanied the boats—had ordered home his first ship for breach of the regulations; he was rebuked by the Under Colonial Secretary for not using sufficient tact, which effectually dissipated his zeal.³⁵

There was substance, therefore, in the view of the Western Pacific Committee that Queensland officials failed to keep the labour traffic free from abuses. By way of remedy, the Committee proposed that control of the trade should be given to the High Commissioner. This suggestion was not well received in the Colonial Office,* nor was it within the realm of practical politics. The Queensland trade was under the local control of

* On the committee's recommendations—that the traffic should be placed under sole imperial control, with ships reporting to deputy commissioners residing in the islands and carrying government agents appointed by them—Herbert observed: 'I do not know whether it was the intention of the Committee to get rid of the Labour traffic indirectly by proposing an expensive and extensive scheme for making Her Majesty's Govt. responsible for its management—but I would have preferred a direct recommendation that the trade be prohibited as incurable. I think the trade will have to go on much as now.' (Minute, 4 December 1883, on Gordon, Hoskins, and Wilson to C.O., 16 October 1883, CO 225/14.)

the colony, which conducted it within the general supervision of the Secretary of State; the latter contented himself with urging improvements in detail and left the question of the morality of the traffic to Queensland consciences.³⁶ The colonial government would not have handed over the trade to the control of an imperial official.³⁷ And the Secretary of State would not go to the Treasury for the funds which alone would have enabled the High Commissioner to exercise any such control.

Moreover, the position of the High Commissioner was a delicate one, in that his *alter ego* was the governor of a recruiting colony. So far as the actual recruitment of labour was concerned, this could be defended on the grounds—reasonably valid, apparently—that the traffic into Fiji was better conducted than that into any other place. On the fundamental question as to whether or not the trade was deleterious to the islanders involved in it there was, on evidence available to the Governor of Fiji, no doubt at all. The reports submitted by the Fiji Agent-General for Immigration for 1883 and 1884 were unambiguous recommendations that recruiting be stopped because of the excessive mortality among labourers. In the following years, indeed, the numbers introduced into Fiji fell rapidly, varying between one and four hundred a year only,* and the mortality was comparatively low; but the government made no move to close the trade altogether. Nor did it absolutely prohibit the employment of imported islanders on sugar plantations, although such a prohibition was discussed and was supported by medical opinion.†

The Governors of Fiji were opposed to the labour traffic in principle;³⁸ but they could not bring themselves to deprive their struggling colony of

* By the turn of the century the Fiji trade seemed to be on its last legs. Agents sending out ships depended upon the return passage money paid by the government for time-expired labourers to enable them to cover their expenses, and even then they sometimes claimed to have lost money (Thomas to Colonial Secretary, 20 November 1901, *Fiji CSO*, no. 4883 of 1901); but the ending of the Queensland trade in 1906 gave a new lease of life to the Fiji traffic and for the next five years the schooner *Clansman*, out of Suva, was usually able to make two or three profitable trips each season.

† In October 1885 Des Voeux minuted that he was disposed to prohibit the indenture of imported islanders to sugar estates (*Fiji CSO*, no. 455 of 1885). No action was taken until January 1890, when it was made a condition that islanders indentured to sugar plantations should not be employed in trenching or in opening up new land. Two years later the Chief Medical Officer, Dr Corney, was still saying that he considered they should not be employed at all on sugar estates. Thurston, then Governor, discussed a complete prohibition with the Acting Agent-General of Immigration, but did nothing (*ibid.*, no. 194 of 1892). Probably he decided not to interfere because there was already a good prospect that in future islanders would only be employed by copra-producers, since even the small sugar estates which had continued to employ them after the disastrous mortality of the early 1880s were turning over to Indians.

useful labour which would otherwise go to Queensland, New Caledonia, Samoa, or the plantations in the New Hebrides.³⁹ In the despatches of Sir William Des Voeux, in particular, honest attempts to reconcile humanitarian principles with economic exigencies sometimes led to an apparent confusion of thought on this subject which brought sneers from his Colonial Office superiors. 'Sir Wm des Voeux is a perfect weathercock on the Labour Question', Mercer minuted in 1884. 'It is quite a triumph if he succeeds in keeping in the same frame of mind through one despatch'.⁴⁰

Thurston, on the face of it, was more downright. In a private letter to a Colonial Office clerk, in 1895, he remarked: 'The way the native has been "used up" in Q'land and elsewhere (Fiji included) has been terrible'.⁴¹ At the same time he wrote a public despatch, designed for a forthcoming Blue Book, in which he opposed the reopening of the Queensland traffic on the grounds of its depopulating effect.⁴² Somewhat weakening to his argument, however, was the fact—not mentioned by him, but known to official readers—that in the previous year Fiji herself had imported 225 labourers.* If the Governor of Fiji did not put his own house in order, he could hardly expect to be listened to when, as High Commissioner, he attempted to interfere with other people's arrangements.

In practice the High Commissioner could intervene in the Queensland traffic only if he could get offenders into his own court. This could not be achieved unless a naval deputy commissioner caught one red-handed—as none ever did—or unless the Queensland government co-operated in the interests of justice by sending him its criminals to try. The court of the Western Pacific High Commission provided a useful alternative to the Queensland courts for Sir Samuel Griffith, when the latter took office late in 1883 as leader of a government strongly opposed to the introduction of coloured labourers. In the spate of trials for labour trade offences which followed Griffith's assumption of office, Queensland juries proved extravagantly complaisant towards white men who were accused of serious crimes against islanders. Embarrassment resulted to the government, especially in its relations with the Secretary of State. Open scandal occurred in April 1884 when a jury acquitted the crew of the *Alfred Vittery*, who were charged with murder after shooting two Malaita recruits who ran amok

* 'Polynesian Immigration (Report for 1894)'. That year the mortality among those of the 2,000 odd of Fiji's imported islander population who worked on plantations was high, at 8.32 per cent. Amongst those who were engaged at other than plantation work, or were living in the self-supporting settlements which Melanesians had established around towns like Suva and Ba, the mortality was 1.49 per cent only. This contrast was one that usually occurred; even allowing for the fact that those in the latter category were generally 'old hands', hardened by several years in the colony, the contrast was very significant.

at sea.* The High Commissioner's Court, with its trial without jury and its unusual mode of eliciting evidence from the accused, was an obvious resort for a government which wanted to bring offenders to justice. Later that month Griffith and his Chief Justice facilitated the extradition to Fiji of the two offenders in the *Stanley* case.⁴³

It was a bad case out of which to make a precedent. The *Stanley* had recruited men in the Laughlan Islands in 1883. Labour ships had not often appeared in the area. The contract was not understood there and men frequently engaged in return for trade-goods, but as readily repented of their bargain and swam ashore, sometimes under a hail of bullets from the ship. The *Stanley's* recruits deserted on the advice of one of Hensheims' copra-makers, whereupon the government agent led the crew ashore, burnt native houses and the copra-maker's store and with threats of further violence forced the recruits to return.⁴⁴ The government agent and the master were, accordingly, tried before the Acting Chief Judicial Commissioner for arson and destruction of property, found guilty and sentenced to three months' imprisonment. They were then immediately released.⁴⁵

Their release was ordered by Des Voeux, with the full assent of the judge, partly in recognition of the government agent's exertions in saving the recruits when, on the return passage, the schooner was wrecked on the Indispensable Reef and partly—as it appeared—in order to pillory the Queensland Immigration Department. W. A. McMurdo, the government agent in question, was generally recognised as one of the best in the service, an able and well-intentioned man by any standards. He was able to demonstrate that he had informed the Department of his actions in the Laughlan Islands in complete confidence that it would approve them as it had approved his similar behaviour on a previous occasion elsewhere, in another ship. He produced commiserating letters from the Immigration Agent, Sir Ralph Gore, and from the acting head of the Department, Charles Horrocks, in which the latter wrote: 'you did nothing dishonourable or that you need in the least be ashamed of'. And he cited instances

* Musgrave to C.O., 10 April 1884, CO 234/44. The jury acquitted all but one man, whom they found guilty of manslaughter for administering the *coup de grâce* before the bodies were dropped overboard. For a pointed local comment, see the *Brisbane Courier's* editorial, 2 April 1884:

Perhaps they [the jury] honestly believed that slaying a coloured man is no crime . . . If the two unhappy men who were slaughtered had been white, it would not have entered the head of a single man on the Alfred Vittery to shoot them.

The acquittals provoked an unusually forceful reaction in the Colonial Office, where the Secretary of State minuted: 'It will become a question whether the traffic is to go on at all at this rate'. A strongly-worded despatch in this sense was drafted, but was toned down by Herbert before being sent. (Minute and draft on Musgrave to C.O., 10 April 1884, loc. cit.)

in which his reports of recruiting abuses had been ignored by the Department. This evidence was published in the *Fiji Royal Gazette*.⁴⁶

In thus exculpating the individual and indicting the system, however, the High Commissioner lost the support of the Queensland government. The appearance of a warship in the Brisbane River to carry colonists to trial in Fiji had given great popular offence in Queensland and the outcome of the case did not encourage Griffith to repeat the experiment. He protested that the trial had ended 'in a manner which . . . will tend to seriously diminish the deterrent effects which might have been expected to follow their extradition . . .'.⁴⁷ It does, indeed, seem to have given rise to the impression that the High Commissioner considered the *Stanley's* action was justified in the circumstances. Moreover, Griffith could not risk the repetition of such a reflection on his own administration as Fielding Clarke's remark—contained in his published report on the trial to Des Voeux—that the sum paid by the Queensland government to Hensheims for their copra destroyed was far greater than its actual value; this remark was made the grounds of a parliamentary attack upon Griffith.⁴⁸

Queensland sent no more of her labour traffic offenders to be tried in the High Commissioner's Court. In December 1884 it seemed that for the future she might be trusted to convict her own offenders, since a jury then found McNeil and Williams of the *Hopeful* guilty of murder whilst kidnapping off New Guinea.⁴⁹ Public reaction to the death-sentences imposed immediately showed that this indication was unreliable. The racist attitudes prevalent in Queensland were starkly illuminated. Speakers at a Brisbane public meeting inveighed against the 'smooth-tongued, oily wretches that those high in power in Queensland wanted to sacrifice two of our white men for' and avowed that they 'never knew a black race yet which was not treacherous from infancy up to grey headedness'.⁵⁰ More responsible opinion—as presented in the editorial columns of the *Brisbane Courier*—was that attitudes in Queensland towards coloured people in general had encouraged the disregard for islanders' lives shown by the prisoners and that they should not be made scapegoats for the collective guilt of the colony.* It proved impossible to hang them. Their sentences were commuted to life imprisonment and in 1890 they were released.

* See, for example, *Brisbane Courier*, 4 December 1884, editorial:

Have we not, as a colony, shared their guilt? And is there not much innocent blood on our hands? From first to last the record of our dealings with the coloured races with which we have been brought in contact is one that we cannot contemplate without deep shame and humiliation. There is no old colonist who does not know that in Queensland there are many men who have murdered aboriginals with as little provocation as M'Neil and Williams, men who have never been molested for the crime, and who hold their heads high among us . . . Have we, as a community, hands clean enough to sign their death warrant? Let the penalty this time be something less than death, because the whole colony, by reason of its culpable negligence in the past, is a sharer in the guilt of those cruel murders in the South Seas.

Griffith did stand by his stated intention of making the labour trade more respectable. He debarred some of the more notorious characters, issued more stringent regulations, which the Immigration Department henceforth showed some disposition to enforce, and took a personal interest in the selection of government agents and the general running of the traffic.⁵¹ In 1885 concern for the working man's vote led him to legislate for the traffic to end in 1890; but recognition of realities in the sugar industry obliged him to support its reopening in 1892. Recruiting had actually continued throughout 1891, so that there was little real break in the trade.

From 1885 until all the islanders were repatriated between 1904 and 1906 the Queensland traffic was carried on under condition of publicity and with reiterated expressions of government determination to see that it was properly conducted. But the ships employed were as ill-found and unseaworthy as before and the majority of government agents were still men who had failed in other undertakings and could find no better employment.⁵² They were still suspected of drunkenness and venality.⁵³ And whereas in former days the important role of political influence in their appointments had been just a frequent charge in the press, there was now clear evidence of it in departmental files.⁵⁴

Missionaries, traders, and planters in the islands complained that natives engaged to island employers were recruited by Queensland ships, contrary to the regulations; that boys under the regulation age of sixteen years were recruited; that women went unaccompanied by their husbands and without the consent of their chiefs which, under the revised regulations, was obligatory; and that returning labourers were put ashore at landing-places other than their own, where their boxes were rifled and they themselves were not infrequently killed.

Complaints of this sort were almost always well-founded and, equally often, were, in the circumstances, unavoidable. Labourers on New Hebrides plantations used Queensland ships to escape from uncongenial employers.* Women by now had been running away in labour ships for so long, either with men or to contract marital alliances on the plantations, that it was sometimes impossible to say who their husbands were or to doubt that their communities had lost all control over them.† It was boys of com-

* See below, p. 194.

† In 1894, for instance, the Reverend F. J. Paton protested to the High Commissioner from his station on Malekula that the *Rio Loge* had recruited a woman without the consent of her chief and with a man who was not her husband. The woman's own statement, taken in Queensland, showed that, her husband having died, she had recruited originally in September 1885 in the *Young Dick* with another man, leaving a child behind. She lived with this man on a plantation until April 1889, when he returned home to Malekula. She went to live with a third man; she stayed with him for two years and then spent another year living with a fourth. In April 1893 she

paratively tender years who were now most anxious to come.* And the business of landing returns was always a dangerous one, since each island was generally minutely divided into territories occupied by mutually hostile villages. The descriptions of recruits' places of origin were often vague; the returns themselves could not be relied upon to recognise their own 'passages' from the sea; and no government agent or master was familiar with every beach, creek, and boat-cove in eastern Melanesia.

Amongst those who landed safely were men who had received Christianity in Queensland—as labourers increasingly did in the 1890s†—and who devoted themselves to teaching their own people, whether in association with local missionaries or on their own. Several of the Presbyterian missionaries in the New Hebrides expressed appreciation of this unlooked-for assistance, though they occasionally felt that the missions active among labourers in Queensland baptised without sufficiently testing the beliefs of their supposed converts.⁵⁵ On Malaita, many of the labourers converted by the Queensland Kanaka Mission established new villages on the coast when they were repatriated *en masse* between 1902 and 1906; these provided points of entry for that mission when, as the South Seas Evangelical Mission, it followed its converts to the Solomon Islands.

The new dispensation in the labour trade was strict enough from the beginning to cause shipowners to complain and to lead masters to curse their government agents for being 'Griffith sneaks'.⁵⁶ By the early 1890s, most of the masters previously employed in the traffic had left it. Joseph Vos, who returned in 1894 as master of the *William Monson*, found that the temper of the Immigration Department had changed. It would not overlook his use of Kwaisulia of Ada Gege to kidnap Malaita bushmen. The

went home in the *Ariel* with her third and fourth husbands, lived for a time with a dignitary and left again for Queensland in the *Rio Loge* in January 1894, accompanied by the third spouse. (*Queensland CSO*, no. 11627 of 1894.) At about this time the Immigration Department wanted to forbid the recruitment of women altogether, because 'almost every complaint against the trade owes its origin to a woman' (Brenan to Under-secretary, 22 May 1895, *ibid.*, no. 5784 of 1895).

* The plantation of Fairymead, at Bundaberg—where Miss Florence Young, sister of the owners and founder of the Queensland Kanaka Mission, had begun her work of introducing labourers to the joys of Evangelical Christianity—was willing to take boys whom even Brenan considered to be too young for work in the cane fields (Brenan to Under-secretary, 20 February 1900, *Queensland CSO*, no. 2840 of 1900). It was unfortunate, therefore, that Fairymead was an exceptionally unhealthy plantation, with a death rate much above the average for the district (Brenan to Under-secretary, 1 August 1901, *ibid.*, no. 7999 of 1901).

† The Queensland Kanaka Mission—begun by Miss Young in the 1890s and dominated by her and members of her family—was the most active in mission work in the cane fields. The Presbyterian Church of Queensland kept a missionary at Mackay, to whose work several of the members of the New Hebrides Presbyterian Mission gave much credit (extracts from letters by Lamb of Ambrym, Fraser of Epi, Gillan of Malekula, *ibid.*, no. 9477 of 1897).

contempt of Queensland juries for the evidence of 'niggers' against white defendants was as strong as before, however, and in the subsequent trial no conviction could be obtained.⁵⁷

On the islanders' part, the long-standing attitude of alternate attraction and repulsion in relation to labour vessels intensified during the 1890s. Instances of firing on the boats greatly increased and the reason was almost invariably that the older members of the community resented their young men being recruited. After the *Helena's* boats had been fired on at Ambrym in 1894, her government agent noted: 'we had got 28 recruits that day and I expect they were wild at us taking so many'.⁵⁸ Investigation by naval officers into several cases of firing on boats by the bushmen at Kwai, Malaita, revealed that young bushmen were being tempted by saltwater people to recruit, against the wishes of their own people, and that the bushmen were shooting less with intent to do harm than to drive the recruiters away. A son of one of the dignitaries of Kwai had died in Queensland and to all naval inquiries into the firing that followed his people returned the same answer: 'They had fired on the boats to frighten them away, because they did not want them to come recruiting and take their young men away to die'.⁵⁹

In the light of the mortality figures this was a sound instinct; but responsible persons in Queensland affected to believe that acquaintance with the dignity of labour and with elementary Christian principles, which service on the plantations provided, were more than sufficient recompense for the high death rate and consequent depopulation of Melanesia.* In the Colonial Office, where alone lay power to intervene, an official minuted:

The brown man of the Pacific is doomed, and the black man from Africa or the yellow man from the East must take his place. If the labour traffic is hastening the process, it is at least doing it painlessly & even pleasantly, and in the absence of some stronger arguments than Sir J. Thurston has produced we shd not be warranted in interfering with it—at any rate so far as Queensland is concerned.⁶⁰

The High Commissioner, supposedly the protector of the interests of Pacific islanders, could only regulate the Fiji trade as closely as was possible, pass on to the Queensland Immigration Department the complaints against its ships which he received from missionaries, and comment on the answers made by government agents.

* Brenan to Under-secretary, 9 April 1894, *Queensland CSO*, no. 9477 of 1897; Nelson to Lamington, 19 August 1896, encl. Lamington to C.O., 24 August 1896 (confidential), *CO* 234/63. They also raised the question of how mortality on the plantations compared with that in the islands themselves. For the latter there are no figures, but the effect of it was almost certainly less severe. Even though a man ran the same risk of premature death at home as on a plantation, he had more chance to breed in the former place.

III

In regard to both residents in the islands and to sea-borne visitors, therefore, British authority's net in Melanesia and Micronesia suffered from having intersections which were very widely spaced. One end continued to be fastened on Suva, receiving whatever attention its custodian could spare from the affairs of Fiji, and the other was carried through the islands between May and October by naval commanders, whose energy and discretion in the High Commission's service were usually of a high order. No judicial commissioner was appointed for the Western Pacific except G. R. Le Hunte, who travelled in that capacity on an extended Micronesian tour with Captain Bridge in 1883.* No High Commissioner visited any part of his jurisdiction, except Tonga and Samoa, until Sir John Thurston went to the New Hebrides in 1891.

The successors of Gordon adopted, in fact, a somewhat quietist approach to their duties. In this they were following a line which he himself had latterly marked out. Overwhelmed by the magnitude of the problem and the inadequacy of available resources, he had, after moving to New Zealand, devoted his time on the one hand to urging the imperial government to provide an adequate establishment and on the other to defending the High Commission against charges of neglect and incapacity. His sensitivity to criticism was such that the latter preoccupation outweighed the former. Since his defence consisted largely in re-defining the purpose of the Order in Council in very narrow terms, its effect was in great part to blunt the force of his recommendations for improvement. He insisted that the court had been formed only in a secondary sense to protect islanders from depredations by British subjects.

It was principally designed to provide means for the settlement of disputes between white men themselves, and to prevent Her Majesty's subjects from breaking Her Majesty's laws.⁶¹

In so far as this referred to civil disputes, it was inaccurate. The court's main object was to hear criminal prosecutions against British subjects, less for offences against each other than for those against islanders, and Carnarvon instructed Gordon to avoid distracting the court from this object with civil business. But this statement was used, both locally and in Parliament, to support a pretence that the imperial government could not be blamed for failing to enable the High Commissioner to do what he had not been intended to do—protect islanders against British subjects.

* For Le Hunte's report, see *HC Inward Correspondence, General*, no. 159 of 1883. Nothing of particular importance was achieved on this cruise. Unfavourable comments on the haste with which the *Espiègle* disposed of cases were made by R. S. Swanston, who was then working for Capelle & Co. at Yap ('Journal of R. S. Swanston' (MS.), 19 August 1883).

To achieve that protection, it would have been necessary to establish as offences, in the eyes of the court, actions common in the Western Pacific which were not in themselves justiciable in English law. By the 1877 Order in Council, the High Commissioner was empowered to issue regulations to enforce the observance of local treaty stipulations. This was extended by the 1879 Order, which enabled him to issue

such regulations as to him seem fit for the government of British subjects in the Western Pacific Islands, and for securing the maintenance . . . of friendly relations between British subjects and all kings, chiefs, and other authorities in those islands, and persons subject to them.

This large authority was rendered almost nugatory by the inadequate penalties provided: not above three months' imprisonment, with or without a fine of up to £10, or the fine alone.⁶² When, as in Samoa and Tonga, local authorities asked for Queen's Regulations to strengthen their own laws against the sale of arms and liquor to islanders, Gordon issued them;* but he resisted all suggestions that an ambitious scheme of regulations should be issued to control in detail the proceedings of British subjects, on the grounds that the penalties available would make it an object of derision.⁶³ His successors generally held a similar view.

The High Commissioner's success in bringing British offenders to justice was very slight indeed. Even allowing for the difficulties with which they had to contend, Gorrie's successors in the office of Chief Judicial Commissioner were as much daunted by their problems as he was fired thereby to immoderate enthusiasm.† And the naval officers, who until 1893 were not given detailed instructions in their powers and duties as deputy commissioners, sometimes became lost in the intricacies of the Orders in Council.

Thus in September 1890 Captain and Deputy Commissioner Castle held an inquiry at Port Purvis, Nggela, into the behaviour of a local trader, Charles Horsman. Witnesses, ranging from the Bishop of Melanesia to other traders, all agreed that he was a man of ungovernable temper in relations with both them and islanders. He was suspected of selling arms

* Queen's Regulations Nos 1-4 of 1879—to prohibit the supply of liquor to natives of Tonga, Samoa, Rotuma, and Niue; No. 5 of 1879—to regulate the sale of arms and ammunition in Samoa; No. 6 of 1879—to prohibit the supply of dynamite to natives of the Western Pacific islands.

† See, for example, Fielding Clarke to Des Voeux, 11 September 1883, arguing that the principal Order in Council was so worded that criminal cases from the Western Pacific tried in Fiji must be heard in the Supreme Court of Fiji before a jury, not before the Chief Judicial Commissioner with assessors (*WPHC Inward Correspondence, General*, no. 157 of 1883). The Secretary of State was able to show that the Acting Chief Judicial Commissioner was being unduly cautious in his interpretation of the Order (C.O. to Des Voeux, 7 December 1883, *WPHC Despatches from S of S*).

to islanders—an offence under Queen's Regulation No. 1 of 1884, one of the few regulations yet issued—and his actions in general were so violent that Europeans in the area felt that their lives were in danger. Castle, therefore, sent him to Suva in a junior commander's ship, with the object of having the High Commissioner prohibit him from residing in the Solomons. He held that the punishment for minor assault and arms-dealing which was all that he, as deputy commissioner, was authorised to inflict—and which, in the absence of a prison, could only have amounted to a fine—was not adequate to meet the case. He had omitted to follow the procedure laid down in the principal Order in Council, which required that security for future good behaviour should first be demanded, in default of which, subject to confirmation by the High Commissioner, an order of prohibition could have been issued. No witnesses had been sent with Horsman to Suva, so that it was not possible to proceed against him there *de novo* and he had to be released, whereupon he immediately sued Castle for damages.⁶⁴

A similar suit, or the threat of one, was also the result of High Commission action against Peter Pratt Edmunds, alias 'French Peter'. A Frenchman, who had taken out British naturalisation papers in New South Wales, Edmunds was a more substantial Solomon Islands trader. He ran a schooner (the 58-ton *Magic*), kept a station ashore in the Roviana Lagoon, and had registered with the High Commissioner claims to several beachfronts and small islands elsewhere in the group. In July 1890 Captain Grenfell learned from islanders that Edmunds had just shot a man at Sirumbaie. According to George Messenger, late mate of the *Magic*, who was aboard her at the time, Edmunds had insisted on taking from Sirumbaie a man of Ontong Java, who had drifted there some time before and whose people were offering a reward for his return. To do this in face of local opposition he had seized a hostage and fired shots at the shore, one of which was fatal. Grenfell sailed for Samarai to cable the Admiral for instructions how to proceed and returned with instructions to arrest Edmunds for trial in Suva. He found him armed with a statement, which he had drawn up when he heard that the warship was making inquiries and which Messenger had signed, alleging that he had rescued the Ontong Java man to save his life and had fired solely in defence of the ship. This notwithstanding, Grenfell arrested him and took him with Messenger to Fiji where, in view of the latter's conflicting statements, the judicial authorities declined to prosecute. After Edmunds had left for Sydney, Messenger confessed that his story to Grenfell was the truth: he had signed Edmunds's version from fear. In the following year, on Thurston's request, a naval commander took native evidence which demonstrated that

a man had been killed and that the castaway, who had returned to Sirumbaie, had been seized by Edmunds against his will.⁶⁵

This seemed to clinch the case against him; but Messenger, whose evidence would have been needed in court, had now left Fiji and no trace could be found of him. Moreover, on returning to the Solomons, Edmunds had hoisted the French flag and the Law Officers held that a foreigner naturalised in a British colony was not, beyond its limits, answerable as a British subject. He continued to flourish in the group, growing rich on arms-dealing until with the establishment of a protectorate in the 1890s, the place was made too hot for him.⁶⁶

These two men and the *Stanley's* government agent and master seem to have been the only British subjects taken to Fiji after 1880 and successfully prosecuted for offences against islanders. The Solomon Islands trading schooner, *Emma Fisher*, was condemned in 1891 for carrying a native crew without a current licence under the 1875 Protection Act.⁶⁷ And two men were convicted for the murder of other Europeans: Lewis Sinclair for shooting the mate of a recruiter at Havannah Harbour, whilst attempting to desert;⁶⁸ and the half-crazed George Weaver, who shot the master of a schooner in the same anchorage with a man-of-war lying within hailing distance.⁶⁹ The prosecution of a Tana copra trader, Martel, for the shooting of a companion in a drinking bout, failed through inefficiency in Suva. There was evidence to sustain a conviction for manslaughter; but the case, which was tried with a jury, was prejudiced by Chief Judicial Commissioner Berkeley, whose brother was appearing for Martel and whose summing up virtually precluded the jury from finding so. Rather than convict him of wilful murder, they let him go.⁷⁰

At any moment in the 1880s, however, a substantial group of known and suspected British offenders could have been named. The Western Pacific was frequented by a good many men who were criminals by most standards but who remained untroubled by the machinery of the High Commission. Around the south-east coast of New Guinea and in the Louisiade Archipelago the conduct of the Cooktown *bêche-de-mer* fishers, Nicholas Minister and Captain Webb, was a frequent subject of official displeasure. Minister, noted among various misdemeanours for robbing other traders' caches and suspected of obtaining native produce by intimidation, avoided naval patrols with great success for several years.⁷¹ Webb, who was killed at last by the Millport Harbour people in 1885, was known as an irresponsible trader who fished reefs without consideration for islanders' susceptibilities and who resorted at once to shooting when he was subjected to petty theft. A boy was killed in an incident near Port Moresby in 1882. The Queensland authorities considered that the difficulties in the way of their taking action against him in his home port were

insuperable and thought that the High Commissioner also might find it hard to bring him to book, 'even with the ample means at his disposal'.⁷² The latter remark must have rung hollow in Suva, since at that moment only one ship was available for High Commission work and Des Voeux had no one to send after even the arch-murderer, John Rees.

A problem which often proved insuperable was that of obtaining evidence which would stand up in court. Eye-witnesses were only available if native victims could be located or if one of the culprit's associates turned Queen's evidence. This difficulty was increased by the fact that some of the most prolific sources of information about offences—the members of the New Hebrides Presbyterian Mission—were more accustomed to expressing themselves in apocalyptic allegory than in the precise terms of scientific observation. Any information provided, in particular, by the Reverend J. G. Paton—an inveterate controversialist on the labour trade, whose every entrance into a dispute thereon served infallibly to prejudice the case in favour of his opponents—was so demonstrably inaccurate as to be worse than useless. Of three kidnapping cases, publicised by Paton, which naval commanders inquired into in 1882, checking them from his own mission sources, all proved to have been related by him with little regard for the truth.⁷³

One story—that in 1875 W. T. Wawn had boasted to Paton himself that he had just kidnapped a large number of women and children from the Tana reef—enabled Wawn to exercise at the missionary's expense the talent which made him an able apologist for the labour traffic. It was scarcely likely, he observed, that he would have boasted of such an exploit

in the house of such an intolerant and unscrupulous enemy of myself and the trade I . . . am engaged in, even under the powerful influence of a glass of goat's milk. . . . [If he or the mate had done so] I cannot think that Mr Paton would have so fervently shaken our hands at parting, unless it be that in striving to be a true follower of the Saviour he has unfortunately lighted on the foot prints of Judas Iscariot to guide him.

Wawn admitted—probably truthfully—only to having taken from the reef three women whose menfolk had just been killed in battle, recruiting them at their own request to save them from the victors.⁷⁴ The other stories had been equally grossly distorted.

In 1884 the High Commissioner was occupied with a case in the Gilbert Islands which painfully illustrated his impotence when a man's actions were so unusual that there was no remedy for them in law. When the Auckland schooner, *Kate McGregor*, returned to her home port late in 1883, rumours spread that she had been actively engaged in furthering the imperialist ambitions of Tem Binoka, *uea* of Abemama, by conveying his

invasion force to Nonouti. Her master, H. C. Hayward, published in the Auckland press an account of his actions, asserting that Binoka had prevailed upon him, 'as a Christian action', to take him to Nonouti to end the anarchy which had resulted when a Honolulu ship landed there men of Abaiang and Tarawa, returned labourers from Hawaii; the latter had used their superior rifles to make themselves masters of the island.⁷⁵

A different slant was given by the schooner's cook, who had seen the affair simply as an attack on Nonouti by Tem Binoka, aided by Hayward.⁷⁶ The New Zealand authorities could see no way to proceed against the latter; the case was therefore referred to Fiji.⁷⁷ The High Commissioner obtained from a trader on Nonouti a full account, which demonstrated conclusively that Binoka had seized the opportunity afforded by anarchy in Nonouti to annex the island. He was treating it as conquered territory, taking its copra to his own enrichment and that of whites to whom he owed money.⁷⁸ Further evidence accrued from the visit of Lieutenant-Commander Moore in H.M.S. *Dart*, who learned that some Nonouti people had been killed in the attack, others shipped to Abemama as slaves in the *Kate McGregor*, and a large number sold to a French barque as plantation labour for Tahiti.⁷⁹

The Hayward case was high on the list of those into which Moore, as deputy commissioner, was instructed to inquire; but Thurston, then Acting High Commissioner, had not found it possible to direct Moore to take active measures against him. So long as Hayward's actions had been confined to carrying the attackers, there was no law to touch him. Only if it could be shown 'by full and irrefragible evidence' that Hayward had been involved in the actual killing of Nonouti people should he, with witnesses, be brought to Fiji for trial. If Hayward were met in the Gilbert Islands it might be possible to demand of him sureties for his future good behaviour, in default of which he might be deported; Moore was reminded that only the High Commissioner himself could issue a deportation order.⁸⁰ Caution was necessarily the keynote of these instructions. It was abundantly clear that, on available evidence, Moore could do very little against Hayward, even though the latter had returned to the Gilbert Islands and narrowly missed meeting the warship.

Moore therefore concentrated upon Tem Binoka; he was one of the most vigorous commanders ever to serve on the station and the *uea* had cause to regret his arrival. Using, as grounds for interference, the fact that British residents on Nonouti had suffered financial loss as a result of the trade monopoly established by Binoka—which Moore considered unjustifiable in that Nonouti was not Binoka's own domain—Moore sent his garrison back to Abemama, freed and returned to their homes the Nonouti people held prisoner there, seized and sank the *uea*'s extensive

armoury in deep water, and effectually discouraged him from pursuing his designs on other islands again. All this he did, however, not as deputy commissioner, but as 'a naval officer sent here to see fair play between natives and Her Majesty's subjects'.⁸¹

IV

It was solely through the agency of men-of-war commanders in their capacity as naval officers that relations with islanders in the greater part of the High Commission area were conducted. In Micronesia—which meant, in practice, the Gilbert Islands—the disputes presented by islanders and resident Europeans to the five or six commanders who called between 1880 and 1892 were settled in consultation with the island governments. The autonomy of these governments was always respected with some punctiliousness and there was never any occasion to proceed to act of war.⁸²

In Melanesia the state of official relations between British authority and islanders remained one of intermittent warfare. In the absence of any jurisdiction over islanders for offences against British subjects, they continued to be regarded as members of responsible communities whose occasional violent acts must be interpreted as acts of war and be answered accordingly. Co-operation was arrived at between navy and High Commission in the evaluation of evidence and the decision on what action to take, once the latter ceased to assert a right to control the navy's proceedings. Even this co-operation was not always proof against a mistake.

Thus in January 1882 Gordon sent Commodore Erskine the report of an inquiry held in Suva into the murder at Santo of the government agent, mate, and two Fijians of the recruiter *Isabella*. It was clear that they had been deliberately lured to their deaths, there was no evidence of provocation, and Gordon thought that punishment would probably have to be inflicted after inquiry on the spot.⁸³ In March H.M.S. *Cormorant* arrived off Santo, having embarked at Suva two Fijian survivors from the *Isabella's* boat, with instructions from Erskine

to discover and secure the persons implicated and being satisfied that they are deserving of punishment you may deal with them as may seem to you most judicious, bearing in mind that . . . you can only proceed against them by an Act of War, which is not to be lightly undertaken.

Whilst the *Cormorant* was riding out a hurricane behind the island of Tongoa, on the south coast, one of the Fijians claimed to recognise a man ashore who had been implicated in the attack; it was gathered that two of the culprits were actually on Tongoa and under pressure they were handed over. The Tongoa people alleged that certain villages along the coast were implicated, having been incited to the deed by a chief whose daughter had

escaped to a Fiji recruiter. A party landed there by the *Cormorant* was immediately pinned down by rifle fire; the first lieutenant was killed and the survivors were hurriedly re-embarked.⁸⁴ On the return voyage to Sydney one of the prisoners was killed in a scuffle on the mess-decks; the other was taken to Suva where he soon died, protesting his innocence of any complicity in the affair. Subsequent naval inquiries confirmed his story: he and the murdered prisoner had both gone to Tongoa from the mainland of Santo to trade pigs, when they were seized and handed over by the Tongoa people to get rid of the warship.⁸⁵

In the *Isabella* case the evidence had seemed, with actual eye-witnesses, to be unusually reliable and complete. There had been close consultation between navy and High Commission. Yet still, as Erskine pointed out, the incident showed

the evils which can follow in the train of the existing system of sending ships on flying visits to punish massacres committed by the natives, & the extreme probability of inflicting punishment on the wrong individuals.⁸⁶

But the care which he and Gordon employed to keep the mistake quiet militated against the cause which both had in view. Questions in Parliament might have given vital impetus to the bill which was drafted in the Colonial Office in June 1881 to give British courts jurisdiction over islanders.

After consultation between the Secretary of State, the First Lord of the Admiralty, and the Lord Chancellor, the objections which the Law Officers had expressed in 1879 to assuming a jurisdiction over persons outside the dominions who were not British subjects were overborne. Bramston, who drew up the bill, acknowledged that such a jurisdiction could not be assumed where there existed civilised governments able to punish crimes committed by their subjects against foreigners. He thought, however, that international usage might permit of a different construction where those who committed the offences were 'savages' subject to no recognised government. The Law Officers, in 1879, had been positive that it was not possible to assume such a jurisdiction over foreigners, but, observed Bramston, it might be questioned

whether they were accurate in speaking of savages as 'foreigners'; and the point which it is now officially desired to raise is whether in the case of savages not having any recognized civil government Parliament cannot by legislation empower the Crown to try and punish offences not committed in British territory and whether any civilized power could effectively object to the creation of a special jurisdiction so limited to savages.

He thought that some precedent was afforded by 37 & 38 Vict. c.38,

which empowered the courts of the Straits Settlement to try, for offences committed beyond the Settlement's boundaries, persons not British subjects, who had been resident there up to six months before committing the offence. A similar provision existed under 34 & 35 Vict. c.8 for the West African Settlements.⁸⁷

Kimberley, with admirable comprehension of the situation, considered that:

With or without precedent we ought to assume jurisdiction to try natives . . . for outrages against British subjects wherever in the W. Pacific islands there is no recognized Govt. to which we can apply for redress. Who can object? not the natives themselves, for they have ex hypothesi no Govt. which can make representations on their behalf: not Foreign Govts., because we should assume jurisdiction only where British subjects were concerned. I see no difficulty therefore on grounds of policy. On the grounds of justice and humanity I think there are the strongest reasons in favour of . . . a regular trial, and not . . . retaliatory measures by an armed force. Such measures almost necessarily confound the innocent with the guilty, they fail to reach the real offenders, and they tend to perpetuate the ill-feeling between whites and blacks and to produce fresh outrages. Moreover the absence of protection in any regular manner leads the white traders to take the law into their own hands, and to avenge themselves by acts as violent as those from which they suffer. Lastly the strong feeling which prevails in the Australian colonies that some steps are urgently needed for the better prevention of attacks on peaceful traders deserves consideration.⁸⁸

The bill, to be called the Pacific Islanders Act, 1882, recited that crimes now committed against British subjects by islanders could only be punished by act of war and it was

expedient to provide less severe means of punishing such crimes which may have been committed through ignorance or under a mistake, and to provide means for ascertaining more accurately the circumstances under which and the persons by whom such crimes were committed.

It therefore provided that by Order in Council a court might be formed, composed of any naval commander, High Commissioner, or other official named therein, to try islanders for offences committed ashore or afloat against British subjects. These offences were also to be cognisable by the Australasian Supreme Courts and by the High Commissioner's Court, under whatever procedure—whether with or without a jury, and with provision for defence counsel and witnesses—as the Order might prescribe, 'in such manner as Her Majesty may think most likely to secure justice to the said inhabitants on their trial'. It ended with the customary caveat that no provision in it should be deemed in any way to confer jurisdiction over the islands.⁸⁹

This bill had the support of the Lord Chancellor, the Foreign Office, and the Admiralty. The Law Officers were not given the opportunity to register their anticipated objection to it. And although the Parliamentary Counsel had reservations about it, they were on humanitarian rather than legal grounds—that to try islanders by an alien code of law was scarcely preferable to act of war—which closer acquaintance with the existing punitive system might have led him to withdraw. Yet it was never placed before Parliament. No action was taken on the recommendation of the Western Pacific Committee—to which the bill was referred for opinion—that it should be proceeded with. Eight years later, Bramston acknowledged that he had forgotten he had ever drafted such a bill. Kimberley's enthusiasm for it was, no doubt, cooled in January 1882 by a private letter from Gladstone, who protested that it involved the assumption of too heavy an administrative and financial responsibility.⁹⁰

The very fact that the need for such a jurisdiction had been so explicitly conceded was sufficient indictment of the expedient to which it was necessary to have continued recourse. Once Des Voeux had assumed control in Suva and had put Gorrie firmly under restraint,* there were no further local attempts to construct a jurisdiction over islanders under existing enactments. Nor was a sustained effort made to set native codes of conduct alongside European and to allow the former any validity of their own. It was held that islanders had been in contact with Europeans long enough to know what was permissible by the latter's standards and that in their dealings with Europeans they must abide by them. The decision as to whether a particular attack on trader, recruiter, or planter merited punishment proceeded from a simple rule-of-thumb criterion: whether or not provocation had been given.

Men of known bad character killed on the scene of their operations were generally not avenged. The New Hebrides copra trader and inter-island recruiting agent, Peter Cullen, was a case in point. Under the impact of square-face gin, he soon lost the air of comparative respectability which had impressed R. B. Leefe in 1878 to become, with his inevitable bottle, a landmark on the beaches of Epi and Malekula familiar to labour vessels. In about 1880, as recruiting agent in the German brig, *Adolphe*, he kidnapped men from the Maskelyne Islands. Later, he stole women and shot pigs on Tomman Island, off the south-east point of Malekula. He was later incautious enough to return to his station on Lemua Island, a few miles

* In January 1882 Des Voeux instructed Gorrie to confine himself strictly to his judicial functions (Des Voeux to Gorrie, 4 January 1882, *WPHC, Despatches from Assistant High Commissioner to High Commissioner, 1880-82*). And, in the following June, his desire to be permitted to stage another futile judicial charade on a Santo man, brought in by a warship for an attack on a British boat, was not gratified (minutes at *WPHC Inward Correspondence, General*, no. 164 of 1882).

from Tomman, which the D.H.P.G. intended to use as a labour depot. His enemies seized their opportunity: he was enticed over to the mainland and killed. Navy and High Commission knew enough about him to be agreed that his death merited no punishment.⁹¹ The New Guinea bêche-de-mer fisher, Captain Webb, on the other hand, though a notorious rascal, was not known to have committed any enormity in Millport Harbour, where he was killed; and his murder was therefore considered an occasion for shelling.⁹²

Where the labour trade was concerned, however, it was exceedingly difficult to decide what in fact constituted provocation. Many naval commanders held that the traffic was a provocation in itself. Sometimes murder could be traced to a particular act of brutality on the plantations. After the government agent of Fiji's *Saucy Lass* was killed on San Cristobal, inquiry in Suva discovered that a man from the village responsible had died from a flogging on the Penang Sugar Estate, Raki Raki.⁹³ A schooner's mate was killed at Makira Bay, San Cristobal, by a man whom, on a previous voyage, he had returned after four years in New Caledonia; seven others, of twenty who had recruited at the same time, had died there. In each of these cases punishment was inflicted—in the first by repeated shelling, in the second by capture and execution of the murderer—on the grounds that islanders by this time knew that Europeans did not accept the principle of 'utu on the white man's tribe'.⁹⁴

Yet naval commanders were usually exceedingly uneasy at inflicting punishment for the murder of men killed while engaged in the labour traffic. They would, observed Commodore Erskine, perform the task more readily,

cd. they believe that the duty was necessary in the protection of a well-regulated & important traffic, & that the sacrifice of their lives would tend in any way to improve the condition of the Native Races, or help to establish better relations between them and the White Traders and others who visit their islands.⁹⁵

Commanders disliked their duty the more in that where recruiting was conducted in accordance with the regulations—however ill-adapted to islanders' susceptibilities these might be—they had no choice but to proceed to punishment when a recruiter was killed. Thus, although the *Dart's* commander considered that, for the murder of the *Borough Belle's* master on Ambrym in 1883, Dowell in the *Lizzie* was responsible, in taking a woman against the community's wish and without a present, the recruiter had in this instance acted strictly in accordance with the regulations and he felt obliged to inflict punishment.⁹⁶

Sometimes, however, commanders viewed cynically the reasons which islanders advanced in mitigation of their attacks on Europeans. After a

boat's crew from the *Lavinia* was killed on Epi in 1883, a variety of excuses was retailed to Captain Dale: that five men from the village had died in Queensland, that a man had drowned whilst swimming ashore from a labour ship. The local trader, George Craig, believed that on an earlier voyage the *Lavinia* had taken twenty-three men from the village without the consent of the rest of the community. This story was not supported by the people themselves. Doubting the truth of the others, Dale proceeded to act of war.⁹⁷

The High Commissioner on occasion was equally sceptical. Craig himself was killed on Ambrym in 1885; he had bought copra from another trader, who had left it in charge of a village, and was trying to collect it when the people attacked him, in defence, so they thought, of the other man's property. Thurston was not impressed by their plea that they were only trying to frighten him away. He advised that they should be punished, since they knew Craig well as an honest man and were 'fully aware of the physical consequences of stabbing a man with bayonets, and equally so of the moral aspect of murder from our standpoint'.⁹⁸

When it was decided that a particular murder merited punishment, the navy's method was first to demand the surrender of the actual culprits. Had the High Commissioner's opinion been acted on here, this would have been little more than a formality; once Gorrie was gone, High Commission officials were quite clear that the principle of individual responsibility was inapplicable. Thurston, from long experience, held: 'To demand the actual murderer . . . would . . . be futile, perhaps worse, for some wretched slave might . . . be handed over to be hanged or shot, perfectly innocent of the whole affair'.⁹⁹ He always advised that the community as a whole should be held responsible and be brought to active understanding of its offence by persistent shelling.¹ Naval commanders, however, often went to considerable lengths to induce a community to make such reparation that full warlike action would be unnecessary. Commander Acland in 1884 expended much time and energy in attempting to establish contact with the Malekula people who had killed the *John Hunt's* master, in order to give them his decision—'which would have been that the men who commenced the attack must be given up, and that the tribe would have to pay me a fine of pigs and rifles, or that they must be prepared for an Act of War'—before he finally opened fire.²

On the rare occasions when culprits were actually surrendered by their people, a fresh problem was created as to how to dispose of them. In strict law and according to standing orders, they should have been executed by their own people once their guilt had been established. On several occasions, when commanders were not completely convinced that they had the right men, they were sent for informal detention in Suva. This mode of

procedure was formalised in 1894 by a local ordinance after certain commanders had resorted to a summary naval execution on the spot, for which they could have been called to account in court.

That act of war was a mode of punishment unsatisfactory in practice and improper in itself was a point of view more frequently advanced by naval officers than by the High Commissioner. Commanders were reluctant to risk their men's lives on punitive expeditions, the necessity of which they recognised as springing from the failure of civil authority to assume responsibilities which lay more properly with it. In an attempt to induce the High Commissioner to commit himself hereon, Admiral Tryon, in reporting the massacre of some of the *Young Dick's* crew on the Malaita coast in 1886, advanced the view that, by venturing for their own purpose where there was obvious danger, the victims had forfeited any right to their national protection; he held that punitive action was only justified if it were a preliminary to the assumption of civil control.³ No direct answer was given and advice from Suva continued to be that guilty villages should be shelled until they showed signs of remorse; but even in Suva there was no disposition to pretend that act of war was an adequate expedient.

Guilty individuals and communities disappeared into the bush when the smoke and lofty spars of a warship were sighted. The difficulty of locating the precise scene of an attack and the true identity of the people implicated was considerable. There was no repetition of so spectacular a mistake as the *Cormorant's* at Santo; but it was proven that, for the murder of a trader at Steep Cliff Bay, Raga, Captain Clayton destroyed the canoes of the wrong village. There was at least one instance, on Epi, when bushmen were said to have killed a European in the hope that the man-of-war's wrath would fall upon their enemies, the coast people, with whom he lived.⁴

In the Solomon Islands, particularly, Europeans lived among communities which were culturally orientated around head-hunting. Savo and New Georgia were especially active centres of head-hunting, their canoes in the calm season ravaging the neighbouring coasts. Traders learned to take account of this in their ordinary conduct of business. The *Narovo's* master in 1894 could get ivory-nuts but no copra at Sirumbaie 'as the men have just returned from Bobatanne, with one hundred heads, so have not had time to cook copra'.⁵ The practice of offering rewards for heads for a particular occasion was well-developed and there existed a class of professional assassins to exploit it.

Europeans offered the attraction that a successful attack on them yielded trade goods as well as heads. Recruiters worked Malaita, in particular, in the virtual certainty that their boats would at least be fired on; traders lived in the knowledge that some chief might have an offer of shell-money

out specifically for a European head. After the *Savo* was attacked at Waisisi, Malaita, it was learned that villages all along the coast had made a collection for the first one to seize a ship. And when Fred Howard—who was resident for years on Ugi, where, in association with another trader, he claimed a great deal of land—was killed there in 1891, it was alleged that the Ugi people themselves had hired Malaita men to do the job. Their supposed grounds were that Howard prevented them from taking fruit where they claimed that they had sold only the land, not the trees on it.* With so complex a case it was impossible for warships to pretend to deal adequately. Even in the simple head-hunting cases, they could do no more than significantly direct their fire at the canoe-houses where skulls were kept, demand the return of the heads, and destroy the canoes for the launching ceremonies of which they were taken.⁶

This action was, at the simplest level, not entirely ineffective. Communities that had killed a European were often brought to regret it by their inability to obtain trade goods, since traders and recruiters ceased to visit them. And naval bombardment was probably more damaging than its European critics supposed. Between 1889 and 1892 naval activity in the Solomons reached a crescendo, and there were fewer grounds for the usual complaint that shelling was not sufficiently sustained to be of lasting effect. In 1891 a naval commander estimated that, in a series of operations against the Roviana head hunters, he had destroyed 400 houses, 150 canoes, and 1,000 skulls.⁷

Constant pressure was maintained for the surrender of individuals identified as murderers. Their own villages were destroyed and so were any that gave them shelter. The old method of offering rewards for the capture of culprits, disavowed by the Admiralty in the 1870s, was revived, as was the practice of using one community against another. Known murderers fled far from the scene of their crimes, whole communities moved into the bush to escape the men-of-war. By the middle of 1892, as the result of constant shelling, the east coast of Vella Lavella and several villages in the New Georgia group and the Maramasike passage, Malaita, were deserted. When, after a decent interval, people near Hathorne Sound returned to ask commanders whether they might build again, they were told they might do so on condition they sheltered no murderers.⁸

The effect of constant naval pressure on the internal complexities of native politics could usually only be guessed at; but the evidence in some

* *RNAS*, XXIII, 'Solomon Islands 1891', Case 49. The Ugi people, on the other hand, insisted that the Malaita men had acted on their own initiative, killing Howard in revenge for two men from their village who had died whilst employed by another white trader. For evidence that ownership in trees was distinguished by the Solomon Islanders from that in land—which suggests that the Ugi people may indeed have hired Malaita assassins—see R. H. Codrington, *The Melanesians*, p. 59.

cases suggests that, as a result of warships' demands, communities became rent by faction. And the Melanesian Mission reported that Christian communities on Nggela and San Cristobal were in danger from their neighbours as a result of the help they gave to naval commanders.⁹

Punishment by act of war had achieved its own logic. The only alternative, that of establishing effective civil control involving acceptance of territorial responsibility, was not officially regarded as attractive. Act of war had become part of a local system, of which the other and vital element was the High Commissioner's attitude towards the settlement of Europeans in the Western Pacific islands. To the complaints which reached him from planters, traders, and recruiters that they were insufficiently protected, the High Commissioner replied that, though it was anyway no part of his duty to afford them protection, the islands were, in fact, no place for Europeans at large. So long as the jurisdiction remained an extra-territorial one, the ideal cherished in the High Commissioner's Office was that the islands should be free of European planters and recruiters, subject only to the attentions of missionaries and a few substantial traders, under the close supervision of the imperial government, supported by a series of international conventions.

Settlement, Inter-island Recruiting, and Anglo-French Stalemate in the New Hebrides, 1877-1906

I

Towards British settlement in the Western Pacific the High Commissioners adopted a policy of limitation and prevention. This they implemented by prohibition of trade with islanders in the staple articles of arms and liquor, by reluctance to register titles to land which British subjects claimed to have bought from natives, and by refusal to issue licences under the imperial Protection Acts for the recruitment of labourers to work on island plantations.

The effect was, indeed, to check large-scale British settlement in islands under no government; but, in the absence of an international agreement applying the same restrictions to Frenchmen, Germans, Americans, Swedes, and others, it was also to leave the latter a free field in trading and planting operations. Various expedients were adopted by British residents in the islands, especially those in the New Hebrides, to escape their disabilities under High Commission policy. A few took refuge under foreign flags and all obtained what labourers they could from foreign recruiters. Yet still they were at a severe disadvantage with other nationals, whose activities were not hampered by the necessity of resorting to such subterfuges and who were able to trade in rifles and gin without attracting the hostile attentions of naval deputy commissioners.

Within twenty years, the results of the High Commissioners' policy were clearly seen, in the New Hebrides particularly: they had lost all effective control over affairs in the group where the complexity of relations between the races most demanded their intervention.

The object of the Fiji Commissioners' recommendation in 1874, that the governor of the new crown colony should have an extended extra-territorial jurisdiction over neighbouring islands in the Western Pacific, was to provide a port of registry and an authority to issue recruiting licences for British traders and planters in the Solomon Islands and New Hebrides.¹ Gordon was at once bombarded with petitions, from Efate residents

especially, for licences, under the 1872 statute, to recruit labour from other islands in the New Hebrides.² Planters had been established on Efate and elsewhere, recruiting labour freely, before that statute's provisions made them liable to fines and imprisonment if they transported islanders aboard ship without a licence issued, on a £500 bond, by a Pacific islands consul or an Australasian governor.

In 1874 Commodore Goodenough had ended an informal licensing of local traffic, since there was no guarantee that islanders ostensibly recruited for British plantations in the New Hebrides were not being diverted to the nickel mines of New Caledonia, where the death rate was appalling. He advised that either a consul should be appointed to the group or that the senior naval officer should be authorised to license and regulate the inter-island labour traffic. If this were not done, British planters would either be driven out or would recruit under the French flag.³ Already this latter expedient was being adopted by British ship-owners in Nouméa.

The appointment of a consul to the New Hebrides, however, was held over until the Western Pacific Order in Council was issued, on the presumption that Gordon would appoint a deputy commissioner to reside at Havannah Harbour.⁴ He was then instructed to appoint paid representatives only to Samoa and Tonga and when, three years later, it was possible to appoint a third civilian deputy commissioner, Gordon preferred to send him to western Melanesia.

In the absence of any permanent supervisory authority in the New Hebrides, Gordon refused to issue recruiting licences since there was no certain means of enforcing them. In this he was reinforced by knowledge of events in Samoa which highlighted deficiencies in the Protection Acts, as well as in the Order in Council. In 1877 Frank Cornwall brought into Samoa one or more shiploads of Gilbertese labourers who were treated brutally. With a resident deputy commissioner and consul in Samoa, as well as a local government, it was possible to intervene on the labourers' behalf. Attention was drawn to the fact that the Protection Acts contained, for instance, no stipulation that only a given number should be carried per ton of vessel, so that it was quite legal to carry, as Cornwall had done, forty recruits in a 20-ton cutter. And there were no clauses directing, under penalties, what treatment labourers should receive when actually on the plantations, in food and hours of work, nor any effective guarantee that they would be paid and repatriated. As the law stood, kidnapping alone was aimed at; the statutes did not contemplate the employment of labourers in places where no effective local laws existed for their safeguard.⁵

Gordon, in correspondence home, used the Cornwall instance as proof of the need to increase the High Commissioner's legislative authority from that merely to make regulations for the observance of local treaties to a

power to regulate British-native relations more intimately. When, however, the 1879 Amending Order in Council had supplied this authority, he still issued no recruiting licences and drew up no regulations—partly perhaps because, in this instance as elsewhere, he considered that the penalties were inadequate to ensure employers' observance of labour regulations, but primarily, no doubt, because by this time his sole responsibility for supervising inter-island recruiting had been assailed.

In March 1876, responsibility for the protection of imported labourers on island plantations under no government was placed by Derby squarely on Gordon's shoulders, with the remark that he was not prepared to advise the issue of licences for inter-island recruiting,

unless Sir A. Gordon could undertake that the needful precautions should be taken to prevent Labourers being improperly recruited, and to ensure the fair treatment of immigrants during their period of service.⁶

The High Commissioner had, therefore, grounds for complaint when, a year later, the Foreign Secretary retreated from this position sufficiently to enable him to support proposals whose effect was to take control of inter-island recruiting from Gordon's hands and give it to the Governor of New South Wales and the consul at Nouméa.

E. L. Layard, appointed consul to New Caledonia in 1876, had immediately made himself the watchdog against French advancement in the New Hebrides. The atmosphere of intrigue in which he lived at Nouméa made him more sensitive to the New Hebrides question than was the High Commissioner. He had a personal grudge against Gordon which added zest to the campaign he conducted against him on grounds of policy.* He held that the New Hebrides should be made part of his consular district, with his son there as vice-consul, and that every facility should be offered to enable British settlers to develop their plantations. He was strongly in favour of a regulated local labour traffic, believing that—even apart from its necessity to the success of European enterprise—it was beneficial to the islanders themselves:

Anything wh brings them into contact with civilization must bring good not perhaps unmixed with evil as the knowledge of the one goes hand in hand with the other. But if it teaches them that their lives are not meant to be passed in continual idleness or warfare & murdering

* Layard had some initial grievance in that he had expected to be made Governor of Fiji himself (see Layard to F.O., 17 October 1874 (political), *FO* 58/142). Open hostility developed as a result of an acrimonious correspondence after the Aratuga trial, in which he was accused by Gordon of giving currency to rumours that Aratuga was to be seen walking freely around Levuka. (See Gordon to Layard, 2 February, 29 March, 21 April 1880, *WPHC Outward Letters, General*; for Layard's original report and his reply to Gordon, see *WPHC Inward Correspondence, General*, nos. 7 and 77 of 1880.)

one another & that only by becoming *producing races* can they escape destruction in the 'great struggle for existence'—then temporary removal from their Islands & contact with the dominant races of the earth will do them good not evil.⁷

His main emphasis was on what would happen if British subjects were not allowed to recruit legally. In despatches of early 1877 he reported that New Hebrides planters were applying to him for licences which he was not authorised to issue, since he was consul to a foreign colony and not to a Pacific island within the terms of the Protection Acts. Arguing their readiness to observe regulations and ability to support their labourers, he instanced W. Ford, who in 1874 had decamped from his Rewa estate leaving unpaid labourers to be repatriated by the Fiji government but had now, from the proceeds of his Efate plantation, repaid this debt and from the production of maize and copra was making enough to pay labourers more than the Fiji rate. Ford's continued success and that of his fellow settlers depended on their being able to recruit more labour. If they could not do so legally, they would resort to subterfuge. The practice by which British-owned ships obtained *actes de françisation coloniale* in Nouméa and flew French colours to escape the Royal Navy would be extended to plantations. British planters were threatening to make fraudulent conveyances to agents in Nouméa. Expecting, indeed, to find French officials more sympathetic to the needs of the planter than British, they had already presented a petition to be annexed by France. And then, observed Layard, 'we shall have the anomalous spectacle of British vessels both under French names and colours . . . setting at defiance all British authority'. Even without French annexation, something of that sort would result from a total refusal to permit British subjects to recruit lawfully. By maintaining a virtual prohibition on the inter-island labour trade,

we shall drive them to resort to illegal means and take out of our hands the power of regulating them; thus defeating the very end and aim of the Pacific Islanders Protection Act. . . . [Was it] better to drive these men to dishonest action to avoid a restriction, which they can easily do? or to watch over them ourselves, and hold them in hand?⁸

This impelled Derby into a *volte face*. In March 1878, having consulted Carnarvon, he directed:

as long as Labour can be fairly procured without irregularities . . . and there is a certainty that the natives will be properly treated, it would be bad policy . . . considering the powers conferred upon British Authorities under the . . . Protection Acts and Order in Council to forbid recruitment even in cases where the Plantations are situated beyond the Territorial Limits of British Colonies.⁹

The qualifications in this statement should actually have made it impossible to issue licences without a government agent in each ship and a resident deputy commissioner to inspect plantations. The system inaugurated in the previous September showed that in practice, however, the imperial government was prepared to settle for nominal control. With Carnarvon's agreement, Layard was instructed that, since he was statutorily debarred from issuing licences, the Governor of Fiji would be ordered to do so on his recommendation, unless and until a deputy commissioner was appointed to reside in the New Hebrides.¹⁰

This arrangement infuriated Gordon and did not satisfy Layard. The former protested at once that it would deprive him of a large part of the control over British subjects which, under the Order in Council and according to private promises made to him, was exclusively his own. Apart from this, he knew how easily Layard could be convinced, unless the injustice were blatant, that a particular relationship between a European and an islander was proper and as advantageous to the latter as to the former. Nor did he cherish the same illusions as Layard about the essential humanity of British planters, in the New Hebrides or elsewhere. When his own deputy was appointed and regulations to protect labourers had been drawn up, he protested, he would be ready to issue licences on his own judgment; he agreed that *bona fide* settlers deserved this assistance.¹¹ Layard in the same month earnestly requested to be absolved from corresponding with Gordon in this way—since 'If anything should go wrong, the blame would be laid by his Excellency on my shoulders . . . '—and asked that the Governor of New South Wales, instead, should issue them. This proposal was accepted and in April 1878 the High Commissioner was informed that Layard would henceforth communicate with Sydney.¹²

These instructions seem never to have been countermanded. In 1882 they were again the subject of bitter protest by Gordon as a whittling away of his jurisdiction;¹³ but in fact the system which they set up seems hardly to have operated at all. Between 1878 and 1883, indeed, the Governor of New South Wales sent Layard four recruiting licences for shipmasters he had recommended; and in 1882 Layard furnished a return showing that, since December 1877, he himself had licensed seven ships, on what authority did not appear. Nor did it appear whether the Sydney licences were those under the 1872 Act, to carry field labourers which island planters required, or under the 1875 Act, to carry labour only for work connected with the vessel, which were often issued by the Australian authorities to *bêche-de-mer* fishers clearing colonial ports. Layard thought that he himself had issued only licences of the 1875 type, but the return indicated that he had licensed three ships to carry labour to a Tana plantation. The return was, in fact, a most revealing document in its

meagreness of detail, showing that he had made little effort to supervise the traffic.¹⁴ Despite this, planters continued to be unable to get labour and to blame the Protection Acts for it. The system must have collapsed rapidly. It did not operate after 1883 and, in his continued abuse of High Commission policy, Layard never referred to the fact that he himself had once been authorised to obtain licences.*

The inability of New Hebrides planters to obtain labour was evident by the late 1870s from their deserted estates. The main planting centres were Havannah Harbour and Vila Harbour on Efate, and the island of Tana. The latter island had attracted several purchasers of land about 1870, some of whom actually opened plantations—as did Donald McLeod and Victor Nissen at Black Beach, and Ross Lewin at Ysangel. Lewin was killed by the militant Tanese in 1874, by which time most of the others had already gone; McLeod had left a finger behind.¹⁵ The Efate people were more tractable and on their island in 1876 cotton, maize, sugar, and cattle were being raised on some ten plantations. The majority of these were at Havannah Harbour, whether on the mainland—where they stretched from the anchorage at Escema to the south-west point of the harbour, Tukutuk—or on Moso Island. Robert Glissan had a coffee plantation at Undine Bay and at Vila was established the Swede, Ferdinand Rodin.¹⁶ The leader of the British planters—and the most substantial resident on the island—was Benjamin Hebblewhite, representative of the Sydney firm of Scott, Henderson & Co. With several other members of his family, he owned large areas of land at Port Escema and on Moso. Hebblewhite had erected a cotton-gin and large warehouses; in 1876 he reckoned that he, with others, had invested £20,000 in the New Hebrides during the past six years.¹⁷

By 1880 only a handful of planters remained. Several factors contributed to the failure of the rest. Markets for their produce were uncertain; hurricanes in 1877 and 1878 flattened crops and houses. Between 1876 and 1879, moreover, the New Hebrides were even more unhealthy than usual. Planters were riddled with malaria.¹⁸ Several members of the Hebblewhite family died at Havannah Harbour; the Morrow family, C. F. Edfelsen and others were all driven out by ill-health. James Proctor, who had been trading on Malekula, took refuge for a time at Apia.¹⁹ In May 1879 Commodore Wilson found that Havannah Harbour—once an embryonic Levuka—was now merely the resort of recruiters and small island traders, who called there for wood and water and to replenish their stocks of liquor.²⁰

Yet Ford at Tukutuk remained. His survival seems to have been due in

* The scheme probably collapsed as a result of friction between Layard and the New South Wales authorities.

great part to the fact that he had made a fictitious sale of his plantation to a firm of merchants in Nouméa and was able to recruit labour under the French flag.²¹ Correspondence between Benjamin Hebblewhite and several naval commanders, together with a report by Commodore Good-enough, make it clear that hurricane and malaria had only hastened the demise of a community that was already stricken by its inability to recruit labourers.²² When the unhealthy seasons of the late 1870s were past, this factor remained to militate against the success of British planters.

In 1882 Hebblewhite's cotton-gin was rusting at Havannah Harbour. The Sydney and Levuka firms once active there had gone. Ford still survived, as did Glissan; the former obtained labourers from French ships, the latter apparently secured them from Proctor. McLeod kept a hulk in the harbour as a wholesale store, ran his schooners to copra-stations in the islands northward, and was planting at Vila.²³ Now French interests were establishing a predominance. In 1880 M. Ferdinand Chevillard had laid the foundations at Vila of what was to be Franceville, one of the finest plantations of the group.* And in October 1882 the French from New Caledonia intervened energetically in the New Hebrides.

Sentimental Frenchmen were in the habit of protesting that the New Hebrides were included amongst those 'dependencies' of New Caledonia which had been annexed with that island in 1853. And hardheaded businessmen with interests in Nouméa's nickel mines looked to the adjacent group to provide cheaper labour than did the transportation system. Sentiment and the business instinct both seem to have motivated John Higginson—English-born financier with Australian experience, naturalised French citizen and Anglophobe *par excellence*—when, in October 1882, he founded the Compagnie Calédonienne des Nouvelles-Hébrides. As he later told the Minister for Foreign Affairs:

Notre but était de faire en grand ce que les anglais n'avait fait qu'en petit jusque là; d'acheter des terres dans le même forme qu'eux, d'encourager nos compatriotes français à venir s'établir à nos côtés ou chez nous, de créer des comptoirs de commerce et des communications régulières entre la Nouvelle-Calédonie et les diverses îles de l'Archipel;

* Application No. 132, Efate, Joint Court Records. Chevillard was initially in partnership with a certain Zaepffel, who ran their recruiting vessel until he was killed on Santo in 1882. In August 1882, Captain Bridge wrote from Havannah Harbour: 'M. Chevillard is a man apparently of superior social position, and is highly educated. He is said to be exceptionally kind and attentive to his labourers, but is not very popular with them, as he is thought to be too much addicted to excessive supervision and the giving of orders. He has a very fine plantation, has constructed a convenient landing-wharf, has laid out a large flower garden in front of his future residence with considerable taste, and is building a house of stone and brick which promises to be superior to any that I saw at Levuka or Suva.' (Bridge to Erskine, 15 August 1882, *Queensland CSO*, no. 6165 of 1884.)

d'évincer surtout les nombreuses goëlettes anglaises qui ne cessent de recruter pour l'Australie et les Fidji, toute la population de ces îles; de rétablir le courant d'immigration canaque, sans lequel la Nouvelle-Calédonie est condamnée à une impuissance absolue, d'imiter, en un mot, la politique des anglais; et d'arriver par des acquisitions successives de territoire, à mettre aux mains de français et par conséquent de la France, la propriété de l'Archipel tout entier.*

Higginson began by purchasing every existing title to land that he could obtain. The vendors were all British. McLeod sold his Efate land, together with that which he owned at Port Sandwich, Malekula, and became the company's local manager.† Ford and Young disposed of their plantations. For the next ten years, anyone with a deed to land in the New Hebrides was sure of a ready buyer in the Compagnie Calédonienne des Nouvelles-Hébrides. Robert Glissan, clinging on at Rathmoy, Undine Bay, was isolated among a sea of tricolours.

With the leading local trader on his payroll and with most of his other rivals thus disposed of, Higginson entered upon a program of buying from the New Hebrideans the best land in the group. He paid particular attention to Malekula, Epi, and Santo. Already in October and November 1882 his agents, Barthélemy Gaspard and Charles Peterson Stuart, were working northwards through the group from Efate in the steamer *Calédonien*; they bought 95,460 hectares of land.²⁴ Gaspard commanded trading and recruiting ships out of Nouméa for the next twenty years and took every opportunity to buy land for the company.

* Higginson to Minister of Foreign Affairs, 8 June 1885, Des Granges Papers. On the founding of the Compagnie Calédonienne des Nouvelles-Hébrides, see also *Les Nouvelles-Hébrides: Mémoire de John Higginson publié par le Dr A. Auvray*, pp. 14-16. Higginson alleges here that he was moved to action by Sir Arthur Gordon's circular to British subjects, publicised in the New Hebrides by Captain Bridge, in which the High Commissioner urged British settlers to register their land claims in Suva. Higginson misinterpreted this as having the object of consolidating Britain's position in the New Hebrides. (For the true object of the circular, see below, p. 197.) For evidence to suggest that Higginson's main object was to secure the reopening of the New Caledonia labour trade, see Higginson to Governor of New Caledonia, 5 October 1882, Des Granges Papers.

† Erskine to Admiralty, 31 July 1883, *RNAS*, XXXII; *Le Néo Calédonien*, 3 October 1883; Application No. 65, Efate, Joint Court Records. McLeod quarrelled with the C.C.N.H. in about 1885 and began trading on his own account again. In 1890 he again sold out to Higginson and then once more started a new business. It had become a profitable game with him, as the local agents of the company realised.

Ma conviction est que l'on ne traitera jamais définitivement avec lui [wrote M. Imbault to Higginson in 1891], il vous fera la guerre tant qu'il vivra et il vous fera toujours une guerre malhonnête. Il continuera d'acheter des terres sous le nom d'hommes de paille et à créer par le même procédé, des magasins destinés à nous faire concurrence . . . MacLeod est un homme tortueux, insatiable, et insaisissable. Traiter encore une fois avec lui, serait l'encourager à recommencer avec de plus grands moyens, lui donner des verges pour mieux nous fouetter et jouer en définitive un rôle de dupe sans profit pour l'avenir. (Imbault to Higginson, 13 April 1891, Des Granges Papers.)

Until his death in 1904 Higginson was to spend his time between Paris and Nouméa on the company's business. He arranged that Marists should go to the New Hebrides to combat the Presbyterian Mission.²⁵ He arranged also, with the Société Française de Colonisation, that settlers should be sent to work the company's land at Vila.* He exerted all his influence with successive French governments in repeated, but vain, efforts to get the group annexed. And he battled constantly to keep the company solvent and to refloat it when it crashed. He became dedicated to a single, unswerving purpose—to make the New Hebrides French. There was no one to match him on the British side. High Commission policy gave no scope for anyone to do so, for at the same time as the French were laying the foundations of their future commercial supremacy in the New Hebrides, the High Commissioner was working out his anti-settlement policy in detail.

In July and August 1882 the New Hebrides were visited by H.M.S. *Espiègle*, whose commander, Captain C. A. G. Bridge, had been appointed a deputy commissioner. Bridge found that twelve plantations were being worked on Efate, producing annually about £4,000 worth of maize, and that the copra stations—most of which were on Ambrym, Omba, and Epi—produced exports worth about another £4,000. Both maize and copra production demanded the employment of native labourers, the former in fairly large numbers. And those amongst the planters and copra-makers who were British subjects obtained their labourers surreptitiously from foreign recruiters. 'Almost any regulation', Bridge considered, 'would tend to improve the present unrecognized and scarcely legitimate system.'²⁶

This was the burthen of his reports to the High Commissioner. He considered that established British planters, and those others who at the

* Many of the first settlers who were sent to Vila failed miserably to establish themselves, beset as they were by lack of capital and experience, racked with malaria, and unable to procure sufficient labourers for their needs ('Extrait du Rapport de l'Agent de la Société française de Colonisation à Sandwich, N'elles Hébrides', 17 March 1887, Des Granges Papers). A naval commander reported:

Au début rien n'avait été organisé à Nouméa ni à Sandwich, pour recevoir les malheureux expatriés, presque tous arrivant sans ressources, les uns vieux, faibles, gens que leur existence antérieure n'avait en rien préparé à venir défricher un sol vierge, sous un climat dévorant.

Quelques uns sont restés et vivent aujourd'hui, mais le très grand nombre a succombé ou s'en est allé, je ne sais où, car j'ai encore vu, l'année dernière . . . quelques uns de ces malheureux émigrants arrivés par le paquebot à Nouméa, se refuser de partir pour leur destination et, l'Administration, pour en débarasser la colonie, cherchant à les envoyer à Tahiti où ils eussent été abreuvés des mêmes déboires.

Quelques uns de ceux envoyés par la Société de Colonisation sont devenus de véritables fermiers de la Compagnie des Hébrides; les autres, ceux qui sont enfuis, accusent celle-ci d'avoir voulu uniquement les ruiner pour profiter des fruits de leur travail, tandis que la Société riposte que l'on ne lui a envoyé que des hommes incapables de rien faire qu'elle a dû héberger et nourrir un certain temps, à ses frais. (Bénier to C. in C., Pacific Station, 7 April 1888, *ibid.*)

time of his visit had just bought land on Efate, deserved encouragement. Moreover, a local labour traffic had already evolved; islanders were recruited by vessels showing any colours but British and were disposed of to settlers of all nationalities with no regulation whatever. This reflected little credit on the authorities whose failure to provide a supervised system obliged British nationals to resort to such expedients. The situation evidently called for the High Commissioner's intervention.

To facilitate this—on the assumption that there was no inclination to appoint a civil deputy commissioner—Bridge presented four alternative schemes, based on conversations with Chevillard and McLeod. The first, the most practicable, was that Queensland and Fiji labour vessels should be authorised to obtain labourers for local planters. The latter would give proof of their ability to support them and submit to regulations for their treatment on the plantations, where they would be inspected by a committee composed of a labour vessel's government agent, a missionary, and an approved British resident. The second, that residents of all nationalities should pay the expenses of a consul with an adequate establishment, was somewhat visionary. The third, that one particular vessel should be licensed to recruit for Efate, was proposed by McLeod, who evidently saw one of his schooners in the part. The fourth, that a depot system should be established with agents on each island to supervise recruiting, was clearly too expensive.²⁷

The whole question of European planting in islands under no government raised problems of the most pressing importance to naval officers. On their cruises they met with complaints and counter-complaints between labourers and employers and as the sole authority available they felt obliged to intervene where conditions of service were clearly improper; but they were very uncertain of their legal grounds in doing so.

For clarification and a system of regulation they looked to the High Commissioner. No comment was received from Suva on Bridge's report until, in September 1883, the Commodore himself pressed the point. During the previous month, Thomas Farrell—about whose labour problems both Bridge and Romilly had already been called upon to advise on the spot—had applied to Erskine for a licence to recruit labour to work his New Britain plantation; he was ready to observe any regulations that might be required. This application Erskine forwarded to Des Voeux with his strong support. He recalled Bridge's New Hebrides report and remarked on the difficulties under which *bona fide* British planters worked in being unable to recruit for themselves. Calling attention to the recent large-scale French acquisitions of land in the New Hebrides, he observed that

if any encouragement is to be held out to British subjects to establish themselves and to acquire land on the fertile islands of the Western Pacific, it is imperative that provision should be made to enable them to recruit labor legitimately, and to employ, under proper regulations, the natives of other islands on their plantations.²⁸

High Commission officials, insulated in Suva, were able to take a more remote view than naval officers. Des Voeux, now Acting High Commissioner, the most remote of them all, had decided that not the slightest encouragement should thus be held out. His reply of October was to outline a policy of prohibition as opposed to that of regulation which the navy favoured. On economic grounds, he regarded the European settlement of other Pacific islands as undesirable. World demand for the primary products of tropical agriculture was limited. The extensive planting of islands yet undeveloped would be injurious to existing colonies in the area. With these islands, therefore, European contact should be limited to trade in articles of native production. And humanitarian considerations pointed to the same conclusion. Bridge had said that planters expressed 'an enlightened conviction that what is good for the labourer is for their good also'. Des Voeux doubted whether this was sufficient guarantee of labourers' fair treatment. Even in Fiji, instances were known of ill-treatment by employers, and the mortality among labourers was abnormally high. In view of this, wrote Des Voeux, 'and of the many evils which appear to be inseparable from the labour traffic by any regulations which can be effectively enforced', he was 'becoming convinced that this trade cannot be justified, even as now carried on with civilized countries . . .'. He therefore deprecated any proposal to extend it to groups 'where, owing to the immense cost involved in effective supervision, it would of necessity be, for the most part, free of all but nominal control'. Bridge and Erskine evidently held 'that the evils anticipated will occur in any case, and that it is well to recognize, and as far as possible to regulate, what there is no power to prevent'. Whilst he doubted the morality of this, Des Voeux's main objection to it was his conviction that recognition, 'so far from checking, would in fact cause a large increase' in recruiting abuses and in cases of ill-treatment on plantations. That issuing labour licences would lead to an increase in the extent of British planting was apparent from the applications of men like Glissan who, having obtained some labour, wanted more. Since among Europeans in the islands British subjects predominated, any large extension of settlement would be theirs and the part played by others would be 'comparatively insignificant'. Even if they could not be prevented from hiding under foreign flags, far fewer would resort to this than would begin planting if labour were legally obtainable, so that 'the evils caused *per caput* of whites would be scarcely less in the latter case than in the

former, while the aggregate evil would be incomparable greater'. So far, therefore, from acknowledging the expediency of legalising inter-island recruiting, he was

disposed to think that there should be a law prohibiting, with few exceptions, all employment of Polynesian natives upon islands other than their own; and if for such an enactment could be obtained the sanction of an international agreement, I should no longer have any doubts on the subject.²⁹

To this statement of policy the reaction of Erskine and Bridge—both able men, neither with pro-settler leanings—was one of exasperation. Des Voeux's arguments, they plainly considered, were intolerably remote from what was already happening on Efate plantations and in inter-island labour ships. Bridge agreed that to recognise the inter-island traffic would probably be to increase the number of labourers employed; but he still thought that, if naval officers were armed with regulations to be observed by British planters on pain of fine or removal of their labour-force, the labourers' position would be greatly improved. He found it impossible to believe that planting could be prevented by no more than an embargo on recruiting, which could always to some extent be evaded. Erskine dwelt on the latter point; whatever Des Voeux might think the ideal situation, plantations were actually being started, labourers obtained, and problems had emerged which cried out for regulation.³⁰

The attitude adopted by Des Voeux towards settlement in the Western Pacific islands was strongly in accordance with the traditions of crown colony government in Fiji as established by Sir Arthur Gordon. The basic postulates of this—derived from observation of settler attitudes—were that the interests of islanders and immigrant Europeans were essentially antipathetic and that, without the strong hand of government, the welfare of the former would go to the wall. To limit European settlement wherever possible was, therefore, a primary consideration. But Des Voeux himself, though an intelligent man, suffered from a character flaw which led him to recline on a quietest argument when the logic of the real situation pointed to active intervention.* His position on inter-island recruiting was very unrealistic: since effective government was impossible, he was in effect advocating no government at all.

* For opinions of Des Voeux's character, based on experience of his conduct of Fiji's affairs during Gordon's absence on leave in 1878-9, see Gordon to Lady Gordon, 15 September-2 October 1880: '[Des Voeux] has not the strength for the place either morally or physically' (Stanmore, *Fiji: Records of Private and of Public Life 1875-1880*, IV, p. 463); and Gordon to Selborne, 7 September 1880: 'a very inefficient man', *ibid.*, p. 430. See also K. L. Gillon, *Fiji's Indian Migrants*, p. 95: 'Des Voeux who, though vain, sensitive, arrogant, vacillating, and unwell, was also intelligent and humane . . . ?'.

Yet he made an effort to implement his tenets as a whole by winning over the Australasian governments. Accepting the Colonial Office's view that the Western Pacific islands must pass under the control of a federated Australasia, and with an optimistic expectation that this would occur sooner rather than later, he attended the Sydney Intercolonial Conference at the end of 1883. There he urged that, when Australasian control was achieved, the islands should be preserved to their indigenous inhabitants. Their settlement by Europeans should not be permitted. He presented a memorandum, based on his letter to Erskine, in which he showed that colonial interests pointed in this direction.

The development of virgin islands, he argued, should be discouraged to protect the established interests of Fiji and Queensland. Planters in New Britain and the New Hebrides would enjoy unfair advantage over those in colonies competing for the Australasian market, in that they would not be hampered by expensive labour regulations and, if the traffic were recognised, would be able to recruit without, in practice, any of the restrictions placed on colonial labour ships. Of the labour traffic in general, one thing was clear: 'it is rapidly extinguishing the people taking part in it'. The process of depopulation would be greatly accelerated if inter-island recruiting were also legalised and allowed to increase. And depopulation would not be to Australasia's advantage. This would be served by preserving the islanders. For

an increasing population, under the civilizing influences of the missionary and trader, might . . . render . . . [the islands] of immeasurably greater value to Australasians than they are now, and would . . . give them a commercial importance beyond all comparison greater than that of the interests sustained by the present system of destruction.

He firmly believed, therefore,

that even for the purely economical interests of Australasia, and apart altogether from higher considerations . . . of humanity, the best policy to be pursued in Polynesia would be to discourage planting there, except such as could be carried on in each island by the natives indigenous to it, there being no other apparent means of putting an end to the depopulation now going on, and of thus preserving the only secure foothold for commerce in the future.

With that object,

the labour trade should be inexorably suppressed, land purchases should be placed under stringent regulations, and the sale to natives of firearms, explosives, and intoxicating liquors, should be prevented by heavy penalties, all due encouragement being . . . given to such legitimate trade as involves no recruiting and carrying away of labourers.³¹

Des Voeux's advocacy induced the conference to resolve that the claims of British subjects to land in islands under no government should not be recognised, except where the land was actually occupied for trading or mission purposes. He also obtained the agreement of Sir Samuel Griffith, Premier of Queensland, that the supply of firearms to islanders should be prohibited.³² Des Voeux's return to Fiji from Australia was followed by High Commission enactments to implement these decisions. Queen's Regulation No. 1 of 1884 prohibited the supply of arms, ammunition, and explosives to natives. A notice in the *Fiji Royal Gazette* announced that registration in the High Commissioner's Office of claims to land in the Western Pacific islands—encouraged by Gordon, when he was in effective command—would not in future be permitted.³³

The sale of firearms, dynamite and, later, of liquor to natives was forbidden on the assumption that, as J. B. Thurston wrote, 'Arms, gunpowder and alcohol are the solvents under which Native life disappears and Native lands are made to change ownership'.³⁴ A policy which thus aimed to prevent the sale of dangerous commodities and to prevent extensive European settlement was evidently, in theory, a sound one from the viewpoint of native welfare, which it was designed to promote. It could only be so in practice—as Des Voeux and everybody else fully recognised³⁵—if it were applied equally to the nationals of other states. The intransigence of the United States of America prevented such an agreement being signed.

During the course of 1884 repeated prompting, from Suva in particular, led to an approach by Britain to other powers for a joint prohibition on the sale to islanders of arms, ammunition, dynamite, and alcohol. Most had agreed when in April 1884 the United States replied, accepting the idea in principle but refusing to enter into a convention; it would

for the present, restrain its action to the employment, in the direction outlined by the suggested arrangement, of a sound discretion in permitting traffic between its own citizens in the articles referred to and the Natives of the Western Pacific Islands.

This was sourly regarded in the Colonial Office as a 'civil refusal to join in the work in order that American subjects may get possession of the trade'.³⁶ Soon afterwards independent negotiations with Germany on the same subject, undertaken as part of the spheres of influence negotiations, lapsed also. Labour vessels from Samoa, barred from Germany's own Melanesian protectorates, continued to recruit with arms in the British sphere.³⁷

In January 1888, after an abortive attempt in the previous year to raise the general question again at the Washington Conference on Samoa,³⁸ the Colonial Office provided the Foreign Office with a strongly-worded memorandum, based on a letter by Des Voeux. It argued—in terms similar

to those in which he had addressed the Sydney Conference—that if arms and liquor sales were not prohibited the islanders would be wiped out, with no advantage to their destroyers since the climate of the islands was not suitable for European settlement.³⁹ From America, again, no answer was received until June 1891 when, after a reminder by the British Ambassador, the State Department returned a somewhat casuistical reply to the effect that, in their 1885 statement, the promise to exercise ‘a sound direction’ should, in the light of their practice elsewhere, have been interpreted as an offer of co-operation. With this was coupled a promise to consider a detailed plan.⁴⁰

An international declaration was therefore drafted, to apply to all islands not under foreign protection; it prescribed penalties of three months’ imprisonment or a £ 10 fine for supplying any islander with arms, ammunition, liquor, or explosives. Offenders might be arrested by the naval commanders of all signatory powers and tried before any magistrate, judicial officer or, failing these, by the arresting commander. And once more, of the nine powers consulted, the United States recoiled: she agreed in principle, but would not associate in any scheme under which her citizens could be tried by any authority except her own. This, the Colonial Office considered, drew the teeth of the proposal. Other powers, on her example, were likely to enter the same reservation, most of them had no official representatives at all in the Western Pacific and, in practice, British offenders alone would continue to be punished.⁴¹

The Colonial Office’s own interest in the scheme—now that British protectorates were about to be declared in the southern Solomons and the Gilbert and Ellice Islands*—was far less in that the only substantial group left uncovered by the local regulations of a single responsible power would be the New Hebrides. During the next decade attention at the diplomatic level was to be directed toward that group.⁴² In terms of local actualities it had always been the centre of the problem.

II

In December 1888, on the instructions of the Secretary of State and in order to strengthen the Foreign Office’s hand in its approaches to other powers, High Commissioner Sir John Thurston issued a general prohibition on the supply of alcohol to islanders by British subjects.† Hitherto, by an oversight, they had only suffered from this disability in Samoa, Tonga, and Niue. This action was widely seen as the coping stone of a policy which, in the absence of previous international agreement or a certain prospect of

* For the Solomon Islands and Gilbert and Ellice Islands Protectorates, see below, pp. 253-97.

† Queen’s Regulation No. 4 of 1888.

obtaining it, represented political suicide. Layard reported that Nouméa was jubilant:

All agree that not a case less of 'square gin' or bottle of rum, will find its way to the New Hebrides, tho' the profits will flow in other channels and help to fill the pockets of Frenchmen, Americans, Swedes, Danes, Norwegians and Italians, who are trading in those Islands.⁴³

The measure was defended, in both London and Suva, on grounds of morality, as opposed to those of commercial expediency;⁴⁴ but since the effect of the total anti-settlement policy, by forcing British subjects to hide in various ways under foreign colours, was to rob their own authorities of control over them, it soon appeared that the High Commissioner was preserving his morality only by a constant process of hand-washing.

The prohibition policy was applied in all the islands where the High Commissioner's jurisdiction was at all effective. British residents in Tonga applied in vain for permission to import labour to work their few leasehold plantations. Traders in the Solomon Islands, who needed licences under the 1875 Act to carry islanders as crew, had to obtain them from the Governor of New South Wales and register their ships in Sydney—a decided inconvenience when many local vessels were too small to make the voyage safely. In the Gilbert Islands in 1886 Captain and Deputy Commissioner Rooke—the first British naval commander to visit the group since the Arms Regulation was issued—had to prosecute British subjects for breaches of it on the accusation and evidence of foreigners, who were themselves busily and with impunity retailing arms.⁴⁵ In Samoa also, despite the fact that there Queen's Regulations were augmented by local laws, trade prohibitions were often enforced more rigorously against British than, for instance, American residents; the latter sometimes took advantage of their government's distaste for all international agreements—including the Apia Convention of 1879—to defy the laws of the Apia Municipality. And the German firm, though officially precluded from selling arms to Samoans, imported large stocks of rifles for their Melanesian repatriates, of which the actual disposal was occasionally a subject of speculation.⁴⁶

There, moreover, McArthurs were in constant difficulty from their inability to import labour for the plantations seized from Frank Cornwall. Their counterpart, Farrell, before German annexation removed him from the High Commissioner's jurisdiction, had enrolled himself as an American citizen with the U.S. Consul in Sydney. Although McArthurs on occasion threatened to follow a similar course, they were prevented by the scandal which would have accrued to their senior partner. Early in 1885 they were applying to both the High Commissioner and the Colonial Office for permission to recruit in the Gilbert Islands. The High Commissioner's refusal

was cut through when, apparently at the suggestion of the Parliamentary Under-secretary of State, McArthurs applied to the Governor of New Zealand. With his licence under the 1872 Act—for which they entered into bonds but shipped no government agent—they sent a vessel to the Gilbert Islands in June 1885 to recruit 250 labourers; she returned in October with eight.⁴⁷ They seem to have made no further attempts to import labour, their lack of which was an important factor in their failure to compete successfully with the German firm.

It was in the New Hebrides, however, that the High Commissioner's settlement policy had first been worked out and there that its results were most clearly seen. Since it was scarcely modified at all to take account of large-scale French competition and of the fact that, at a pinch, British subjects could turn renegade, those results were strikingly unsatisfactory.

For twenty years after Bridge reported on the group the general state of affairs in the New Hebrides remained much as he had described it. The anomalies intensified. Erskine, in his search for definitive instructions on how to proceed towards island plantations, had sent home the Farrell correspondence. He received in reply the Colonial Office's purely legal statement that, since the Protection Acts referred only to the actual carriage of islanders aboard ship, their employment ashore was not illegal, required no licence, and was subject to no statutory enactment whatever.*

This was to acquiesce in the situation which had caused Erskine so much disquiet, but which henceforth was to be the accepted state of affairs. British planters and copra-cutters continued to be unable to recruit in their own ships the labour on which their survival depended without the risk of seizure by the warships which, in the sailing season, constantly patrolled the group; but they could lawfully employ labourers recruited by men of other nationality who did not suffer from this disability. The Roche brothers on the late Robert Glissan's plantation at Undine Bay—the only substantial British planters, apart from McLeod, to be found in the group in the late 1880s and early 1890s—were thus at liberty to obtain labour from any freelance foreign recruiter who had men to sell, and were in no way accountable for the manner in which they had been recruited.

In order, then, to retain the royal naval protection which they would have forfeited by turning French, British planters participated indirectly in a labour traffic that remained unregulated until 1906 and in which the bold, unscrupulous recruiter thrived. McLeod, prominent in inter-island kidnapping exploits of the 1870s, was now devoting himself to planting

* Admiralty to C.O., 29 February 1884, with encls., *CO* 225/16; C.O. minutes and C.O. to Admiralty, 26 March 1884 (draft), *ibid.* The exact legal position, however, was not always clear to prospective planters. The impression sometimes prevailed that it was forbidden to employ islanders as labourers at all.

and trading. His place was taken by his associate, James Proctor. The bulk of Proctor's activity must have gone undocumented, but in occasional pieces of trickery he could be identified by his wooden leg and his affectation of speaking Fijian to any islanders he met.*

In 1883 Proctor was reported cruising the group in the schooner *Caledonia*, which had recently been transferred to him by McLeod in a fictitious sale to enable her to fly American colours. He was in the habit of disguising her by changing the colour of her paint and by sending down the topsail yards thus converting her to fore-and-aft rig.⁴⁸ His recruiting methods, from which McLeod and the French company benefited, were exposed when, in about June 1883, a Fiji labour vessel landed at Suva a Malekula man who had swum off to her in Havannah Harbour. Inquiry in Suva, confirmed when the man was returned to Malekula by another Fiji ship, showed that he, with four other men and seven women, had been kidnapped by Proctor and disposed of by him to McLeod. He, in particular, had come to the boat to buy tobacco, when a shot was fired into the water to distract his attention and he was dragged aboard.⁴⁹ In inter-island recruiting there flourished, in fact, all the old blackbirding tricks of coercion and deceit which the presence of government agents and the inspection of recruits on arrival had made it more difficult—though not impossible—for Fiji and Queensland ships to indulge in.

If the labourer had no more security against the employer than the latter's sense of self-interest dictated, he enjoyed, at any rate, the avenue of escape offered by Fiji and Queensland recruiters. Recruits already broken from their community ties and accustomed to plantation work often proved an irresistible attraction for colonial labour ships despite regulations against taking them. There were occasional instances of actual violence when colonial recruiters fell out with island residents on other matters—as when, in August 1888, one of the *Hector's* crew, having attempted to rape the *popinée* of the French company's carpenter at Port Sandwich and having been chased back to his ship with gunfire, further enlivened the night by raining bullets on the tin roofs ashore amid drunken shouts of 'shoot again, French dogs, shoot again, sons of hoares [*sic*], cowards'.⁵⁰ But most of the trouble between them arose when colonial ships stole residents' labourers.

It was after such an incident—the *Roderick Dhu's* recruiting of three of

* See, for example, John Cromar, *Jock of the Islands*, pp. 166, 187-8, 206-8; Moore to Erskine, 17 September 1883, encl. Erskine to Des Voeux, 22 October 1883, *WPHC Inward Correspondence, General*, no. 143 of 1883: 'Captain Proctor, fortunately, is easily traced. He is the possessor of a wooden leg, and has acquired a reputation among the natives from the habit of putting his fork into it when he is disturbed at his meals. It would be well if the masters of English labour vessels could be identified as readily as this gentleman. . . .'

McLeod's labourers, who, it was admitted, had worked for longer than their contracted six months—that H. H. Romilly in 1890 wrote one of the strongest indictments ever made of the group's European settlers.

I wish to assure Your Excellency . . . with the full expectation and hope that my words may become public, that the relations between Europeans and natives in this group are marked by dishonesty and fraud on the part of the white men and in the greater number of instances by a dignified resistance on the part of the natives to fulfilling a greater labour than they have contracted to do.

He could name only one planter—a Frenchman—who treated his labourers as human beings. Among British settlers McLeod was the worst offender. Most of the British copra-makers were trading for him and one branch of his business was devoted to keeping them on the debit side of his books.

He not only recruits men and women for the traders thus in his power but should any of those recruited natives object to being treated as slaves and detained for months or even years over and above the time for which they have verbally contracted to work he constitutes himself the Champion of the white men who are as much his slaves as the wretched natives are the slaves of his accomplices.⁵¹

In the 1890s some of the French and British planters around Vila drew up a set of rules governing the manner in which they were to pay, feed, generally treat their labourers and duly return them to their homes when their period of service had expired.⁵² The planters' object was to protect their own interests by making Vila a pleasant place to work in, and the rules were impressive on paper; but a naval officer reported that '*beaucoup en violent les clauses chaque jour*'.⁵³

Vila was, in fact, widely detested as a place of employment by the New Hebrideans. A Santo man, who in 1898 escaped to a Queensland ship from the plantation of Oscar Rolland, explained:

I work one year for him . . . I touch pen along one (1) year I finish that one year, he ask me make another agreement, I no like, I no make him. Me no like that man, he too much kill (hit) 'boy' along stick, he say one time he shoot me, that time my wife break plate in kitchen. . . . After that master send me Vila to get a bottle gin, he come behind, he cross, he say me take too long time, he hit me on face on nose, that make me run away. . .⁵⁴

III

The High Commissioner made no serious attempt to come to grips with this situation as it concerned his own nationals, even when it had long been apparent that neither of the conditions essential to the success of Des Voeux's policy—efficient control by a federated Australia, or a common

policy followed by all the European powers—was in sight of being achieved. In February 1885, after Commander Acland had advanced the perennial naval recommendation that inter-island recruiting should be licensed under the British flag and thus be made subject to regulation, Collet observed that, even if Des Voeux's policy were reversed and the traffic formally permitted, British settlers would probably continue to hide under French colours in order to evade inspection.⁵⁵ This was to ignore the fact that, by submitting to the restrictions of a recognised traffic and to regulations on their treatment of labourers, planters could have claimed, for instance, the more effective official protection which they wanted against recruiting by colonial labour ships.

In November of the same year, after the McArthur correspondence—on which the Secretary of State's despatch seemed to imply a rebuke, by pointing out that no regulations had yet been issued to protect labourers on island plantations—Collet attempted to deal with the recruiting question on its own merits. He immediately counselled that any action should be deferred 'until the decision of H.M.'s Govt. has been arrived at with regard to the future Allowance or prohibition of the labour trade outside British possessions'. He justified this delay on the grounds that it would not 'cause any harm to the few labourers in Samoa', failing to take account of the many labourers whom naval reports showed to be employed in the New Hebrides. He argued that the High Commissioner should never accept the moral responsibility of issuing recruiting licences, expressed the opinion that, if regulations applicable to native employment on island plantations were to be effective, an amending Order in Council would be needed to enable islanders to bring civil actions against British employers, and ended with a general caveat against the High Commission's incurring any liability whatsoever. It was to be remembered

that a large proportion of those who would employ them would eventually fail, and we should find gangs of labourers away from their homes without their wages & without means of return, unless some Government makes itself responsible . . . If the trade is carried on without any Government ensuring the payment and return of the labourers disgrace will inevitably fall on the British name.*

There was thus no recognition of the fact that, given the prospective

* C.O. to MacGregor, 28 April 1885, with encls., *WPHC Despatches from S of S*; Collet's minute, 15 December 1885, on Churchward to Thurston, 7 October 1885, *WPHC Inward Correspondence, General*, no. 189 of 1885. The C.O. minutes on McArthur to Ashley, 6 March 1885, *CO 225/19*, generally favoured the issue of recruiting licences. MacGregor—who was in charge of the High Commissioner's Office at the time—understood the Secretary of State's resulting despatch to have overruled his decision against giving McArthurs a licence (MacGregor to Gordon, 28 April 1885, *BM Add 49203*). But Collet's views prevailed on the general question.

partition of the Pacific with Germany and the establishment of large French interests in the New Hebrides, much of the rationale of Des Voeux's policy was gone. And there was too much concern shown to avoid responsibility. Cornwall's case—where in the first instance land was sold, on a writ of debatable legality issued by the deputy commissioner, to pay and return stranded labourers—showed the need for caution on legal grounds. The moral considerations with which High Commission officials were so much concerned appear, however, to point in the other direction, for it would seem that disgrace was already falling on the British name when nationals were free to employ labourers in whatever fashion obtained so long as it was not under the red ensign, but were under no legal obligation as to how they treated them.

During 1886 and 1887 there were signs of recognition in the High Commissioner's Office that some relaxation of British subjects' disabilities was called for. In July Thurston admitted to Admiral Tryon that islanders had not benefited from the Arms Regulation as much as had been hoped, since in many cases the trade had simply been diverted to foreign suppliers.⁵⁶ The crown colony was itself feeling the effects of the Arms Regulation. Fiji's *Midge* reported that she could get no recruits at Malekula, since she was unable to promise rifles like those with which men had just returned from New Caledonia and Samoa. On this the Agent-General of Immigration commented: 'We preserve our morality and the Germans and French obtain cheap labour! A very one-sided contest for British traders—ethics v. business.'⁵⁷ This protest was sent home as evidence of the need for an international agreement.

On the land question positive action was taken, in that British nationals were permitted to register claims with the High Commissioner. In 1886 came the great French scare: troops from New Caledonia, arguing a long list of nationals and company employees killed since 1881, as an allegedly defensive measure occupied the best harbours in the New Hebrides, where Europeans were quite safe.⁵⁸ And in July the Secretary of State, bowing to the crescendo of Australian protest, ordered the High Commissioner to open his office for the registration of British land claims.* This was to return to a policy initiated by Gordon and countermanded by Des Voeux, one which naval officers had constantly recommended, but which was now adopted without the safeguards that they and the first High Commissioner considered inseparable from it.

* C.O. to Thurston, 4 August 1886 (confirming cable of 8 July 1886), *WPHC Despatches from S of S*. In his Consular Report from Nouméa for 1885 (*GBPP*, 1886, LXVI, p. 237) Layard had protested, on behalf of British settlers in the New Hebrides, that: 'An Englishman cannot get a title to the land that he honourably and fairly buys from the natives; he cannot, therefore, raise money by mortgages or otherwise to enable him to carry on his operations.'

In his instructions of March 1881 to Romilly and two of the first naval deputy commissioners, Gordon had directed them to inform British purchasers of land that their claims must be registered with him and to warn them of their insecurity of title in the absence of reliable information on the nature of local land tenure, 'which usually assumes its absolute inalienability by any single individual of [or] even the whole mass of those holding an actual life interest in it'.⁵⁹ The notice issued hereon to British residents by the deputy commissioners seemed to imply that registration would bring a grant of title by the High Commissioner's Court, as well as official protection. Bramston had immediately pointed out that this was objectionable in constitutional law,⁶⁰ and in February 1883 Des Voeux wrote that he found it so on other grounds: registration, however guarded, would tend to encourage buyers and, in particular, would give rise to speculative purchases. In July he forwarded a report from Bridge, who believed that the prospect of being able to register claims had, in fact, produced this result; but Bridge thought that it had also made purchasers more scrupulous in their dealings with native vendors.⁶¹ And this, as he protested on Des Voeux's despatch, had been Gordon's object in opening the registry.

Gordon agreed that, if it accorded recognition of title, registration would not be desirable.

But as a registration of the transaction whatever its value, I look on it as of the highest importance, and especially as preventing the manufacture subsequently of fraudulent deeds, or any tampering with those which already exist.

Fiji experience showed the need for this. Registration, therefore, should be conditional on the High Commissioner's receiving all papers connected with the sale, in original, which should then be kept in the registry. This would give him some idea of the amount of land being alienated and would be

a check on much future roguery—and the determination to regard no unregistered claim as valid, will, if it be strictly adhered to, render impossible the rise of a class of claims, the most troublesome and unsatisfactory to deal with of any which have come under my experience.⁶²

The control which he thus advocated that registration should exercise on land transactions was, in itself, enough to alienate the Colonial Office. In September 1883 the Secretary of State directed Des Voeux to refuse registration, since it implied official validation of title and might be construed as a promise to protect land acquisitions outside British territory.⁶³

The reopening of the registry in November 1886 was a purely tactical move. Whilst declining to permit registration to be interpreted as conferring title, the Secretary of State omitted to insert conditions to discourage fraudulent claims.* The official attitude remained, as expressed in a Colonial Office minute of February 1885:

it is not our business to enquire whether the original consideration given to a native vendor was sufficient. All we have to do is to protect subsequent purchasers from the results of fraud or uncertainty.†

It was therefore merely directed that land claimed should be adequately described, if possible with a sketch map, and that a précis should be included of any supporting documents which might be possessed.⁶⁴ Although this information, together with the date of registry, might help to decide the priority of conflicting European claims to the same tract of land, it was no substitute for the checks on fraudulent and speculative purchases which, after Gordon, naval officers strongly recommended in islanders' interests.

When land was first purchased in the New Hebrides for large-scale plantation purposes—in the late 1860s and early 1870s—the transactions were often the result of careful negotiations between native vendors and European purchasers, and the deeds in which they were recorded seem to have represented an agreement understood, to a workable extent, on both sides. When land was purchased on Efate, for instance, buyers and vendors walked the boundaries together, blazing trees.⁶⁵ Many years later, when the sales were inquired into by a court, the vendors in some instances gave evidence that they knew what they were doing.⁶⁶ The Efate purchases of this date were, of course, made with especial care by men who, in several instances, subsequently settled on their land and the resulting plantations were often in more or less continuous occupation for many years afterwards; but even in the case of some small blocks of land on Tana, which were bought in the early 1870s as sites for copra stations and were only occupied for a short time, the Tanese forty years later were

* *Fiji Royal Gazette*, No. 58, 26 November 1886; the notice emphasised: 'The Registry will only record the particulars of the claim of the party registering; and such registration will not be regarded as the record of a warranted title, under which Her Majesty's Government guarantee to protect the holder.'

† Minute by Mercer, 28 February 1885, in minute paper with C.O. to F.O., 12 March 1885 (draft), CO 225/19. For the corollary of this, see High Commission minute, 21 January 1898, on Rev. Dr Cosh (of the New Hebrides Presbyterian Mission) to O'Brien, 19 October 1897, with encls., *WPHC Inward Correspondence, General*, no. 35 of 1898: 'It is a pity we have to Register such rubbish as these documents are [deeds to land on Ambrym], but Registration cannot be refused.' It was, however, refused if some attempt was not made to describe the boundaries (see below, p. 201n.).

prepared to admit that the land had been sold and to point out the boundaries of the blocks.*

The case was otherwise with many of the land purchases made after the *Compagnie Calédonienne des Nouvelles-Hébrides* was formed. According to Higginson,

la politique qu'il convenait de suivre pour que les Nouvelles-Hébrides devinssent possession française, était . . . d'arriver par n'importe quel moyen, n'importe comment, à acheter le plus de terres possibles. . . .⁶⁷

In its first ten years of existence the company engaged in an orgy of land-buying, in which it evidently considered it more important that the purchases should be quickly concluded and the areas involved should consist of several thousand hectares, than that the alleged vendors should understand the purport of the deeds to which they were affixing their marks, or, indeed, that they should have any right to dispose of the land at all.

Titles were often obtained, apparently, by tempting a few individuals aboard ship with promises of trade-goods or liquor and then inducing them to affix their marks to papers transferring much of the coastline in sight, with a back boundary marked by the hills. Even when the trouble was taken to identify and buy from the acknowledged owners of a particular block, the deeds—when produced twenty years later, in justification of attempts to settle the land—often showed their marks affixed to sales of large areas of country which they denied having sold. Bartélemy Gaspard was particularly expert in transactions of this nature. In the case of land on the south coast of Santo, which he bought for Higginson in the 1880s, local tradition was that he had enticed the bushmen aboard, made them drunk and then got them to name the hills and other physical features ashore; these were entered upon a 'deed of sale', to which their marks were obtained.⁶⁸

On his first voyage on the company's behalf in 1882 Gaspard was accompanied by Lieutenant Martin D'Arbel, who, in his report to the Governor of New Caledonia, expatiated on the fairness of the expedition's pro-

* Surveyor's reports of 1914 on the Tana lands of the government of the Commonwealth of Australia, *External Affairs Records*. This is not to deny that, even on Efate and Tana, confusion could occur as to what land had actually been sold, and to whom. The land around Black Beach, Tana, had been sold so many times by Tanese that a missionary used to say 'that if all the titles to the landing [place] . . . were in existence, one could build a causeway with them from Tanna to Erromanga' (Wallace to Matthew, n.d., *ibid.*). A visiting solicitor was told by an old Tanaman 'that an old "cranky" (i.e. mad) chief used to sell land to anybody' (Wallace to Wilson & Harriott, 21 October 1913, *ibid.*). And at Port Escema, Havannah Harbour—where land was first bought in 1868 and was occupied almost continuously thereafter—there was much overlapping of boundaries between the original purchase of Henry McLeod and later acquisitions by the Presbyterian Mission and the French company.

ceedings and on the accuracy of the coastal boundaries which it entered on its deeds; but since this expedition claimed to have bought over 95,000 hectares—about one-twelfth of the group's total area—in a space of only about fourteen days,⁶⁹ it is clear that there was no time for research into the nature of land usage or to acquaint supposed vendors with the implications of what they were signing.* Witnesses so different as the Reverend R. M. Fraser, of the Presbyterian Mission, and George Craig were agreed that the steamer's people had conducted most of their transactions from her deck, rarely putting a foot ashore.⁷⁰ D'Arbel admitted that it had been impossible to penetrate into the interior, so that the descriptions of back boundaries might not be exact; but he added that names of villages and mountains had always been entered in the deeds and would serve to locate boundary lines. When these deeds were investigated fifty years later it was found that distances were given in hours of march, directions were laid down by landmarks on the coast, which it was often impossible to distinguish categorically, and that in one case—on Epi—the supposed name of a village given as a terminal point on the back boundary was actually the generic name for 'mountain' and no village had ever existed there.⁷¹

The example of the C.C.N.H. led others to adopt similar practices. The company was always a ready purchaser of deeds obtained by British subjects. And, after November 1886, these deeds could be enhanced in value by registration in the High Commissioner's Office. A naval officer who had earlier recommended that British subjects should be enabled to register their claims, as the French could in Nouméa, had added that this should be accorded

only on the condition that the boundaries have been clearly marked, and that a Government Official has actually been round them, accompanied by the purchaser and by the natives to whom it belongs.⁷²

The claims which came into the High Commissioner's Office within the first few months of the registry opening suggested that such precautions were necessary if there was to be any protection of islanders' interests.

The claims showed that in the Solomon Islands—the other group in respect of which a considerable number of land claims were lodged—alienation had gone no further than that of narrow beach-fronts and small islands on which to erect trading stations. In the New Hebrides' claims involved thousands of acres. Most were evidently mere paper claims, with no attempt at planting or at taking possession, beyond—at best—marking the more accessible boundaries. They were evidently obtained, in many

* Codrington (*The Melanians*, pp. 60-1) writes: 'In a true sale the consent of all who have an interest in the property must be had, and the exact boundary of each parcel of land defined; then the value of each piece and of each fruit-tree has to be ascertained, and the claim of every single individual discussed and satisfied.'

cases, in exchange for a case of trade-gin or a few rifles in the hope that, if one of the powers finally took over the group—as seemed increasingly probable in 1886-7—they might be turned to advantage.*

Particularly noteworthy were the claims registered by W. E. Morgan—a South Australian trading in Nouméa, brother of Higginson's partner, John Morgan—in the name of the South Sea Speculation Company. This company seems to have been composed of the Morgan brothers, a group of copra-traders operating in the northern islands, and the master of the Morgan's schooner, *Fairy Queen*, which carried their produce to Nouméa.⁷³ The company's claims seem, for the most part, to have been drawn up in haste on the deck of the *Fairy Queen*. According to a traveller who sailed in her through the group in the middle of 1887 and watched members of the Morgan family making purchases, the land was acquired 'merely to secure rights of every kind over it for trading purposes as against other whites & traders'.† But the papers to which the vendors affixed their marks‡ were outright sales and were registered as such. Large areas were claimed on Epi, Omba, Ambrym, Emae, Raga, Malekula, and Santo. Some small sites for copra stations were fairly well described; but the majority of claims were to great tracts of country with very inadequate identification, such as that

* For a review of British claimants to land in the New Hebrides, see Leo Layard to F.O., 24 May 1886, *FOCP* No. 5341. By July 1892 claims to 170 blocks of land had been registered in the High Commissioner's Office. One of these blocks was in Samoa, twelve were in the Solomon Islands, and the remaining 157 were in the New Hebrides. In respect of thirty-one other claims to land in the New Hebrides and eleven in the Solomon Islands, registration had been refused, since the boundaries given were incomplete. Even where boundaries were described sufficiently fully to meet the requirements of the registry, they were, in many cases, insufficient to enable the land to be clearly identified. (Thurston to C.O., 20 July 1892, encl. C.O. to F.O., 13 October 1892, *FOCP* No. 6399.)

† Gallop to Mrs Locket, 1 June 1887, Papers of Reginald G. Gallop. This observation is supported by the reports of many naval officers, as, for example, Legrand to Governor of New Caledonia, 11 April 1886, Des Granges Papers:

La réalité est celle-ci: Jamais un canaque ne vend une terre avec l'idée d'en être dépossédé. Il vend simplement le droit d'acheter sur cette terre les cocos et les autres productions du sol.

In 1889 another naval commander reported that the Marists who had settled at Port Sandwich, Malekula, on land supposedly bought and paid for, had met with strong opposition from the people: 'il a fallu beaucoup de peine pour leur faire comprendre qu'ayant vendu leur terres, ils avaient perdu tous droits dessus'. (Bigaut to Ministre de la Marine, 15 December 1889, *ibid.*)

‡ 'The land was pointed out to them and the various owners brought together & then the bargain struck for rifles, calico, muskets, pipes etc. etc. A Deed of Conveyance was then drawn out & opposite each of the vendor's names he had to make his mark: in fact Mr M. [organ] made the mark, the savage merely holding the top of the pen.' (Gallop to Mrs Locket, 1 June 1887, Papers of Reginald G. Gallop.)

known as ETICKA situate W. side of EPI bounded on the N. side by the Mission land running to a ridge of mountains thence in a straight line S.E. 4 miles thence in a straight line to Sea beach S. boundary marked by a tree with top cut and mark M.V.⁷⁴

The South Sea Speculation Company seems to have represented an attempt by the Morgan family to set up in opposition to Higginson.* Within a few months of registering its claims, however, it had sold them to the C.C.N.H.—whether because, as Layard believed and other evidence suggests, the Morgans had been prevented by the High Commissioner's anti-settlement policy from attracting capital to develop the land;⁷⁵ or, as 'The Vagabond' asserted, because their sole object from the first had been to make a quick profit at the expense of the French and the New Hebrideans. According to 'The Vagabond'—who was then in the New Hebrides and was probably drawing on local gossip—W. E. Morgan had sold the land, to which he had registered claims, even before he paid the vendors for it;⁷⁶ this seemed to indicate that the High Commissioner's registry had been used to appreciate speculative land purchases. Whatever the motive, the effect was that, as Higginson wrote:

J'achète des terrains, de leur côté aussi, les anglais achètent des terres, mais la plupart du temps leurs propriétés quoique dument enregistrées par les autorités anglaises, tombent entre nos mains. . . .⁷⁷

Continued complaints from Layard in the late 1880s that the High Commissioner's refusal to sanction inter-island recruiting had inhibited large British companies from beginning large-scale planting operations in the New Hebrides would seem to justify Des Voeux's policy on its commercial premise. Whether its results in that group justified it on its humanitarian standpoint could only be decided by considering, in somewhat abstract fashion, whether the existing known and suspected evils resulting from unregulated recruiting and employment of labour were greater or less than would have resulted from increased settlement following on the traffic's recognition and attempted regulation.

Much of Des Voeux's attitude had clearly derived from a conviction that no regulation could be wholly effective. When, in the early 1890s, the High Commissioner's refusal to sanction the inter-island labour traffic was challenged by more powerful interests than before, it was on this that

* Higginson thought it was a very serious threat and regarded it as an act of treachery on the part of John Morgan, his protégé and partner (*Les Nouvelles-Hébrides*, p. 19). According to the Governor of New Caledonia, W. E. Morgan had approached Sir Julius Vogel with the object of forming a syndicate to develop the company's lands; he was also supposed to have made a similar approach to the German Consul-General in Sydney (Le Boucher to Ministre de la Marine, 5 September 1885, Des Granges Papers).

Thurston took his stand: that without a large and expensive establishment in the New Hebrides, which there was no prospect of providing, it would be impossible to enforce regulations; therefore, to issue them and grant licences would simply enable planters to cover, under a specious legality, conduct which might continue to be improper.⁷⁸

There was no doubt some justification for this attitude when the planters in question were men like William Ford of Efate and George de Lautour of Aore; Layard was constantly singing their praises, but the former apparently left his New Hebrides plantations as financially burdened as his Rewa estate* and the latter—who claimed 44,532 acres on Aore and the south coast of Santo—became a megalomaniac and was killed eventually as a result of interfering in the affairs of the neighbouring village, of which he claimed to be a chief. Near his gates was erected the notice:

Dogs and Niggers are forbidden to enter inside the Portals of those Gates. Any Dogs or Niggers found therein will suffer the Penalty of Death.†

It was less obviously applicable to a respectable concern like the Australasian New Hebrides Company. This was formed in Sydney in 1889, boasted a directorate on which were represented Burns, Philp & Co. and other established firms, and had as its avowed object 'the securing of these islands for the British and the expulsion of the French'. The company was started in answer to the call of the Presbyterian Mission, whose members hereafter conducted one of their periodic anti-French campaigns and gave assistance to the company in buying land.⁷⁹

The company denied any wish to sell arms or liquor. In May 1890 it registered with the High Commissioner claims to land on Epi, Santo, and Emae, purchased direct from native vendors in the previous year, as well as to large blocks on Efate and Tana with title based on deeds of twenty years before in the names of Lewin, Hebblewhite and other long-vanished

* Ballande et fils to Thurston, 4 March 1888, *WPHC Inward Correspondence, General*, no. 112 of 1888, requesting assistance to realise on overdue promissory notes which they held from Ford. After selling Tukutuk to Higginson he had gone north through the group in the Queensland labour vessel, *Borough Belle*, buying land; he eventually opened another plantation in the Banks Islands. This came into the hands of Messrs Ballande, the Nouméa firm which financed him.

† Roberts & Roberts to Thurston, 21 March 1894, *WPHC Inward Correspondence, General*, no. 79 of 1884; de Lautour to 'any naval commander', 10 March, 8 September 1887, *RNAS*, XXIV. De Lautour was killed in 1890. The execution of his three murderers by Captain Davis at Aore was the subject of a difference of opinion between High Commissioner and Commander-in-Chief and one of the reasons why a local ordinance was passed in Fiji to permit the detention in the colony of native offenders from the Western Pacific. (Davis to Scott, 22 November 1890, *WPHC Inward Correspondence, General*, no. 358 of 1890, with High Commission minutes; Scott to Thurston, 29 January 1891, with encl., *ibid.*, no. 1891; Douglas Rannie, *My Adventures Among South Sea Cannibals*, p. 152.)

planters.⁸⁰ In 1891, having placed nine settlers on 24,000 acres on the south coast of Santo, it approached the High Commissioner for licences to recruit labour for them. It demanded:

Equal liberty in all things that are right, equal restrictions in all things doubtful, and equal prohibition in all things wrong, for all nationalities.⁸¹

A concerted attack was then launched on High Commission policy, in which the company was joined by the Mission, and both invoked the aid of the Federal Council of Australia. In June 1890 the Mission Synod, meeting at Havannah Harbour—which by then had been replaced as the group's metropolis by the French settlement at Vila—resolved that it would be in the native interest if British subjects were encouraged to settle the group. Present regulations were 'so inadequate and unequal as to deter the most desirable class of colonist. . .'. It therefore urged

that the Imperial Government be moved to provide that British subjects may be enabled to obtain legal title to their lands, and also . . . lawfully to engage the natives of one island . . . to labour on another.⁸²

The arms and liquor regulations should either be applied equally to all nationalities or rescinded, and recruiting for plantations outside the group should be prohibited. At the Fourth Session of the Federal Council in 1891 resolutions were likewise passed against unilateral trade restrictions in the New Hebrides and urging that, under proper regulation, inter-island recruiting should be permitted. Many speeches during the debate were exceedingly inaccurate on points of fact, however, and the Chairman of the Standing Committee wrote to the High Commissioner for elucidation of the situation.⁸³

In his reply of September 1891 Thurston observed that he regarded the removal of natives from one island to work on another as highly deleterious to them. After thirty years' experience of the labour trade, and given the existing condition of the New Hebrides, he believed that 'any hope in the efficacy of restrictions and regulations would be perfectly illusory'. In Fiji the constant vigilance of government was required to ensure proper treatment of labourers. In the New Hebrides there would be no guarantee of their fair treatment on plantations, nor that they had been properly recruited in the first place. It could not be supposed 'that I can encourage British subjects in establishing a labour traffic between the islands of the New Hebrides without any supervision whatever', which apparently was what the company and the Mission desired. Validation of land titles, which had been urged, was constitutionally impossible whilst no settled authority existed in the group. Registration, all that was possible, had been available

since 1886. Any relaxation of the arms and liquor regulations would be decidedly improper, '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'. He could not see

that the interests—and in some cases, perhaps the very existence—of the natives of the New Hebrides should be disregarded for no . . . better reason than that the natives themselves, being uncivilized people, have been unable to make any local laws for their own protection. Such people are . . . very much in the same position as minors, and no transaction with them should be recognized by civilized authority unless the nature of such transactions can be justified by their honesty and propriety.⁸⁴

If the dialectical honours went to Thurston—and the chairman expressed himself well satisfied with this reply—that was partly because the opposing case was so badly presented. The Mission was divided internally, between those in the islands who favoured inter-island recruiting, in order to facilitate British competition with the French, and those in Australia, who opposed it on general principles. The Mission Synod, in reply to its resolution, received a withering expression of the High Commissioner's surprise that on the arms question it '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', which moved it to pass a hasty amendment.⁸⁵

One of the company's settlers on Santo was killed soon after landing by people who had claims to his land which were not settled when it was bought through the agency of Landels, the missionary on Tongoa.⁸⁶ The company, in its applications to Thurston for recruiting licences, incautiously revealed that it would expect labourers to act as bodyguards for their employers, which gave him a debating-point against them.⁸⁷ The only settlers of theirs to make any headway, the Powell brothers on Santo, were able to get labour from a bush village: but they had no capital of their own and failed completely when the company refused to extend their credit.⁸⁸ It concentrated thereafter on commerce alone, winning the greater share of the carrying trade from the French company.

In correspondence with the Colonial Office also—which in 1893 at last pointed out that the Protection Acts only provided for a discretion in individual cases whether or not to issue a licence, so that a general refusal was tantamount to the addition by the High Commissioner of another provision to the statute⁸⁹—Thurston carried his point that, until it was possible for British authority to supervise adequately the treatment of

native labourers, inter-island recruiting should not be officially sanctioned.*

What made nonsense of this position in practical politics, however, was the group's divided control, which in turn stemmed partly from High Commission settlement policy. This, it would seem, was now outmoded. Given the obvious advantage which French interests drew from British disabilities, and the fact that those interests were notoriously unconcerned about islanders' welfare, it would, on Des Voeux's own humanitarian arguments, have been rational now to encourage British enterprise, in the hope that eventually foreign concerns might be displaced and full control obtained over European-native relations, the more so in that the High Commission still paid lip-service to the notion that, with other groups, the New Hebrides would eventually come under the aegis of a federated Australia.⁹⁰ But Thurston, though still advocating the appointment there of an efficient deputy commissioner, made it an accusation against the company and the Mission that their agitation was 'a combined attempt to force upon Her Majesty's Government an unnecessary diplomatic question'.†

This was to acquiesce in a diplomatic arrangement whose practical inadequacy had been recognised whilst it was still being negotiated. And, as a result, the affairs of the group in which European settlement was most intensive and native relations most complicated were left, until 1902, to the sole official surveillance of those naval commanders, whom twenty-five years before Sir Arthur Gordon had so fervently desired to supplant.

IV

So far as concerned the two powers whose nationals were most involved, the international status of the New Hebrides was defined by the Anglo-French agreement of 1878, which guaranteed its independence and neutrality.⁹¹ From this agreement resulted the group's prolonged lack of

* Thurston to C.O., 7 June 1893, *CO* 225/42; C.O. to Thurston, 10 August 1893 (draft), *ibid.* It was probably the stress which Thurston laid on the fact that 'no supervision could prevent an unsuccessful planter . . . heavily in debt, from making default in his contract with regard to payment of wages and return home', which weighed most with the Colonial Office. The question was raised again later that year by the London Missionary Society (encl. F.O. to C.O., 21 November 1893, *CO* 225/44). Strong opinion was expressed hereon in the department in favour of regulation rather than prohibition; but the problem was again referred to Thurston who, in his despatch of 21 March 1894 (*CO* 225/45), insisted that no regulations to facilitate the employment of labourers should be issued, 'except for places where Her Majesty's Government can provide means for their enforcement'. Once more, he carried the day.

† Thurston to C.O., 17 February 1892, *WPHC Despatches to S of S*. Those interested in developing the New Hebrides sometimes asserted that Thurston opposed settlement there because he feared competition with Fiji in the limited market for tropical products. Since he frequently sent New Hebrides planters specimens from his own botanical gardens, this was perhaps untrue; but he certainly had a deep contempt for the group's potentialities. This emerges very clearly from his report on a visit to the New Hebrides in 1891 (Thurston to C.O., 5 November 1891, *WPHC Confidential Despatches to S of S*).

civil government and its subjection to an ineffectual condominium in 1906.

Before March 1885 Britain was not wedded to the stalemate. In August 1883, on Layard's report that Higginson had bought an acreage which gave his new company a commanding position in the group, Fuller thought that 'it does not matter very much what the French do in the New Hebrides as it seems to be pretty well understood that we can hold them to their agreement or release them from it at pleasure'.⁹²

Current disposition in the Colonial Office was to let the islands go to France. In the previous month, after groundless reports that the tricolour had been hoisted, Herbert remarked that he had 'for a long time contemplated without much apprehension the probability of the New Hebrides being annexed by France'. There was 'perhaps no place in the world, looking to the close neighbourhood of the New Hebrides to New Caledonia, we should be less likely to keep the French out of in the long run'.⁹³ And in October 1884 he was ready to 'let them go thither, if without convicts, to avoid having them in more inconvenient places'.⁹⁴ But in March 1885 the Parliamentary Under-secretary of State, in a Commons debate, was forced to give an undertaking that France would not be allowed to annex the New Hebrides without prior consultation with Australia and except on conditions absolutely satisfactory to the colonial governments. The Secretary of State acknowledged that this had committed the government: no secret compact between the two governments could give France the New Hebrides; she must offer for them compensation acceptable to Australia.⁹⁵ The Colonial Office still wished, however, to dispose of the group as quickly as possible, for a *quid pro quo*.⁹⁶

In the following year popular agitation in Australia and New Caledonia combined with diplomatic activity in Europe to bring the question to a crisis. The Colonial Office saw the opportunity to effect an exchange in the Australasian interest by accepting France's offer to end the transportation of recidivists to all her Pacific territories in return for a free hand in the New Hebrides. This solution, strongly urged on them by the Secretary of State, was turned down by a majority of the colonies. Their refusal obliged the exasperated imperial government to secure France's agreement that an Anglo-French Joint Naval Commission should be set up to safeguard the nationals of the two powers in the group.*

* The attitude of the colonies is closely examined in Judith B. McCullough, 'The Australian Reaction to the New Hebrides Crisis of 1886' (M.A. thesis, Melbourne, 1956). The chauvinistic temper of this reaction is indicated by an editorial in the *Age* (Melbourne), which observed that, if European powers should seize the Pacific Islands, then 'The recovery of the Islands would be the dominant purpose of our national life, and we should not be satisfied till the flag of Australia floated over the entire Southern Polynese and we had made our sovereignty felt in New Caledonia itself'. (*Age*, 24 March 1886.)

It was utterances such as this that led the French to send troops to the New Hebrides that year.

In November 1887, after delay resulting from ministerial crises in France and from French insistence on linking the New Hebrides crisis with problems requiring settlement in other areas of colonial rivalry, it was agreed that such a commission should be immediately constituted. It would be composed of five serving naval officers, 'charged with the duty of maintaining order, and of protecting the lives and property of British and French subjects . . .'. These officers were to act in accordance with Regulations annexed to the Declaration and with any further Regulations which might be decided on by the two governments. The six Regulations annexed, signed in January 1888, stipulated that, in the event of disturbance threatening life or property, the Commission should assemble and take what measures by act of war it thought necessary; no single commander of either nationality should take independent action, except in cases of urgent necessity, and on these occasions he should immediately afterwards report to the Commission; no landing force should remain ashore longer than the Commission thought necessary to restore order. Its powers were to be limited to those expressly delegated, and it was not to interfere 'in disputes concerning the title to land, or dispossess of their lands any persons, natives or foreigner'.⁹⁷

The inadequacy of this arrangement—the Commission's confinement to cases requiring act of war, its lack of authority in civil disputes—was obvious to officers at the first meeting at Nouméa in April 1888 and had been equally apparent in London whilst the terms of the Declaration and Regulations were being discussed. Attention then had centred on the need for an arbitrating authority in land disputes. Already the unofficial mediation of a naval officer had been needed to settle a dispute at Havannah Harbour between the French company and the Reverend D. McDonald, who was acting on behalf of his mission village.⁹⁸ The Colonial Office tried, therefore, to establish the point that 'the protection of the property of British & French subjects . . . includes the power of determining what such property consists of . . .'.⁹⁹ The Foreign Office considered that land disputes should be settled by consuls appointed as land commissioners *ad hoc*, whose decisions the Joint Naval Commission would enforce, and suggested to France that the necessary machinery should be provided in the Regulations.¹

Urgency was added when Sir F. Dillon Bell—Agent-General for New Zealand, a man with close French contacts—pointed out that the Joint Naval Commission, though satisfactory enough as a bridge to get the French troops out of the group, was 'altogether inadequate for the future requirements of the joint occupation of the Islands by English & French planters and traders'. There would be constant need for a joint civil and criminal authority to try cases between the two nationalities. French citizens

were at present formally subject to no authority whatever. It was felt—as the event proved, justly—that the French company's managers might advance its interests in land disputes by provoking disturbances with the islanders and then calling on the Joint Naval Commission for protection.² Discussion on these matters was held over in order to concentrate on getting the essentials of the new measure into action, and though taken up again it was brought to no satisfactory conclusion.

Thus in May 1888 the British ambassador was directed to point out to the French government the need to provide means to settle disputes between their nationals and for the trial by due legal process of native crimes and offences against them. He was to suggest the early formation of 'Territorial Courts composed of the native chiefs of the locality and of British and French officials who should adjudicate on all land claims' involving their nationals. These courts should also exercise criminal and civil jurisdiction in cases between Europeans and natives, and in the latter's complaints against British and French nationals.³ In November 1888 France replied

that the proposals . . . would modify, in essential respects, the state of things . . . established in the New Hebrides as the result of recent negotiations, and in which the independence of the Archipelago was recognized.

Exception was also taken to the proposal to appoint resident deputy commissioners for both powers. Their presence, M. Goblet considered, 'would . . . be a serious encroachment upon this independence'. And the creation of mixed tribunals would 'directly traverse the idea which inspired the arrangements of 1887-88'. The French government considered it desirable 'not to exaggerate the number and importance of native claims', whilst Anglo-French disputes over land and other questions could, as hitherto, be settled by negotiation between the two cabinets.⁴

To this position France adhered for the next fourteen years. In 1891 Britain again strongly urged that combined action should be taken to provide for the local settlement of land cases and to prohibit trade in arms and liquor. This could be done, Britain suggested, by widening the Joint Naval Commission's authority to enable it to prosecute the nationals of either power who traded in those articles and to settle land disputes. France, significantly, expressed reluctance to place any restraint on her nationals in islands where 'il s'agissait de constituer la société elle-même'.⁵ She wanted, in fact, either partition or annexation to herself; it was not good policy to make the *status quo* a comfortable one.

The result was that, for thirty years after the issue of the principal Western Pacific Order in Council, the New Hebrides were more the Alsatia of the Pacific than Fiji had ever been. The group's European population—

an estimated 182 in 1890, 105 of them British and 68 French; in 1900, 366, of whom 169 were British and 172 French—was composed of planters, copra-makers, recruiters, traders, and missionaries.* The copra-makers lived from hand to mouth, the planters were handicapped by lack of labour and capital; it was a constant struggle to keep afloat. The dissemination of rumour—principally as to the imminence of French annexation—and the consumption of liquor were the chief forms of recreation. Existence was precarious and the High Commissioner brought none of the relief expected from him when his office was created.

In the absence of a resident deputy commissioner in the New Hebrides, it was matter for speculation whether in law a suit originating there could be heard in Suva.† When in 1888 New Guinea's status was finally settled, a third deputy commissioner's salary was at last available again for the Western Pacific proper and H. H. Romilly was appointed to reside at Havannah Harbour. He was now a disappointed man, made the most of his difficulties—which were considerable—caused scandal by his quarrels with McLeod, in whose house he was obliged to live, and on France's insistence was withdrawn in December 1889.⁶ British commanders serving in the group, whether members of the Joint Naval Commission or not, continued to be appointed deputy commissioners, reporting in that capacity to Suva; but when Thurston commented unfavourably on Captain Davis's execution of de Lautour's three murderers on the beach at Aore, the Commander-in-Chief insisted that the 1887-8 system had extinguished the High Commissioner's authority in the group. The Law Officers ruled otherwise; eight years later, however, when he had to decide the question of jurisdiction in Martel's case, the Chief Judicial Commissioner initially

* Thurston to Munro, 17 September 1891, *VPP*, 1891, VI, p. 890; 'Australian Station, New Hebrides, 1900', Appendices I-VI, encl. Admiralty to C.O., 9 March 1901, *CO* 225/61. It should be noted that a very large part of the British population was always made up of the wives and children of the Presbyterian missionaries. The French planters, on the other hand, were far less prolific.

† Minute by Berkeley, 26 June 1888, *WPHC Inward Correspondence, General*, no. 122 of 1888. Several probate cases were dealt with in Suva, but neither of the two civil actions which were begun in the High Commissioner's Court against British residents in the New Hebrides was proceeded with; problems of communication were too great (see *WPHC, High Commissioner's Court for the Western Pacific, Minutes of Proceedings*). That New Hebrides residents were, at least, conscious of the existence of the Court emerges from a letter written by Donald McLeod to John Young, when the latter refused to give McLeod, as agent for the *Compagnie Calédonienne des Nouvelles-Hébrides*, possession of the land which Young had sold to the company:

You are an unprincipled low Bloody Scoundrel not one item of principle in you after getting so much by Fraud from the Company you refuse to give up to them their Property . . . if I had you up in Fiji there would be five years sticking out . . . for the cattle you have sold belonging to me. (McLeod to Young, 13 March 1883, *RNAS*, XXXII.)

decided as the Admiral had argued, since, in the interim, he had had no experience of judicial intervention there by the High Commission.⁷

Both before and after 1887-8, indeed, the High Commissioner's most positive efforts in the group were directed towards attempting to catch Donald McLeod red-handed aboard one of his schooners, flying British colours, with islanders aboard and no labour licence; no success was recorded. French residents (until 1901, when the Governor of New Caledonia was given jurisdiction over them) were responsible formally to no authority and others had not even the displeasure of naval commanders to face. Here the classic example was again provided by Proctor who, after a sojourn in Apia, returned to the New Hebrides, became an employee of the Australasian New Hebrides Company and in December 1892 shot a native at Vila whilst in a drunken fit. He was seized by the citizens and sent in irons to Suva, where there was no authority to hold him, even in the U.S. commercial agent, and he had to be released.⁸

There were occasional attempts by planters to establish a local government, covering the plantations of Efate, to meet emergencies such as this; but these were always frowned on by the two powers and discouraged by their naval commanders.* And so the government of the group rested, at different levels, with the Joint Naval Commission and the Presbyterian Mission, the latter of which conducted a species of local government among its Melanesian church members.†

The Joint Naval Commission—meeting regularly during the season, both at Nouméa and in the group—was the sole formal embodiment of government in the New Hebrides until 1902. It readily fell into a settled routine of inquiry, report, and action on incidents, in which relations between the officers engaged were exceedingly harmonious. They were members of the same profession, engaged on extra-service duties for which they had no great liking. In the 1890 season the three ships of the Australian Squadron which served there handled, with their French colleagues, a typical assort-

* In 1889 Chevillard and others formed the Municipality of Franceville, an ambitious attempt at local self-government. The arrival at Havannah Harbour of Romilly as British Consul and Deputy Commissioner to the New Hebrides later that year served to detach McLeod and other British subjects from the municipality, which was already in difficulties as a result of its lack of an effective executive arm. (Bigaut to Ministre de la Marine, 12 October 1889, Des Granges Papers.) The refusal of both Britain and France to recognise the municipality brought it to dissolution. The position of the French residents remained especially desperate, in that they had no means even of solemnising marriages. In February 1895, therefore, another local jurisdiction was established, called the 'Union des Colons', which seems to have been especially concerned with enabling planters to contract, locally, regular marital unions. (Extracts from *Le Courier des Nouvelles-Hébrides*, 14 August, 30 September, 1895, *ibid.*)

† See below, pp. 236-7, 243-6.

ment of cases. These included: the complaint of M. Lachaise on Malo that a wooding party from Queensland's *May* had damaged his coconut trees; the shooting of a recruit who ran amok aboard the *Nautilus*; the destruction of native gardens at Havannah Harbour by cattle straying from nearby European plantations, the murder by natives of M. Mercier on Omba; the Epi land dispute between Louis Fraser and M. Brulon; and the complaint of George de Lautour that cutters under U.S., French, and German colours were coming over to Aore from neighbouring islands to buy pigs with rifles and ammunition, to the peril of local settlers like himself. Brulon's Malekula store had been pillaged by natives, the French company's *Marie* was accused of improper recruiting, Père Deniau of Malo complained that the *Roderick Dhu* had taken a boy of under sixteen from his mission school, McLeod's *Windward Ho* was caught selling rifles at Raga, and Frank Whitford had carried off three labourers from the French depot at Havannah Harbour.

These cases illustrate the several jurisdictions involved. Where offences fell within the scope of the Joint Naval Commission itself—like Mercier's murder and the pillaging of Brulon's store—they were settled on its authority, after discussion, by the national ship of the man involved or, if a larger demonstration seemed required, by those of both powers acting together. The *Windward Ho*—caught, for once, without foreign papers and without McLeod aboard—was fined by the British commander, acting as deputy commissioner, under Queen's Regulation No. 1 of 1884. The Havannah Harbour affair—part of the old dispute between the Reverend D. McDonald and local agents of the French company, which was constantly breaking out afresh—was quietened *ex officio* by naval mediation.⁹ In such cases the Joint Naval Commission was, of course, expressly debarred from interference; but, of necessity, it exercised herein a *de facto* authority. This at the turn of the century brought it into conflict with the Mission and involved it in supporting dubious transactions.

Until late in the century plantation activity was almost entirely confined to Efate. British planters were concentrated in a small area at Undine Bay, on and around the land of the late Robert Glissan. The French—whether individual plantation owners or the company's settlers—worked much larger areas at Mélé and Tagabé in the vicinity of Port Vila. But in the late 1890s the Société Française des Nouvelles-Hébrides began to turn its attention to other islands.* It claimed to have bought 780,600 hectares

* The Compagnie Calédonienne des Nouvelles-Hébrides became the Société Française des Nouvelles-Hébrides in April 1894 when, in order to avert bankruptcy, it was reconstituted under government supervision.

in a group whose total area was estimated at 1,467,320 hectares.* These vast tracts of country had mostly hitherto been in the undisturbed possession of the alleged native vendors.† Now some of them—especially those on Epi—were divided on the maps into 50-hectare blocks and offered for the choice of new *colons*. The latter, having chosen their land, had to carve plantations out of the bush. Everywhere their problems were the same: lack of capital, a problem heightened when the S.F.N.H. itself underwent a financial crisis in 1902; no reliable supply of labour; and—the cause of this latter difficulty, in many instances—the bitter hostility of the Presbyterian Mission.‡ To this was often added the hostility of the New Hebrideans themselves, for in many instances the land on which planters installed themselves was not all virgin bush, but included cultivated village gardens, which the people had no recollection of selling.§

These attempts to turn paper titles into actual plantations caused the pretensions of the S.F.N.H. to be challenged seriously, by missionaries especially. The emphasis in land cases changed from disputes between European traders over the priority of rival deeds to the same, generally small, pieces of land, to disputes between planters and New Hebrideans over the right to occupy large areas. Sometimes islanders who were threatened with expropriation fought back unaided. Early in 1900 settlers on the

* Ernest Davillé, *La Colonisation Française aux Nouvelles-Hébrides*, pp. 86-7. An apt comment on Davillé's figures is Fraser to Paton, 3 September 1900, encl. Paton to C.O., 25 April 1901, CO 225/62:

The charts of this Company are, I believe, about the finest works of imagination extant. It is easy to buy a small frontage on the sea, and claim a depth of 3 miles; but I pity the man who comes to take possession.

† A company plantation had been established on the Segonde Channel for seven years. According to a French naval officer, there was always tension between the planters here and the Santo people:

Une tribu voisine a déjà réclamé à nouveau le paiement de la terre mise en culture par la Compagnie sous le prétexte que la vente avait été faite à l'agent appelé Bernier qui précédait M. Clemenceau, actuellement directeur à Luganville. Ces indigènes ont la prétention de rentre en possession de la terre qu'ils ont vendue à Bernier, parce qu'ils ont appris la mort de cet agent. . . . (Gadaud to Ministre de la Marine, 30 April 1892, Des Granges Papers.)

‡ The problems encountered by planters in the New Hebrides are vividly described in answers by French settlers to a circular issued by their High Commissioner in about 1930, asking for an outline of their family histories in the group ('Historique de la Colonisation', French Residency, Vila). According to M. Auguste Lançon, of Epi: 'Ce qui permet aux premiers colons de réussir au debut était outre le secours financier apporté par les maisons de commerce, l'abondance de main-d'œuvre et le peu de dépense pour celle-ci'.

§ It frequently occurred that when planters began to clear the large areas which their title-deeds showed to have been alienated, the natives protested that they had only sold blocks of a few acres, which they pointed out with every indication of good faith. (See, e.g., Riddle to King, 5 April 1908, British Residency Minute Papers, no. 124 of 1908.)

west coast of Malekula were attacked by people expressing hatred of whites who came to cultivate, led by a man who declared 'that . . . he will purge the country of the white men who are there, and that he has no fear whatever of a ship of war'.¹⁰ Villages were shelled in reprisal. In disputes on Epi the Mission acted as intermediary and the Joint Naval Commission intervened in a more subtle fashion.

At Yemiu, on the west coast of Epi, the company in 1898 landed planters, led by M. Beaulieu, on land which, according to its plans, consisted of a large tract running three miles inland, bought by Gaspard. The islanders denied having sold more than a narrow coastal strip. Critical examination of the deed seemed to support them, since it bore the marks of the two men who were acknowledged to have possessed rights over that strip, but claimed to include—apart from the great inland tract over which none of these coast people claimed ownership—an adjacent parcel belonging to a man who was in Queensland at the time of sale.¹¹

The settlers asserted their claim by force, even to the burning of villages. The islanders were supported by their missionary, the Reverend R. M. Fraser. Both sides appealed to the Joint Naval Commission as the only constituted authority in the group, the company proclaiming that the planters 'will never give way before the usurpers, and are justly determined to keep at any price the lands they hold from the French Government'.¹² In September 1900 the Joint Naval Commission inquired unofficially and concluded that the planters' case was sound—although, as Fraser protested,

there was only this deed, whose contents were not read to the man who signed it, which does not tally either with what he acknowledges to have sold, or with the property over which he had jurisdiction, and which claims ten times as much territory as this chief ever owned.¹³

Beaulieu, by way of compromise, offered to let the people occupy a village site on it so long as they acknowledged his right to all the land claimed and would serve him as plantation labour. The British naval commander, Captain Rich, seemed to think that Fraser's indignant refusal of this was unreasonable and, although the Commission professed to give no decision on a matter wherein it had no authority, the settlers, in continuing to seize land, asserted that it had given 'a verbal decision' in their favour.¹⁴ The forcible occupation of land on the strength of Gaspard's swollen title-deeds was thus facilitated by the unofficial intervention of a body which was formally debarred from deciding land cases.*

* The Rev. T. Smail of Epi complained that British naval commanders were too readily impressed by the S.F.N.H.'s deeds, however incredible these might appear to anyone who knew the country, and that: 'They will not come to grips with their subject, but only touch it with the tips of their fingers, as though the Islands were not worth their strenuous endeavours.' (Smail to Bolton, 4 September 1901, A35.)

The arrival in 1902 of resident deputy commissioners appointed by each power brought civil government little closer to the European residents and not at all to the New Hebrideans. Nor did the imperial government's appointment of Captain E. Rason, R.N. (rtd.)—who, as commander in the *Royalist*, had served in the group in the late 1890s—represent any change in its attitude. This remained one of indifference, coupled with recognition that, in view of Australia's continued intransigence, the political stalemate must be maintained. The appointment was made simply in response to the appointment of a French Resident.* For the High Commission it meant closer involvement with, and more direct responsibility for, the affairs of islands of which, in effect, it had previously largely washed its hands.

Rason realised immediately how little of the actual state of affairs had come to the knowledge of the Joint Naval Commission, especially as to the amount of liquor sold to natives and by whom; but he had no establishment, except a Fijian crew for his open whaleboat, and despite constant perambulations through the group he was able to achieve little. Traffic in liquor was not much hampered. In 1904 1,600 gallons of the peculiarly virulent brand of gin which was sold exclusively to islanders passed through Nouméa for the New Hebrides, much of it undoubtedly to be disposed of by British subjects.¹⁵ And the recruiting and employment of labourers remained in as anomalous a condition as ever.

Rason, who was specifically instructed by the Secretary of State to inquire into the labour situation, discovered enough to convince him that both labourers and employers would be better off if British recruiting were permitted and if employment on plantations were brought under control by the issue of regulations. Apart from his belief that labour on European plantations was of therapeutic value to islanders,† the main points of his argument were the familiar ones that through inability to obtain sufficient labour British planting had been reduced to a minimum, that to obtain men roguery was necessarily resorted to by British nationals, which reflected no credit on the High Commissioner, and that labourers thus obtained were legally little better than slaves. Whilst the Protection Acts were the sole enactments bearing on the subject, he could demand no lists of labourers employed, nor exercise any effective control on the manner in which they were treated. And their recruitment was in the hands of French recruiters, whose methods were suspected of being—and later

* The newly appointed French Resident Commissioner acted under the Governor of New Caledonia.

† Rason was greatly concerned about the decline in numbers of the New Hebrideans; the only panacea that he could see was the stimulus which he thought would be provided by labouring on European plantations.

proved to be—very dubious. He therefore drew up regulations, to be issued by the High Commissioner, giving exclusive oversight and wide powers of control over the recruiting and employment of native labour to the resident deputy commissioner.¹⁶

The fate which these recommendations met in Suva throws light on the state of the High Commissioner's Office after the death of Thurston and the departure of Collet. Thurston's successors as High Commissioner were men previously unacquainted with the Pacific, who required a more efficient and interested Secretary than Collet's successor, Merton King.* Sir George O'Brien, who followed Thurston, at first found it difficult to understand why British residents were obliged to pay £8 to £10 to French recruiters for each labourer. When the threads of policy were brought together again, it seemed to be agreed that with some supervision, even by naval officers, British recruiting might be permitted.¹⁷ With Rawson's appointment, therefore, the question was simply one of arranging details. These, however, never were arranged. On Rason's recommendations and on the Secretary of State's despatches prompting action thereon, doubts were expressed in the High Commissioner's Office whether, without an expensive staff, Rason would be able to exercise effective supervision.¹⁸ Action halted also on the consideration that, in order to replace the £500 bond required by the Protection Acts—which British recruiters could not have afforded—with one of £100, as Rason recommended, an amending act would have to be passed.

The former objection seems the less admissible in that C. M. Woodford was now promoting large-scale European development of the British Solomon Islands Protectorate with only a handful of white assistants and without the support which Rason would have received from naval deputy commissioners.† To offset the latter objection, a bill was prepared in the Colonial Office in 1904; that it was never proceeded with was largely due to bad filing in Suva. On a despatch of that year from the Secretary of State, the High Commissioner directed King to draw up regulations such as Rason had proposed. This was never done and the despatch, with another on the same subject, together with Rason's draft regulations, were

* For an instance of King's failure to comprehend Western Pacific realities, see his minute on Rason to im Thurn, 3 January 1905, *WPHC. Inward Correspondence, General*, no. 169 of 1905. On Rason's request herein to be allowed to appoint a white policeman to assist him in maintaining order amongst British residents in Vila and in the islands generally, King observed: 'Mr Hunter of Tonga with more British subjects and an equal tonnage of shipping manages without a white policeman'. There was, of course, no parallel whatever between the firmly policed Kingdom of Tonga and the anarchic New Hebrides, as King himself was later to discover by experience (see below, p. 229).

† See below, pp. 264-70.

all lost. In 1905 when, after repeated protests from Rason and during King's absence on leave, this lapse was discovered, the question had to be discussed again from the beginning.¹⁹ And by that time this matter at least was soon to be settled by the Anglo-French New Hebrides Convention, ratified in London in October 1906. Hence emerged the Anglo-French Condominium, whose most obvious effect was to add an official element to the pandemonium for which the group had long been so notorious.

The New Hebrides Governed, 1906-1914

I

The Anglo-French New Hebrides Convention of 1906 emerged from negotiations the original object of which, on the British side at any rate, was to establish a tribunal to settle land disputes. The Colonial Office for several years had been under pressure to set up such a tribunal. The Presbyterian Mission gave great prominence to the Epi land disputes in particular. Its delegations bombarded with protests the Federal Ministers of the newly-formed Commonwealth of Australia.¹

The Commonwealth was heir to a twenty-year-old tradition of would-be imperialism in the Pacific. In the correspondence of the early 1880s its officials found the promises of the Colonial Office that when federation was achieved the imperial government would give greater weight to Australian views on the future of the islands.* And, quoting these, it demanded intervention in the New Hebrides.²

The Colonial Office also received memoranda from the naval commander-in-chief on the increased complexity of the land situation and the inability of the officers of the Joint Naval Commission to deal with it. In March 1901, therefore, it suggested that France should be invited to join in establishing an International Land Claims Commission in the New Hebrides. In June, France expressed agreement in principle.³

There was immediately a fundamental difference of opinion between the two countries as to what the powers and functions of the commission should be. In the British Colonial Office it was assumed that a lands commission in the New Hebrides would inquire into the validity of all titles, as had been the case with the commissions which had sat in Fiji, Samoa, and West Africa. The Colonial Office suggested that there should be applied in the New Hebrides the same tests as in Samoa under the Berlin Treaty: whether

* In a paper prepared in about 1904 for the information of the Commonwealth's Minister for External Affairs—probably by the Secretary of the Department, Atlee Hunt—the writer reviewed the correspondence of 1883, in which the Secretary of State had urged federation as an indispensable prerequisite for Australia's obtaining political control of the Pacific islands, and concluded: 'It is to the problems arising from the neighbourhood of these Islands, therefore, more than to any other single cause that is due the existence of the Commonwealth'. (CP 146, no. 8380 of 1904.)

the sale was made by the rightful owner, whether it was for sufficient consideration, whether the property sold could be clearly identified.⁴ The application of these and other tests had resulted in a mere fraction of the land claimed by Europeans in Samoa being awarded to them, and it is likely that a similar result would have occurred in the New Hebrides. But to such a prospect there was no chance of the French government agreeing, given the nature of its relationship with the Société Française des Nouvelles-Hébrides.

Neither the S.F.N.H. nor its predecessor, the Compagnie Calédonienne, had been a commercial success. Both companies had spread their activities widely: they were engaged in trading and shipping, as well as in land-buying, plantation work, and the settlement of *colons*. They were often at odds both with their own *colons* and those who, like Chevillard, had established themselves independently. Their plantations were badly run. Their trading operations were hampered by their habit of charging far higher prices for goods than did their British competitors, the Australasian New Hebrides Co. and Burns, Philp and Co.⁵ And of their land purchases, a naval officer in 1886 had remarked that 'La propriété de la Compagnie est . . . une simple fiction', because native vendors believed that they were selling simply the right to trade with them for the produce of the land in question.* In the previous year, the Governor of New Caledonia had observed:

Depuis trois ans les capitaines de ses goëlettes acquièrent des indigènes toutes les terres que ceux-ci veulent bien leur vendre.

Je ne ferai que signaler ici le doute qui peut exister sur la valeur de contrats passés dans ces conditions. Il reste peu probable pour moi que des sauvages se rendent bien compte de la portée des engagements qu'ils prennent; lorsque tenté, par l'offre d'armes, d'eau de vie, d'étoffes, ils signent de leur croix un acte par lequel ils cèdent leurs droits de propriété à des prix tels que deux centimes par hectare de terre. Au seul point de vue du droit et de la Justice, le Gouvernement pourrait-il sanctionner en masse de pareils contrats?⁶

The French government decided that it could do so, for, as a factor in

*Legrand to Governor of New Caledonia, 11 April 1886, Des Granges Papers. He added:

elle le comprend si bien qu'elle en laisse la jouissance aux vendeurs sans exiger la moindre redevance. Elle n'est pas à même de prendre possession des achats; il lui faudrait pour cela une armée considérable. Si les canaques étaient réellement dépossédés des terres qu'ils ont vendus ils mourraient de faim ou devraient gagner l'intérieur des terres.

Les acquisitions continuent, et chaque jour la Compagnie ajoute à ses nombreuses propriétés quelques milliers d'hectares, pour les naturels la vente est une simple formalité qui leur rapport des fusils sniders, des cartouches, des pipes et du tabac. Aussi n'hésitent-ils pas à vendre 2 ou 3 fois le même terrain qu'ils en soient ou non les propriétaires. Il y a là évidemment une spéculation, une combinaison savante dont la portée m'échappe.

the political future of the New Hebrides, Higginson's company was a success. Government found it impossible to ignore the commanding position which, on paper at any rate, it had obtained for itself in the group. Whatever public assurances the Minister for Foreign Affairs might give Britain that France had no designs on the New Hebrides, the Minister for the Colonies in departmental correspondence avowed that since 1882 French policy had been

à combattre l'influence anglaise par tous les moyens légaux à éliminer de l'archipel autant que possible, les intérêts britanniques et à leur substituer des intérêts françaises.

In 1887 it was thought that this policy 'nous conduira à bref délai à une possession effective et indiscutable des Nouvelles-Hébrides'. In order to offset the unfortunate undertaking of 1887-8 that the group's independence should be respected by both powers, the Minister for the Colonies strongly recommended that the French officers on the Joint Naval Commission should be instructed to advance their national interests by all available means.⁷

Moreover, as the financial position of the company became increasingly precarious, the government acceded to Higginson's pleas for monetary assistance. In 1888 a subsidy was granted, in return for which the company was to provide mail and other services. Under the convention of 1894—by which the *Compagnie Calédonienne* became the *Société Française*, with an annual subsidy of 760,000 francs for fifteen years—the government excluded Higginson and virtually took control of the company. The administration of its affairs did not greatly improve under the new dispensation; but in one respect the company's position was rendered secure, for in article 5 of the convention the government recognised the validity of all those titles to land whose value as unimpeachable witnesses to fair transactions was so dubious.⁸ Thus, in subsequent negotiations with Britain over the settlement of conflicting claims to land in the New Hebrides, France was committed to obtaining a procedure by which title-deeds would be accepted at their face value and which would permit no inquiry beyond them into the actual transaction on which they purported to be based.

The French answer to British proposals for a full-scale lands commission on the Samoa model was a decided negative. In June 1901 the French Ambassador replied that it would be sufficient to extend the powers of the Joint Naval Commission to cover the settlement of land disputes; disputes would normally be settled merely by establishing the priority of rival title-deeds and by demarcating disputed boundaries.⁹ On this the Colonial Office protested that in many, if not most, cases the very point in dispute was the actual validity of the title-deeds themselves. No inquiry

would be of any value unless it went beyond the ostensible titles to discover whether they were fairly acquired.

To accept without question title-deeds appearing on the face of them to be correct would not only be difficult (since in some cases there would probably be several claimants to the same land, all with apparently valid titles): but it would turn the whole inquiry into a useless pretence, which could only be a source of fresh disputes.

The Colonial Office insisted that the validity of title-deeds should be tested by inquiry into the manner in which they were acquired and that the principles adopted should be those employed in Fiji and Samoa, which

included the requirement that all Europeans claiming to have acquired land by purchase should give satisfactory evidence of the transactions with the natives on which they rely as establishing their title, & show proof that the land was acquired fairly & at a fair price.¹⁰

In August 1901 France agreed that a special commission on land titles should be established and asked for formal proposals as to the exact procedure which it should follow.¹¹ Regulations for the guidance of the commission were submitted in reply. They provided that certificates of validity might be issued where the commission was satisfied that the proper persons were parties to the transaction and might reasonably be considered to have understood it; certificates were to be refused where the description of the land purchased was insufficient to enable the commission to identify it, if the consideration paid seemed inadequate, or if it was shown that the title-deeds had been obtained by fraud or improper means. In April 1902 France retreated to her former suggestion that the Joint Naval Commission, assisted by two legal experts, should deal with land cases as they arose; she wished to avoid the necessity of passing legislation such as the establishment of a full-scale tribunal would require. The Colonial Office replied that the only satisfactory way to deal with land cases was to settle them once and for all in the manner which Britain proposed.¹²

France's answer was delayed until March 1904, when the French Ambassador protested that Britain's proposals constituted too great an interference; they would, in effect, put an end to that independence of the group which both powers were pledged to respect. He suggested that cases as they arose should be dealt with by the two Resident Commissioners who would settle them on the following conditions: rights established by three years' occupation would be incontestable; where claims were registered in Fiji or New Caledonia, their validity would be regarded as established; and, in order to prevent interference in bad faith by third parties, New Hebrideans would only be allowed to challenge claims if they could show

that they had direct personal interest in the land disputed. If these conditions were accepted, the Ambassador concluded, France would be prepared to consider favourably the question of prohibiting the sale of arms, ammunition, and alcohol by her citizens to the natives of the Western Pacific.¹³

To these proposals the reaction among officials in the Colonial Office contained a large measure of contempt. The effect of the proposals, observed a clerk, H. E. Dale, 'would be the wholesale swindling . . . of the natives'; the French scheme was monstrous: 'it amounts to wholesale plunder of the natives, for the benefit mainly of the French N. Hebrides Co.' Ommaney, the Permanent Under-secretary, noting that the S.F.N.H. had been careful to register its huge claims—'mostly fictitious'—in Nouméa, accurately added: 'If therefore we were to do anything so mad as to allow registration to confer title, we shd. simply hand over the bulk of the land to the French . . .'.¹⁴ At the end of March a strongly-worded memorandum was prepared in the Colonial Office, reiterating that no inquiry could be other than a vicious farce if it did not go beyond the title-deeds to examine the question of how they had been obtained:

Experience in countries where similar conditions prevail or prevailed (such as Fiji) abundantly shows that numbers of claims rest on no good title. The native vendor did not own the land, or did not understand what he was doing when he signed the deed of sale, or received either no consideration or an entirely inadequate one, or the sale may have been purely on paper, never followed by any bona fide occupation. There is no reason to think that on investigation such cases would be found to be less numerous in proportion in the New Hebrides than in Fiji; yet if the purchaser has registered his purchase at Nouméa & Fiji, his claim is to be granted absolute validity without investigation of the grounds on which it is based. In other words, claims of which it is reasonably certain that many have been acquired by force or fraud or both, are to receive the support & authority of the British & French Govts without the smallest enquiry whether they deserve that support.

The memorandum insisted that, 'from a sense of the consideration due to weaker races', the two powers should not enable their nationals 'to profit by the ignorance & feebleness of the natives'. It asked that a full-scale inquiry into land titles should be held and that principles like those suggested by Britain in 1901 should be adopted as the basis for the inquest. Conveyed to the French government in October 1904, it elicited only the reply that France hoped her counter-proposals of March 1904 might even yet serve as a basis for agreement.¹⁵

In April 1904 Britain and France had signed a declaration relating to certain colonial questions then outstanding between them. So far as the New Hebrides was concerned, they undertook to draw up an agreement

which, without altering the *status quo* of the group, would end the difficulties resulting from the absence of jurisdiction over the natives; they would also appoint a commission to settle land disputes between their nationals. This clause of the declaration, as the Colonial Office recognised, was meaningless, so far as the first part was concerned, since the question of establishing jurisdiction over the New Hebrides could not be dealt with, except by altering the *status quo* of the group;¹⁶ but the joint undertaking to appoint a lands commission represented a slight advance, although—as Dale observed—the French object still appeared to be

so to limit the powers of the Commission that a good part of the huge claims of the Fr. N. Heb. Co. will get through unchallenged, or at least without thorough investigation. . . .¹⁷

In September 1905 France asked that a conference should meet in London to iron out the existing differences as to what nature of inquiry should be held into land cases. In December, narrowly anticipating a British proposal to the same effect, she suggested that the scope of the conference should be enlarged to enable it to discuss the question of jurisdiction over islanders.¹⁸ Britain had already received the grudging acceptance in principle by Australia of a joint Anglo-French administration of the New Hebrides.* And on the first day of the conference the delegates agreed that they should 'endeavour to elaborate some form of administration which should have the effects of a Condominium or Joint Protectorate without the name'.¹⁹ At the next meeting general agreement was reached as to what form the administration should take. The New Hebrides were to be neutral territory, with no power exercising separate control. There were to be two Resident Commissioners, enforcing identical regulations affecting the nationals of both powers in such matters as recruiting and the sale of arms and liquor. A joint court composed of three judges, one a neutral, was to exercise jurisdiction in land and other disputes.²⁰

The question of dealing with land cases was, however, that which had first exercised the attention of delegates. With the civil administration thus tentatively agreed upon, they returned to it. Once again, there was conflict springing from the fact that both sides held diametrically opposite points of view. Whilst the British delegates pressed for the acceptance of the Colonial Office's draft regulations of October 1901 to guide the commission, the French replied that they could only discuss such an arrangement as that prefigured in the declaration of 1904. This, they had initially insisted, contemplated only 'the establishment of a Commission to decide

* Deakin to Governor-General, 29 August 1905 (confidential), CP 717, IV. Deakin had actually intended only to inquire about the prospect of a joint protectorate; he was indignant later to find his inquiry 'interpreted as a kind of recommendation' (J. A. La Nauze, *Alfred Deakin*, II, p. 448).

disputes between French citizens and British subjects, and not those between European settlers and natives.²¹ Moreover, they were at first opposed to a commission which would concern itself with claims hitherto undisputed and preferred some form of mixed tribunal which would consider cases as they arose. As discussion proceeded, however, they accepted the idea of a full-scale inquiry into European land claims which would deal with them once and for all. This was virtually the last concession of importance that they made.

The British delegates—amongst whom Cox and Dale represented the Colonial Office*—demanded an inquiry which would go behind the title-deeds and would assess their validity according to tests like those applied in Samoa. Their object, they asserted, 'was not only to prevent an injustice to the natives, but also to prohibit an undue absorption of great quantities of land'.²² The object of the French delegates, on the contrary, was to ensure that the vast patrimony of the S.F.N.H. should be assured to it unimpaired as a result of whatever inquiry might be held. They were perfectly well aware that the company's title-deeds would not bear the close scrutiny to which Britain proposed to subject them. As was observed by M. Saint-Germain, leader of the French delegation:

La plupart des titres de la Société Française no portent q'un définition imprécise du bien cédé, ou ont été acquis moyennant des compensations en nature de faible valeur. Enfin l'inquête sur les conditions de la vente donnait au témoignage incertain et suspect des indigènes, une importance inquiétante.²³

Therefore the French delegates insisted that great value must be attached to the fact of registration in assessing the validity of a deed and protested that no weight should be given to native evidence as to how the deeds had been obtained. The leading part in this was taken by M. Picanon, lately Governor of New Caledonia, who, on the strength of his supposed local knowledge, 'insisted on the untrustworthiness of native witnesses, their venality, and the impossibility of finding them'.²⁴

* Both were familiar with the correspondence. Dale—a second-class clerk and junior to Cox, who was legal Assistant Under-secretary—had expressed himself strongly on the morality of the French proposals; and they had seen the accurate and trenchantly expressed views of Ommaney, who in December 1905 had warned:

Registration is . . . the trump card of the New Hebrides Company: they know the unsoundness of many of their titles and are most anxious to be allowed to take refuge behind some sham of this kind. The one thing they fear is a legal investigation such as settled the land claims in Fiji on a just and satisfactory basis. Failing registration, they would like some kind of tribunal without expert knowledge or special training which they hope to be able to hoodwink. (Minute on F.O. to C.O., 13 December 1904, CO 225/68.)

The British delegates took a high moral tone in all the exchanges. When Picanon observed that the two governments were not responsible for what had happened in the past, Sir Eldon Gorst, the senior British member, replied that they would make themselves responsible if they ratified it now.²⁵ A memorandum was read by Gorst, which stated that British public opinion was extremely sensitive where the treatment of natives was concerned; it demanded 'that they should be treated not only with justice, but even with consideration extending perhaps beyond the limits of the strict justice applicable as between Europeans'.²⁶ And yet it was the French viewpoint which prevailed in drawing up the land clauses, whether because the French delegates simply wore down their British counterparts with their intransigence or because the Foreign Office* did not consider it worthwhile to risk endangering the new-found *entente* with France by insisting on the protection of the rights of islanders in a distant group where Britain was involved simply through Australian interests.†

On all major points Britain gave way. The British delegates wanted a commission which would test titles on grounds which the French considered those of equity—whether the land was adequately described, whether it was obtained by force or fraud, whether the vendor had the right to sell, knew what he was doing and received a fair price. They ended by accepting the French demand for a court that would settle titles on fixed principles and according to the Torrens system, by which titles would be registered unless they were successfully challenged. This was a major victory for the French, in that the onus of proof was immediately placed upon the challenger. As Saint-Germain observed:

Tandis que le système anglais présupposait l'indigène propriétaire et n'admettait le droit du non-indigène qu'après une sévère investigation sur les conditions d'acquisition des titres, le système française admettait

* After the conference ended, and whilst the Colonial Office was faced with explaining the unpalatable land clauses to Australia, the Foreign Office wrote to congratulate Cox and Dale on the conciliatory attitude shown by them, to which 'the beneficial issue of the negotiations is largely due'. They resented the phrasing of the letter, feeling it tended to suggest that they had been weak, and protested that they had made no major concession without first obtaining the approval of the Colonial Secretary, Lord Elgin. The latter was probably under pressure from his cabinet colleagues and consented all too readily. (F.O. to C.O., 7 March 1906, with minutes, CO 225/74.)

† For a clear expression of the British attitude, see C.O. to Governor-General, 17 August 1905 (cable, secret), CP 717, IV: 'His Majesty's Government regard the New Hebrides as quite unimportant from point of view of defence, and do not consider their occupation would be in any sense a strategical gain. Action taken by His Majesty's Government has been solely at the wish of, and in the non-military interests of, Australia.'

en principe le droit du non-indigène détenteur d'un titre, et ne permettait d'examiner ce titre qu'en cas de réclamation contraire.*

In establishing the principles on which the Court should decide contested claims, the French carried their insistence that where title-deeds had been registered before a certain year, this should constitute a presumption that they were valid. It was, they asserted, improper

to set against the evidence mentioned in the contract, made simultaneously with the deed and attested by the presence of responsible persons, fresh evidence dependent on the fleeting and untrustworthy memory of uncivilized savages.²⁷

What seems to have weighed most with the British delegates was the assurance of the French that in French law title-deeds of a certain age conveyed a prescriptive right, even when the land had not been occupied; after the conference, the Foreign Office took the opinion of a Sorbonne jurist and discovered that there was room for argument on this point.²⁸ By then, of course, it was too late.

In minor matters the British delegates made their mark. Where claims were based on titles registered after 31 December 1895 or not at all, they could be upset if it was proved that the vendor or his authorised agent did not sign the deed or that it was not properly witnessed, that its effect was not understood by the vendor, that it was obtained by force, fraud, or improper means, that the terms of the agreement had not been fulfilled, or that the land sold did not belong to the vendor or his tribe. But where the deed had been registered before 1 January 1896 its validity could not be questioned if it was proved that it had passed between Europeans for 'valuable consideration'.²⁹ As the chief French delegate pointed out in his report to his government, this was the *pièce de résistance* of the Anglo-French Convention, so far as France was concerned. It meant that 300,000 hectares of land sold to Higginson by Europeans between 1882 and 1887 were beyond contestation and a further 300,000 hectares, bought from natives and registered before 1 January 1896, could only be challenged with great difficulty.

* 'Rapport de M. Saint Germain . . .', Des Granges Papers. According to Saint-Germain:

La Commission anglaise renonça à l'idée de la Commission Spéciale de révision: c'était là une concession essentielle. Elle accepta l'immatriculation des propriétés d'après le système de l' 'Act Torrens'. Elle n'insista pas pour qu'au nombre des conditions déterminant le rejet des titres figurassent l'insuffisance du prix payé et l'imprécision des limites portées sur l'acte.

De notre côté, nous ne refusâmes pas d'appliquer aux litiges contre non-indigènes, lorsque la question de l'origine indigène de la propriété serait en cause, les mêmes règles qu'aux litiges entre indigènes et non-indigènes. Nous admîmes également que les dispositions pourraient être insérées dans le projet de convention en vue de restreindre, à l'avenir, le droit des indigènes à aliéner leurs terres.

Il était évident que nos collègues faisaient des concessions plus considérables que nous.

Si l'on veut bien considérer l'importance capitale que présente aux Nouvelles-Hébrides la question de la propriété foncière [observed Saint-Germain] on reconnaîtra que . . . la France consolide de la manière la plus précieuse sa prépondérance économique, base de la prépondérance politique qu'elle aspire à revendiquer.*

II

In the Convention which resulted from the Anglo-French Conference, the New Hebrides—with the Banks and Torres Islands—were recognised as being 'a region of joint influence', with each power 'retaining jurisdiction over its subjects or citizens, and neither exercising a separate control over the group'. Subjects of other states were allowed six months wherein to decide under which legal system they would live. Administration was to be conducted by the High Commissioners in Fiji and New Caledonia, acting through deputies at Vila. They were empowered to issue local ordinances binding on all residents, with sanctions not to exceed one month's imprisonment, a fine of £20, or both; they were also accorded an ill-defined authority over native affairs. The Joint Court—composed of the French and British judges from the two National Courts, sitting under a neutral President appointed by the King of Spain—was to have jurisdiction in all land and civil cases, in suits between natives and non-natives, and in cases of crime by the former against the latter. In criminal cases the subjects of each power were justiciable only in their own National Court. Provision was made for the licensing of recruiters and the registration of recruits. The duties of employer to labourer were set out in a loosely-worded fashion. The sale to islanders of arms, ammunition, and alcohol was prohibited. And the Convention was to remain in force until a new agreement should be arrived at between the two powers.³⁰

Britain entered into the Convention only in order to satisfy Australian sentiment, so far as that could be done without obtaining complete control of the New Hebrides; but Australia was content neither with the form of the Convention nor with the manner in which, as she considered, it was being foisted upon her for immediate consent with no opportunity given for her to suggest changes in detail.³¹ Nor did Britain attempt to placate her by giving her any share in the British side of the administration. By 1911, indeed, it was regarded in the Colonial Office as 'settled policy . . . not to do anything in any way tending towards handing over any portion of

* 'Rapport de M. Saint-Germain . . .'. Where deeds had been registered before 1 January 1896 but had not been the subject of transfers between Europeans for 'valuable consideration', they could only be challenged if 'the claimant can prove, according as he acts in his own name or in his own personal interests or as Chief of his tribe and in its interests, that he or his tribe have a present right to the occupation of the land in dispute, and that this right would be infringed'. (Article XXII, 5 (A) (a).)

our responsibility for the New Hebrides to the Commonwealth Government'. The Secretary of State observed: 'I can't contemplate a Franco-Australian Condominium'.³²

The reason for this attitude seems to have been a conviction on the part of imperial officials that Australian politicians were not sufficiently responsible to be given licence to interfere in matters which could affect the foreign policy of Great Britain. This conviction had appeared in the 1880s, if not earlier.³³ It was strengthened at the Colonial Conference of 1907 when the Commonwealth Premier, Alfred Deakin, made a ranting attack on the New Hebrides settlement and Britain's failure to save all the Pacific islands for the rule of the federated Australia. In this he showed an absence of realism and a disposition to assign blame to British departments of state which did not enhance in Downing Street his own reputation or that of his government.³⁴ The result was that, as the Secretary of the Department of External Affairs complained,³⁵ the Commonwealth government was not much consulted by the Colonial Office on matters connected with the New Hebrides.*

That government was, however, quite active there. It had actually set up in rivalry to the S.F.N.H., with the object of fighting the French on their own terms. In 1901 Burns, Philp & Co. had made over to the Commonwealth all the lands which it had received on the dissolution in the 1890s of its subsidiary, the Australasian New Hebrides Co.,³⁶ and in 1904 several additional deeds were bought from the Deutsche Handels- und Plantagen-Gesellschaft.† An attempt was made—though without great success—to place settlers on this land.‡ From 1906 onwards Australia made tariff concessions in favour of British planters in the New Hebrides§ and in

* Britain did, however, consult the Commonwealth on, for instance, the choice of a barrister to fill the post of British judge.

† These were actually bought by Burns, Philp & Co. on the understanding that the Commonwealth would refund the purchase price, but succeeding government reshuffles prevented this (Burns to Hunt, 5 February 1906, Atlee Hunt Papers, 52/1563).

‡ By about March 1904 some forty-seven people had been placed on land at south and east Santo, and a small independent colony—attracted to the group by Burns, Philp & Co.'s advertisements—had settled in the old-established British centre at Undine Bay, Efate; but the breaking of the drought in Australia in 1902-3 had made the New Hebrides less attractive to Australians. Few others came and many of the early arrivals left the islands. By 1915 nineteen Commonwealth leases were still current—eight on Santo, two on Malo, one each on Epi, Efate, and Emae. Of these, however, four were not being worked and two were held by the same person.

§ The immediate effect of the Commonwealth's new import duties on maize and coffee—the staple products of the New Hebrides, apart from copra—was to bring British planters to the verge of ruin (Truss to Lucas, 5 March 1902, CP 717, II). From 1906 they were assisted by a refund of the duty on maize and a rebate of £4 per ton on coffee. In the fifteen years from June 1906, these concessions cost the Commonwealth £4,028.

1909 the government retained a solicitor and a team of surveyors who were to assist British settlers in general, and Commonwealth tenants in particular, in preparing their land claims for presentation to the Joint Court.³⁷ Except for the tariff concessions, all this was done as secretly as possible, with Burns, Philp & Co. used as a cover and to conduct proceedings.

The conduct of the British share of the group's administration rested with the High Commissioner. Since 1892-3 he had also been responsible for the administration of the Protectorates then established in the Gilbert and Ellice Islands and the Solomon Islands. This had caused a considerable increase in the complexity and amount of the work hitherto carried on by the High Commission, and the latter's resources were only marginally increased to deal with it.* The still greater extension of work and responsibility which the Condominium involved was not welcomed in Suva.³⁸

It afforded, however, a chance of promotion for the Secretary to the High Commissioner, Merton King, who was appointed British Resident Commissioner in the New Hebrides. In the absence, presumably, of any prospect of further advancement, † King held the post for the next seventeen years. During this time he maintained a politeness in the face of many provocations which was as invariable as his inertness, and displayed a reluctance to discommode his French colleague if it was at all possible to oblige him which exasperated his fellow British nationals. 'If King were a man who combined the suaviter in modo with the fortiter in re one would feel more assured', observed the British judge, T. E. Roseby, 'A conciliatory manner goes a long way to cover a firm assertion of rights with the French'.³⁹ King had the manner, but was wanting in the firmness. ‡ After a few months' residence in the group, the Commonwealth solicitor recognised a marked contrast between French and British official attitudes:

One thing I notice is that the British officials all seem weighed down with the immense responsibility of sustaining the 'entente cordiale' . . . and impress newcomers with the 'delicate situation' that exists. The French, on the other hand, do not worry at all about the matter, are out for all they can get, and will take the whole Group unless British rights are insisted upon.⁴⁰

It was symbolic of the actual situation, indeed, that the tricolour in the French Residency's compound flew prominently over the upper leading-

* See below, pp. 284-8.

† When he was appointed to the New Hebrides, King had told Atlee Hunt that he had no desire to stay there permanently (King to Hunt, 28 November 1907, Atlee Hunt Papers, 52/639).

‡ See also Hunt to Lucas, 12 September 1910, *ibid.*, 52/878: 'King does nothing that he can avoid, sees nobody whom he can help seeing, considers Australians a class altogether beneath his notice, and regards the missionaries as a downright nuisance.'

light of Vila harbour, while the British flag hid modestly behind trees; for, so far as the French were concerned, the Condominium was simply one more unfortunate but evanescent interlude in the history of islands whose ultimate destiny was to become part of France's colonial empire. With great dedication, the French delegates at the Conference had designed the administrative and judicial clauses of the Convention to leave as free a hand as possible to the implementation of their national policy. They had curtailed the powers of the joint administration as closely as they could and had left a wide field of action to the national administrations.

Nous aurions pu être amenés à une solution désastre . . . [observed Saint-Germain] par l'institution d'une administration neutre. . . . Nous obtenons au contraire une situation privilégiée . . . grâce au maintien de la dualité d'autorité. . . .⁴¹

The achievement of the French delegates had been to make of the Convention, in the words of a jurist, 'une organisation qui, sous tous de rapports, facilite le développement de l'influence français'.⁴² This accomplished, they called on future French administrators of the Convention to develop to France's best advantage the position they had won:

Il faut que nous usions de ces avantages. Le moment de l'action décisive est venu. De la manière dont sera appliqué le régime du Condominium dépend l'avenir des Nouvelles-Hébrides.

La France qui a fait tant de sacrifices déjà pour faire valoir ses droits dont cette Convention sera la première reconnaissance formelle, ne s'arrêtera pas à mi chemin dans cette tâche. . . .

Aux Nouvelles-Hébrides, le passé nous est garant de l'avenir; là où l'apreté de l'anglo-saxon échouait, la bonne humeur française a réussi; les difficultés qui rebutaient l'homme pratique, le rêveur les a vaincues; et dans cette lutte courtoise pour la colonization d'un pays vierge, l'expérience de l'anglais a cédé à l'instinct du Français.

Sans impatience comme sans maladresse, par le développement pacifique des nos oeuvres, par le libre jeu des facultés supérieures d'intelligence et de volonté qui distinguent notre race, nous atteindrons le but: donner les Nouvelles-Hébrides à la France.⁴³

The peroration meant, in practice, that French officials must give all possible support to their settlers, assist them to establish themselves on the land allotted to them by the S.F.N.H.—whether or not the sale was disputed—and take care not to apply too strictly the regulations affecting the recruitment and employment of native labour. The same line as that of Saint-Germain was, naturally, adopted by *Le Néo-Hébridais*—the local monthly newspaper, founded by the French community in 1909—which asserted that

Le premier souci de l'Administration, doit être de favoriser le colon, en lui facilitant le recrutement indigène; car sans indigènes, pas de cultures —et le développement de ces cultures—est la porte par laquelle entrera la prospérité française aux Nouvelles-Hébrides.⁴⁴

On this score, neither the delegates nor the planters who produced *Le Néo-Hébridais* had much cause to complain about the interminable succession of officials who presided over the French Residency during the Condominium's first seven years of existence. Most of them lent all possible support to the colonising enterprises of their nationals, whether or not this involved breaking the Convention. Arms and liquor continued to pour in from Nouméa and to be sold to the islanders in undiminished quantities.* Acts of kidnapping continued to take place. And the inspection of labourers on French plantations was a farce.

The planters bitterly resented official inspection of their labourers, as a derogation of their authority over them,† and the French national administrations respected their views. In 1913 Framnais—the plantation of Robert Petersen Stuart at Mélé, four miles from Port Vila, which was regarded as the showplace of the group—came under the jurisdiction of the British Resident when it was acquired by a British syndicate. The British

* The export of arms and ammunition to the New Hebrides from Australia was prohibited by proclamation in November 1906, except under permit; no such prohibition was enacted in New Caledonia, from which large quantities of munitions continued to be imported by both French and British settlers. Similarly, the export of liquor to the group was prohibited in Australia in October 1906, except under permit issued by the British Resident; but the Conseil Générale of New Caledonia unanimously rejected a similar prohibition there in December 1911, and the French Resident took no effective local action to control the import of liquor. ('Proceedings of the New Hebrides Conference, held at the Foreign Office, London, 10 June to 6 August, 1914', I, pp. 80-3: copy at *WPHC Inward Correspondence, General*, no. 2740 of 1914.)

† In 1909 the then French Resident Commissioner—M. Noufflard, the only occupant of that office who seems to have been positively unpopular with his nationals during this period—attempted to enforce the requirements of the Convention relating to the inspection of plantations. The planters protested to their High Commissioner:

Il faut avoir vécu aux Nouvelles-Hébrides pour se rendre compte de l'émotion que cette perspective d'inspection administrative a soulevé chez les colons, non pas bien entendu qu'ils eussent à craindre que l'Administration découvre chez eux des exactions envers leurs engagés, mais, simplement, parce que par suite de la mentalité des indigènes, il était navrant de leur laisser voir qu'une autorité supérieure pouvait s'interposer entre leurs maîtres et eux. L'autorité absolue du *masta*, comme l'appellent les noirs ici, est la première garantie du succès d'une exploitation, et jusqu'à présent cette autorité n'a jamais été contestée, ni affaiblie. (*Le Néo-Hébridais*, 1 January 1910.)

Insistence that the authority of the employer must remain absolute, unadulterated by visits by government officials, was not confined to the New Hebrides or the French. British planters in Fiji sometimes advanced the same argument; but there its only effect was to reinforce the determination of government to subject plantations to regular inspection. (Tarte to Thurston, 28 March 1888, with minutes, *Fiji CSO*, no. 1333 of 1888.)

Inspector of Labourers, who at once visited it, found that of ninety-four labourers employed sixty-nine were kept working under agreements which had expired years before. The manager claimed that twenty-three of these had been engaged for another year in June 1912 before a French Inspector of Labour, but few of those concerned knew anything of this re-engagement and none had consented to it. Official records were kept for only fifty-two of the labourers and not a single entry that wages had been paid had been witnessed by a labour inspector, as the regulations prescribed. No food was provided on Sunday, since it was a holiday. Twenty-four of the labourers were women, who served the men as prostitutes. The state of affairs was clearly known to, and winked at by, the French Residency.⁴⁵

To the French, indeed, the sale to natives of liquor—if not of arms—was a mere peccadillo, a good way to acquire influence over them and to augment the income of the struggling trader and planter.⁴⁶ The labourer during his term of engagement was regarded as the actual possession of his master. The French delegates at the Conference had accepted the regulations governing recruitment and employment of native labour simply because they realised that if their compatriots were absolutely free to kidnap and mistreat labourers at will they would eventually be cutting their own throats.⁴⁷ French officials, sharing a similar outlook, evidently felt no compulsion to enforce the regulations with more severity than would advance the planters' own interests. British settlers, on the other hand, were firmly subjected to the laws by their Residency; they were fined for selling liquor and in their case the recruiting regulations were made particularly severe by a special clause written into the licence which forbade them to recruit women.*

The only semblance of that 'administration neutre' which the French had feared was the Joint Court. This opened at last in 1910. Its judges and their satellites were amongst the most splendidly and expensively housed of any colonial legal authorities. They were also amongst the most useless. Even in their dealings with each other they were hampered by a language barrier, for the President and the Public Prosecutor were Spaniards, speaking French but not English, whilst neither the British nor the French judge was able to speak the other's language fluently. Business was conducted mainly in French, with occasional token translations of the proceedings into English.

The powers of the Court were very inadequate. In police and criminal

* This action was taken in order to honour a pledge given in the House of Commons that recruiting by British subjects in the New Hebrides should be conducted only under the most stringent conditions (C.O. to F.O., 15 August 1911 (draft), CO 225/100). In 1913 a King's Regulation forbidding the recruitment of women was issued.

cases, the Joint Court had jurisdiction over breaches of the Convention—'infractions', as they were called. These were breaches of the regulations governing the recruitment and employment of labourers and prohibiting the sale to natives of arms and liquor. They were punishable by a fine of up to £20, imprisonment for up to one month, or both. Sentences so light were evidently not likely to be of much deterrent value. Moreover, they were carried out by the national authorities of the person convicted;⁴⁸ the Joint Court had no control over the execution of its own judgments.

The result was that, whilst British offenders convicted before the Court for breach of the Convention could count upon having to pay their fines, French offenders were generally under no such obligation. In 1912 the Acting British Resident Commissioner, A. W. Mahaffy, reported:

Notorious violators of the Convention, such as the Fessards who are reputed to make at least £1,000 per annum by the sale of liquor, remain unpunished, and, as the President bitterly complains, a state of affairs has been reached where the judgements of the Joint Court are held in open contempt by the French.

The attitude which the French Resident adopted towards the Joint Court, added Mahaffy,

is one of scarcely concealed hostility and . . . in almost every case in which one of his nationals is convicted before that tribunal the sufferer finds in his Resident Commissioner an official far more anxious to offer sympathy and even forgiveness than to exact the penalty decreed.⁴⁹

The Joint Court was further hampered by its division of jurisdiction with the National Courts, for although the Joint Court had jurisdiction over the most serious of the offences habitually committed by Europeans—breaches of the regulations relating to the recruiting and employment of labourers—it could only deal with an offence as an 'infraction'. This, in a case of kidnapping, meant merely illegal engagement. The act of kidnapping, with its attendant violence, constituted a felony and so could be tried only in the National Court of the offender.⁵⁰ And the judge of the French National Court, J. Calonna, was a notorious supporter of the settlers. Before him anyone who committed a crime against a native whilst furthering the colonising mission of France was assured of a sympathetic hearing. Frenchmen whom the Joint Court was forced to pass on to their National Court for trial in kidnapping and similar cases often escaped scot-free. Even murderers of islanders were allowed to leave the group without punishment.

In 1911 one Leclerc enticed seventeen Santo men aboard his ship with promises of food and ammunition, then put to sea with them; one who sprang overboard was shot dead by Leclerc, whilst his crew of Loyalty Islanders fired on people ashore. Leclerc was tried for murder in the French

National Court, convicted, sentenced to one year's imprisonment and immediately released, under the *lois de sursis*. Some of his crew received a six months' sentence and were similarly released. The British mate was tried as an accessory in his own National Court and sentenced to six months' gaol, which he served. Other kidnapping cases—such as those involving L'Eplattenier and Gauthier—were likewise referred by the Joint Court to the French National Court and were either ignored by the latter or were postponed on interminable adjournments, during which time the undoubted offenders were permitted to retain the services of the kidnapped labourers.⁵¹

Yet, even thus emasculated, the Joint Court was still too much of an 'administration neutre' to be acceptable to the French. Its civil jurisdiction enabled it to hear cases brought by labourers against employers for non-payment of wages and failure to return them home when their engagements had expired. After 1911—when Edward Jacomb, a Sorbonne-trained lawyer, resigned his post as Assistant to the British Resident Commissioner and entered private practice in Vila—these cases abounded. Labourers with grievances on the plantations around Vila were encouraged by Jacomb to engage him to represent them in the Joint Court.⁵² The latter gave him a sympathetic hearing sufficiently often to arouse the fury of the settlers. *Le Néo-Hébridais* raged that, under the Condominium, 'L'indigène devenait un jeune dieu, choyé, adulé,' and sneered: 'La mode est la philanthropie noire . . .'.⁵³ Horrified at being brought, at the behest of their labourers, before a tribunal in which their own judge could be outvoted by his colleagues—and whose judgments, as they protested, 'ne pourraient être équitables . . . puisqu'ils ne tenaient pas compte de la mentalité indigène'⁵⁴—the French planters demanded that they be justiciable solely in their own National Court.⁵⁵

They were supported by their Resident Commissioner, then M. Repiquet,* who, no doubt, resented the shortcomings of his plantation inspectors being revealed during Jacomb's cross-examinations. Repiquet attempted to muzzle the Joint Court by insisting that the recruitment and employment of labourers were purely administrative matters, in which the Joint Court had no *locus standi*. He argued that, under article LIV of the Convention, the Public Prosecutor had no right to initiate prosecutions against French citizens for breach of the recruiting regulations until he was requested to do so by the Resident Commissioner.⁵⁶ There were no grounds for this

* Repiquet was the most active and effective of French Resident Commissioners up to 1914. At his farewell banquet, he observed that he always came to a colony with 'la haute mission d'y servir les intérêts supérieurs de la France et de ses nationaux. Mes actes d'administration se sont toujours et uniquement inspirés de cette conception que je me fais du devoir colonial.' (*Le Néo-Hébridais*, 30 January 1914.)

contention. It was evident that Repiquet's object was to rid himself and his nationals of the annoyance caused them when unpaid labourers appealed to a court which was not wholly in the pocket of the French judge.* To judge from the tenacity with which the French clung to their interpretation,⁵⁷ the Joint Court interference between planters and their labourers had touched them to the quick.

By 1912, indeed, the French were in a frenzy of excitement and suspicion. They felt that they were in the midst of a concerted British plot to undermine their predominance. For this impression there was some justification. A. W. Mahaffy, Assistant to the High Commissioner,† was Acting British Resident in the place of King, who was on leave; and Mahaffy, unlike King, had no inclination whatever to permit his colleague to do as he pleased unchallenged. At the same time Jacomb was acting as a storm centre for all the discontented labourers on Efate. And both Mahaffy and Jacomb were on good terms with those inveterate enemies of the French, the Presbyterian missionaries. The latter, after an interval of five or six years during which they had watched the Condominium conspicuously failing to put down the abuses rampant in the group, had entered upon another of their periodic outbreaks of agitation in Australia.

The Presbyterians had always been active in politics. Whilst the British Resident Commissioner contented himself with applying to his own nationals those disabilities from which the fellow citizens of his colleague remained for the most part blissfully free, the Presbyterians were, indeed, the sole effective opposition to the extension of French interests. Relying, as always, upon Australian public opinion to secure the implementation of their wishes, they filled the Australian press with stories of French grog-selling, of women stolen by recruiters, of labourers ill-treated, and of land occupied in defiance of the natives' protests that they had never sold it. Some of the more informed persons in Australia who had dealings with the Presbyterians—as, for instance, the Secretary of the Department of External Affairs—doubted whether they represented a very estimable type of missionary.⁵⁸ There seem to be grounds for supposing, indeed, that the Presbyterian Mission in the New Hebrides still contained a high proportion of intolerant, narrow-minded bigots; but their local political influence was indisputable and was fully recognised by the French, who waged an incessant campaign against them in *Le Néo-Hébridais*.

British as well as French planters had cause to complain of the Presby-

* As Repiquet told his fellow countrymen, this reading of the executive's authority was 'une précieuse sauvegarde contre l'immixion directe d'un magistrat étranger dans les questions—vitales pour vous—d'engagement et de recrutement des travailleurs indigènes'. (Ibid., 30 January 1914.)

† See below, p. 287.

terians' opposition to the recruitment of islanders in general, and of women in particular, for plantation work. The missionaries insisted that they recognised that the resources of the group must be developed, that they were opposed only to breaches of the recruiting regulations, and that if planters were unable to obtain sufficient labourers it was because the people now preferred to produce their own cash-crops.⁵⁹ *Le Néo-Hébridais* itself once admitted that the only people who wanted to recruit were those who had formed 'des mauvaises habitudes' whilst working for Europeans on previous occasions, or because of family or community disturbances, or to evade the vengeance of warships after attacks had been made on settlers in their neighbourhood.⁶⁰ It was undeniable, however, that the social organisation established by the Presbyterians amongst their converts was geared to discourage recruiting.

This organisation was a local government system, which initially applied to church members. It was based on meetings of the senior men of the community, who formed a 'court' for the trial of breaches of the moral code and petty offences; punishment consisted sometimes of fines but, more often, of hard labour on the bush tracks, the construction of which the missionaries encouraged, doubtless with both commercial and proselytising ends in view. The missionaries and their supporters often claimed the sanctity of ancient custom for these courts and for the local government system in general, especially when these were under attack.⁶¹ A different explanation was given in 1899 by the Reverend T. Smaill, of Epi, in a protest to Queensland officials after a labour ship had recruited an offender before his term of hard labour had expired:

the people as we found them had but the faintest shadow of social order: the chiefs having, in particular, no power to punish offenders. But with the advent of a more enlightened religious faith, & the dispelling of some of their gross superstitious fears the chiefs found that they could govern, & increase in knowledge shewed them the direction in which to assert their authority. . . . This is a real effort by our people at a Government & the mandates of the assembled chiefs have force amongst those whom they concern. . . .*

Wherever Christianity had a foothold, a local government of this sort was set up, with courts of whose decisions the missionaries or native

* Smaill to Under-secretary, 20 February 1899, *Queensland CSO*, no. 2061 of 1899. In most village communities, however, it seems clear that authority of a sort had traditionally rested with the dignitaries who had achieved the highest ranks in the graded society, through the ritual killing of pigs (see, e.g., Jean Guiart, 'Société, Rituels et Mythes du Nord Ambrym (Nouvelles-Hébrides)', *Journal de la Société des Océanistes*, VII, vii, 1951, p. 25). The missions replaced the authority of the traditional dignitaries with that of men who had the highest standing in the church, no doubt extending that authority in the process.

mission teachers were the inspiration, chiefs who were generally mission-nominees and 'policemen' who acted as the executive arm. In 1906 the British High Commissioner reported the existence of the system with regret, as a likely challenge to the authority of the new administration.⁶² His deputy at Vila, faced with the inability of the Condominium to establish any administration at all in native affairs, outside Efate, regarded it with more favour. King, for instance, encouraged the Church of Christ Mission on Omba to have headmen appointed to rule the Christian villages and gave advice to these 'chiefs' as to what penalties they should exact for the offences with which they concerned themselves.⁶³

To the French, local government under mission auspices was anathema. Recruiters knew that, on any stretch of coastline where this system operated, they would get few recruits and them only with great difficulty. The Christians were dissuaded from recruiting by their missionaries and the heathen in the bush were kept from the boats by the blockades which were placed on their paths to the coast when a recruiter was in the vicinity.⁶⁴ According to *Le Néo-Hébridais*, the missionary opposed recruitment because:

Il craint le jour où son autorité, jusqu'alors absolue, sur ce pauvre être superstitieux, aura disparu pour laisser la place aux libertés et aux droits que créent le travail et une civilisation mieux comprise et plus généreuse, exclue de sophismes et de mensonges professés dans un but mesquin et vénal.⁶⁵

In their opposition to local government by the missions, the planters were able to claim as allies many of the islanders themselves; for, to those people who declined to embrace Christianity—and in most of the islands north of Efate they were the majority of the population—the system represented a direct and potent threat to their way of life.

The mission most active and successful in the New Hebrides—the Presbyterian Mission—had little thought other than to concentrate upon conversion for its own sake.* The missionaries themselves seem to have been inspired to a high degree with the drive to dominate. They had no respect for their proselytes' traditional culture, which to them was a manifestation of the forces of evil. Recognising it as a potent obstacle to the advancement of their object—which was to reform New Hebridean society according to the precepts of Scripture and the modes of their own cultural *milieu*—they set out to destroy the traditional culture. The attainment of rank by the ceremonial slaughter of pigs was a particular object of their disapprobation. The Reverend D. L. Patterson reported how on

* It was, however, very active in medical work, maintaining hospitals on Ambrym and at Vila.

Malo 'the heathen at our door' were sailing to Santo and Omba to buy pigs and added:

We would have no objection, if it were not that for these animals women are bought and sold, and with them degrading heathen ceremonies are performed, and a caste system is set up which proves to be the greatest obstacle the Gospel has in these northern islands.⁶⁶

A missionary who came upon such a ceremony in progress, even in heathen territory, was likely to demand that it be stopped whilst he preached.⁶⁷ The local government system aided him in destroying traditional ways and values. It was staffed by zealous proselytes, who became—and, as it seems, were encouraged to become*—equally zealous persecutors. Teachers with trains of converts scoured the bush to bring people down to the coast, where their salvation could be achieved with greater material comfort to the missionaries. The courts penalised with hard labour on the roads any manifestation of heathenism, such as the holding of sing-sings or the beating of drums.

The obstinately heathen 'pig-chiefs' on Omba, for instance, who refused to acknowledge the authority of the Church of Christ's headmen,⁶⁸ had an ally in the French Resident Commissioner. The interests of the French coincided with those of the unconverted in opposing the mission governments. And from 1912 onward there was a marked increase in French hostility to the Protestant missions, with a corresponding increase in the active support the French gave to the non-Christian islanders. This was because the mission organisation had come to be used to build up opposition to European land claims. The teachers and chiefs, inspired, no doubt, by their missionaries, were collecting money from the people, with which to retain Edward Jacomb to fight the claims of—especially—the S.F.N.H. when they should eventually come before the Joint Court.⁶⁹

In 1911 a Dutch lawyer had been appointed to the Condominium post of Native Advocate, to represent islanders' interests in the courts. It was clear that he would be especially concerned with land cases. His appointment constituted an immediate threat to the S.F.N.H., since even title-deeds registered before 1 January 1896 could be invalidated if right of action were admitted† and if it were proved that the agreement was obtained by force or fraud, or that the land in question did not belong to the vendor or his tribe. When the Native Advocate attempted to leave on a

* See, for example, Dr Nicholson, of Tana, in *The Messenger*, 12 December 1913: 'I am full of joy because our people are stirring themselves up on behalf of the heathen day by day, and Thursday they devote entirely to hunting up their friends.'

† Some of the S.F.N.H.'s claims might be challenged under Article XXII, 5 (A) (a) if the Native Advocate were able to establish which people had rights to what piece of land.

tour of the group, with the object of inquiring into the nature of native land-tenure, the French Residency saw to it that there was no transport available. The French Resident vetoed a suggestion that he should be allowed to travel in the British Resident's yacht,⁷⁰ and local trading craft never stayed long enough in one place to enable him to press his inquiries to a conclusion. In answer to a protest from London, the French Government explained that it would be quite sufficient for the Native Advocate to obtain his information on native matters from the Resident Commissioners.* Moreover, the French considered that the Native Advocate could not act in his official capacity anywhere except in court.

With their official defender thus rendered virtually helpless, the New Hebrideans turned to Jacomb. With the resources of the Presbyterian Mission at his disposal, Jacomb travelled about the group, gathering information on cases where the islanders asserted that land claimed had never been sold and issuing warnings to settlers who installed themselves on disputed land. This there was every inducement for them to do, for the Joint Court would not be in a position to begin hearing land claims for many years and had ruled that, in the interim, it had no power to issue injunctions to prevent a claimant entering upon the land in question. Thus a planter who was prepared to establish and maintain himself by force could not be ousted by legal process and, in the distant future when the case was finally heard, would be able to add a claim by occupation to his initial title, if indeed he had one. Therefore Jacomb advised his native clients to resist by force any attempts to dispossess them. This was, as he was aware, dangerous counsel in the circumstances, since resistance could well take the form of a volley of Winchester bullets; but there was no alternative.⁷¹

These activities did not endear Jacomb to the French.† Repiquet struck hard at the root of the danger. In 1912 and 1913 the warship *Kersaint* went through the group, making wholesale arrests of native agitators. The French gaol in Vila was soon filled with men who had collected money for Jacomb or had resisted the attempts of planters to occupy disputed land.

* Quoted 'Proceedings of the New Hebrides Conference . . .', p. 40. On this, the British Resident remarked 'that the administrative duties of the Resident Commissioners did not allow them to acquire a technical knowledge of native customs, and that they had further been specially instructed to abstain from any interference in the delicate questions connected with land claims . . .'. (Ibid.)

† They accused him of having provoked the death of Guitel, an Epi settler, in 1913, by advising his native clients to resist Guitel's attempts to work disputed land; it was tolerably clear that in the incident that led to his death Guitel was the aggressor. According to King,

The French public of this Group, official I believe as well as unofficial, is disposed now to trace every occurrence prejudicial to themselves or to their interests, from the death of a Frenchman by violence to the most trivial 'labour case', to the malign influence of Mr. Jacomb. (King to Sweet-Escott, 20 December 1913 (confidential), British Residency Minute Papers, no. 12 of 1913.)

Sam Miley, for instance, was arrested on Epi on the complaint of one Patient that he had threatened Patient's life. Sam Miley himself protested that he had only objected to Patient's taking coconuts from land which the people denied having sold. Some twenty-five Ombans were arrested in similar circumstances.⁷² With the most vociferous members of the native opposition thus removed, the planters' hold on the land was greatly strengthened.

Since those arrested were mostly Christians and a large proportion of them were mission chiefs or teachers, the effect of the French action was also to strike a shrewd blow at the Presbyterians and to weaken them in their local struggles with the unconverted. Indeed, the French posed as the latter's defenders, arresting five Malo men for having attempted to break up the graded society which the unconverted of the island persisted in maintaining.⁷³ When the *Kersaint* appeared off the coast of an island, the Christians invariably took to the bush to escape arrest, whilst their pagan rivals crowded the beaches to welcome her; her commander would order the courts to cease functioning and the pagan chiefs would beat their drums for joy at the discomfiture of their enemies.⁷⁴ The French were determined, as their Resident Commissioner said, to protect 'les indigènes et leurs coutumes et de faire respecter la liberté de commerce et de recrutement . . .'.⁷⁵

The linking of these two matters was significant, for, although the concern which the French expressed for the freedom of the unconverted to live as they chose may not have been wholly assumed nor solely the outcome of self-interest, it is impossible to ignore the fact that, whilst the Christians posed a threat which could penetrate in a sophisticated form even as far as the Joint Court, the heathen were no such danger. They provided a market for arms and liquor, they engaged for plantation work when life at home developed complexities which they preferred to escape, and when they did dispute land claims they acted in a simple, violent fashion which enabled punitive expeditions to be launched against them.

As he did not fail to remark in his farewell speech to his nationals, Repiquet had, 'de concert avec le commandant de *Kersaint*, harcelé en toute justice, mais très vivement, les adversaires de notre influence'.⁷⁶ He had been able to do so with some show of legality because of deficiencies in the Condominium's administrative structure. The men arrested in 1912 and 1913 were formally charged with offences against other islanders—usually of extortion of money by threats.⁷⁷ And for offences by native against native there was no competent jurisdiction except that of the Joint Naval Commission, which in these cases was represented by the *Kersaint*.

Article VIII of the Convention gave the Resident Commissioners 'jurisdiction over the native Chiefs', with 'power to make administrative and police regulations binding on the tribes, and to provide for their en-

forcement'. No attempt seems to have been made to implement these provisions until 1912, when Mahaffy sent his colleague a copy of the Laws of the Gilbert and Ellice Islands Protectorate, with the suggestion that they might be modified to meet local requirements. Not until 1917 was a Joint Regulation issued to provide that offences such as abortion, arson, assault, murder, and rape might be tried before the Joint Court.⁷⁸

In the meantime, the punishment of islanders for offences against other islanders rested with the Joint Naval Commission. This had continued in being under Article VI of the Convention, which limited it to acting on the joint request of the Resident Commissioners, except in emergencies. The Senior British Naval Officers in 1907 and 1908 both recommended that it should be relieved of duties which they felt to be anomalous now that civil government had been established, but no effective steps were taken to replace it.⁷⁹ Even by 1911, the Condominium police force was reckoned to be practically useless outside Vila.⁸⁰ And in the trial of inter-native cases the jurisdiction long assumed by the naval officers had still to be relied on.

Although it was formally restricted to the punishment of whole communities by a general act of war, the Joint Naval Commission in the 1890s had evolved an *ad hoc* system of punishing individuals by flogging and fines, in order to escape the necessity of burning villages.* Terms of imprisonment were also inflicted. Provision was made by Fiji Local Ordinance No. 5 of 1894 to hold as political prisoners, at the governor's pleasure, native offenders against British subjects who were sent to Fiji by a naval commander; and similar provision existed in New Caledonia. The Joint Naval Commission 'recommended' that an offender should be detained for a particular period of time and these recommendations, with the sittings at which they were arrived at, rapidly assumed the character of trial and sentence by a court.

Although strictly illegal, the practice persisted after the Convention came into force. Between 1908 and 1910, the Joint Naval Commission disposed of sixty-three cases involving offences by natives, both against Europeans and against other natives, and did so, in effect, sitting as a court. The opening of the Joint Court in 1910 relieved the Naval Commission of half of its duties. It ceased now to deal with offences by natives against Europeans, which were justiciable in the Joint Court;⁸¹ but, in the absence of any competent tribunal, it continued to deal with offences by native

* See, for example, the case of the ex-mission boy of Bonaro village, Malekula, who stirred up the bush people against the white traders, boasting: 'Big fellow ship no catch me. Big fellow ship no flog me. Me no care God damn.' At the instance of village elders, he was subjected to a 'sound flogging' by Captain Rich, R.N. (Rich to C. in C., 15 July 1900, encl. Admiralty to C.O., 9 March 1901, CO 225/61.)

against native. Both Residents acquiesced in the situation. Even when he was advocating, in 1912, the issue of regulations under article VIII, the British High Commissioner recognised that, since the only sanctions available would be the paltry penalties for breach of the Convention, serious cases would still have to be left to the naval officers.⁸²

During the last few years of the Australian Station's existence, however—before it was handed over to the Commonwealth government in August 1913—the white ensign was not often seen in the New Hebrides. Meetings of the Joint Naval Commission were infrequent therefore, and the *Kersaint* was able to make her arrests in the name of the joint authority, knowing that it would be months before the arrival of a British warship enabled the charges to be heard. The prisoners, in the meantime, were detained in the French gaol, where several of them died. The Commonwealth solicitor wrote that the Joint Naval Commission had become 'an instrument for the oppression of the natives by the French and as a Court it simply convicts at the request of the Administration'.⁸³

In February 1914 Jacomb challenged the Naval Commission's authority. He applied in the British National Court for a writ of habeas corpus in the case of Harry Wenham—an Epi man, who was arrested in September 1912 for killing a sorcerer, tried when the Commission met at last in December 1913, and sentenced to six years' imprisonment. Jacomb contended that the Joint Naval Commission had no power to sit and pass judgment as a court. This was admitted by Judge Roseby so far as formal enactment was concerned; but the judge held that the administration's use of the Commission was justified, since, in the absence of regulations under article VIII, the situation in the New Hebrides was akin to that in a conquered country and 'gives scope to the widest, and in a sense the most arbitrary exercise of executive control . . .'.⁸⁴ Even for the New Hebrides, the position was a little extreme.

An attempt had actually been made, however, to bring the Condominium government into closer contact with the New Hebrideans than could be achieved by naval officers or by the occasional visits of policemen from Vila. At a meeting in Nouméa during November 1911 the two High Commissioners had agreed that two British and two French officials—to be styled 'Condominium Agents'—should be appointed to reside on islands other than Efate. Their task would be 'principally to control recruiting, supervise labour, and make inquiries into reports of abuses and other complaints'. Next year it was agreed locally that Messrs Wilkes and Salisbury should be sent to Tana and Santo and MM. Bourge and Renault to Raga and Malekula, respectively.

There was, of course, disagreement between the Residencies as to the extent of their powers. Whilst the British Resident Commissioner urged that,

as officials of the Condominium government, they should be empowered to inspect all plantations and recruiting ships, irrespective of nationality, his colleague insisted that they must be restricted to inspecting the property of their own nationals, on the grounds that 'actes d'engagement et de recrutement . . . sont matières nationales'. Therefore the letter of instructions sent to Wilkes and Salisbury in 1912 confined their authority to British subjects.⁸⁵

A French Condominium Agent was sent to Malekula in the following year; the Raga appointment seems not to have been made before the outbreak of war dislocated the arrangements.* Only Wilkes on Tana seems to have made much of a mark. He did so in a fashion that endeared him more to the French than to the British Residencies.

Tana in 1912 represented one of the great triumphs of the Presbyterian Mission.⁸⁶ For many years the island had been ringed with mission stations whose influence extended little beyond their own compounds. The attitude of most Tanese had remained as it was expressed to J. G. Paton in 1862: 'we hate the Worship . . . it goes against our customs, and it condemns the things we delight in'.⁸⁷ But during the late 1890s and the early 1900s the Mission made a striking advance; it was aided apparently by returned labourers converted to Christianity in Queensland, by the Joint Naval Commission, which in 1906-7 intervened to suppress inter-tribal fighting, and by a general desire for peace on the part of the Tanese. The usual local government system was established and flourished greatly. The native courts on Tana were given Condominium recognition in 1909, when the French Resident Commissioner was induced to sign a joint letter advising on the penalties which they should inflict.⁸⁸ After a tour of the southern islands in 1912, Mahaffy—a friend to all missionaries—reported that Tana provided a model of a local government system in action. He was, he wrote, 'amazed to find the nucleus of a native administration which, with but little encouragement, would well suffice for the present needs of the island'.⁸⁹ Moreover, he considered that the courts worked independently of the missionaries.

The French thought otherwise. *Le Néo-Hébridais* in many issues abused what it regarded as a theocracy on Tana, attacking it the more violently in that the island's comparatively large and constant population made it a first-class recruiting ground. It was frequented by ships recruiting for New Caledonia as well as for New Hebrides plantations. The Tana missionaries—Dr Nicholson at Lenakel, the Reverend T. Macmillan at White Sands—offered the recruiters every obstacle in their power and justified doing so on the grounds that many of those recruited—especially those who went to

* Raga was actually found to be unsatisfactory; it was later decided to send an Agent to Omba instead.

Nouméa—returned diseased to the eyebrows. And so, whilst missionaries filled the Australian press with tales of women stolen for immoral purposes and returns landed at their last gasp, *Le Néo-Hébridais* raged against its adversaries as theocratic tyrants who rode roughshod over the wishes of a large proportion of the Tanese and whose ‘policemen’ patrolled the beaches to keep willing recruits by force from the whaleboats. Of those people who did manage to recruit, it was alleged, many were going in order to escape the iron hand of the Presbyterians.

In many respects the experience of the Condominium Agent supported French allegations against the Mission. The district to which Wilkes was appointed included, besides Tana, the long-converted islands of Eromanga, Aneityum, Futuna, and Aniwa. It was a recognised preserve of the Presbyterians, an area where no Frenchmen lived and where a good many of the British traders were sponsored by the Mission. On Tana, Nicholson and Macmillan were men of powerful personalities to which they were accustomed to giving free rein. In relations with other human beings, at any rate, neither was endowed with the gift of self-criticism. Nicholson, a medical missionary, was an Irishman with a violent temper which he kept under scant control.⁹⁰ Neither he nor Macmillan ever seems to have doubted that, whatever they did, their actions were morally proper and in the best interests of the Tanese. They had been accustomed to exercising an authority so undisturbed—except by French recruiters—that a clash with the Condominium Agent was only likely to be averted if the latter acquiesced in and supported what the Mission was doing. And in much of what the Mission did, Wilkes felt quite unable to acquiesce. Its methods and the end to which it was working were, in many respects, repugnant to him; for the Mission, he soon discovered, had split the Tanese into two mutually hostile camps. In June 1913 he reported:

The distinction of Worshipper and Non-worshipper, as it existed on my appointment and which permeated the whole atmosphere still continues its baleful influence on the life of the Island. This caste barrier of small though solid proportions originally . . . had been deliberately and with an evident object raised higher and higher, so that nothing less than the passing of a generation will accomplish its entire and ultimate removal, and allay the very real bitterness of feeling engendered thereby.

The man who donned no lava-lava or who disdained trousers was treated by his clothed brother as ‘neuriausim’—a son of perdition, and many indignities and no little injustice were meted out to him privately and . . . also officially by the Courts.

While the old system finds skilful apologists, and not without some show of reason, its operation at the same time both defective and brutal being perhaps a distinct advance on the former bloodshed and anarchy, its rapid growth of abuses was such that latterly it had come to intensify

those evils, and to increase that very danger which it was originally designed to remove.⁹¹

A tour of the islands in his district fixed in Wilkes a strong distaste for the Presbyterians. He reported that, except on Eromanga, Aniwa, and the east coast of Tana, there existed

ample evidence of a 'forcible feeding' with theological pabulum and of a 'mailed fist' type of evangelisation that I have nowhere else in the Pacific been privileged to see, while to such an extent has the fanaticism . . . of an imperfectly comprehended faith been carried by the Deacons of this Island (Aneityum) that the wearing of coconut armllets, the decking of the head with flowers by young women and girls, the cooking of food on Sundays, and the singing of purely innocent secular songs, have been denominated 'offences' and totally proscribed as 'heathenish' and 'works of the devil'.⁹²

A frenzied reply by the Reverend W. Gunn of Aneityum only induced Wilkes to repeat his remarks. He observed:

Although politics is here well nigh saturated with religion, or religion with politics . . . the mixture does not yet appear to have reached the point of crystallisation. That is why the experiment has failed. The mixture produces only enough chemical combination to engender unpleasant warmth and questionable odours.

Much missionary work in my District has been done by the methods of Mahomet rather than by those of the Founder of the Christian religion. One Native was actually threatened—seriously threatened with a knife at his breast, if he did not join the Church, not by a Missionary of course but by a 'Teacher'. This choice—Knife or Church—is a bit antiquated even for the Western Pacific.⁹³

The theme of Wilkes's reports and the basis of his stand against the Mission was that the islanders 'are neither fools nor children'.⁹⁴ His sympathies were immediately declared on the side of the unconverted and the people discontented with the Mission's rule, those who, for instance, had been punished with hard labour on the roads for collecting wild honey on a Sunday.⁹⁵ Where the Mission was in control, the people were forbidden to dance and the drinking of kava was prohibited, on the grounds that it constituted a danger to health and was 'acknowledged by the natives to be inimical to Christianity'.⁹⁶ The complex traditional culture of Tana was being driven underground and Christianity, not fully understood or assimilated, was failing to replace it.⁹⁷

People who hankered after the ways which the Presbyterians anathematized came to Wilkes for solace and support. Although he always claimed to have told them that he had no authority to interfere on behalf of one side or the other, it is clear that he also did not hide the fact that he did not agree with the policy of the Mission. The result was that the Mission

began to lose ground and the Tanese started to disinter customs which they had given up. They revived, for instance, the initiation of their young men in the techniques of sexual intercourse, which had been an important feature of their former way of life.⁹⁸

In December 1912, moreover, the Mission received a shrewd blow when a visit by Mahaffy and Repiquet resulted in a joint order to close all native courts except that over which the Condominium Agent was to preside. The Agent was to sit with four assessors—Christian or heathen, or two of each, as the beliefs of the district where the court was sitting demanded—and no sentence was to be carried out without his written authority.⁹⁹ The missionaries retaliated by attending the Agent's court with trains of adherents and commenting loudly upon his judgments. In February 1914 Wilkes reported that the other Tanese were incensed at this; they protested, he wrote:

The Courts are our own Courts for us blackmen and we will not have them spoiled by two different talks. . . . We will not have the Missionaries bossing our courts. We had them once and the taste of — [*sic*] is still in our mouths. If they come and talk any more, we will do something to the — [*sic*] Missionaries.¹

Another source of disputes between Wilkes and the Presbyterians was the latter's policy in relation to land. In order to combat any existing claims to land on Tana which might be lodged in the Joint Court and to prevent further alienation by the Tanese, the missionaries were 'buying' for nominal sums all the land they could induce the owners to sell.² Advised by the Commonwealth solicitor at Vila, they intended to register it in the name of the Mission, which would hold it in trust for the Tanese. The Presbyterians urged this course upon the people as the only way to save the land from being seized, if Britain should at any future time make over her share in the group's administration to France.³

In view of the history of European land claims in the New Hebrides, this was a wise precaution; but Wilkes wrote that the Mission's arguments in favour of it were of a sort 'that no Trader in my District would soil his conscience with'.⁴ As a recent arrival in the group, he may not have fully appreciated how claims had been established. He may also have been influenced by the fact that he was reporting jointly to the French as well as to the British Residents, to the former of whom he tended to look for support against the Mission's efforts to have him removed.⁵ Certainly, he regarded this land-buying as simply another means by which the Mission extended and consolidated its influence; for on land which was held in trust the missionaries forbade kava-drinking and demanded that copra produced there be sold exclusively to traders of whom the Mission approved.⁶ These disadvantages were fully realised by the unconverted, some

of whom told a trader that if it were true that the only way to save their land was to make it over to a white trustee, then they would rather give it to him than to the Presbyterians.⁷

Wilkes asserted that the Mission was not over-scrupulous in buying land from the real owners when these happened to be unconverted and were reluctant to sell.⁸ Macmillan, for instance, proposed to buy a block near Sulphur Bay from people who had won it in battle a generation before, although it was now occupied by some of the descendants of the original owners, who had returned when the Joint Naval Commission ended inter-tribal fighting. Wilkes championed the cause of the original owners, who apparently were mostly heathen, whilst Macmillan rested his case for buying from the Christians at Sulphur Bay on a verbal opinion given earlier by King, that the ownership of conquered land had better be considered to lie with the conquerors.* By July 1914 only one of the descendants of the original owners was still living on the land and Macmillan proposed a recourse to methods, for adopting which on other islands the missionaries were condemning the planters:

Would it be justifiable for the S[ulphur] B[ay] people to watch for the man and his family to be away from home, and then to step in, turn everything out of doors, put their own things in and sit tight? They could thus judiciously hasten the process of natural decay of the thatch etc., and once the house became untenable they could easily see that no new one was erected!!

There resulted a local struggle between Wilkes and the Mission for the allegiance of the people—or so, at any rate, the Mission saw the situation. Whilst Wilkes, so Macmillan reported, was ‘holding secret conclaves with the riff-raff who then start talking and inflaming the fears and the passions of the simple and the ignorant . . .’,⁹ the missionaries were steeling their converts against temptation. ‘He had been urging the heathen etc. to go down & drink kava at the village . . . on the northern block of mission land,’ wrote Nicholson, ‘but they will not try to play up with me like that even at Wilkes’ instigation & promise of protection. I told them not to allow themselves to be tempted to do what they knew to be wrong & they have not so far.’¹⁰

Almost every mail from Tana carried the missionaries’ complaints against Wilkes to the Resident Commissioner and to their friends in Australia. They regarded him as a tool of the French and devoted the considerable resources at their command to securing his dismissal.¹¹ It was

* Macmillan to Wallace, 1 December 1913, External Affairs Records. Macmillan to King, 12 January 1914, British Residency Minute Papers, no. 26 of 1913. According to Guiart, the effect of Macmillan’s contention was ‘imposer une notion de conquête, étrangère au concepte mélanésien de la guerre’ (Guiart, *Un Siècle et Demi de Contacts Culturels à Tanna*, p. 121n.).

impossible for him to laugh with the unconverted or to joke with the prisoners without its being made a charge against him.¹² He was accused of flogging women and of causing the road system to fall into decay by failing to sentence enough wrongdoers to keep the tracks in good repair.¹³ The Mission's masterstroke was to charge him with encouraging the Tanese to open brothels; it was even suggested that he was running one himself.¹⁴

The British authorities in London and Vila were not strong-minded enough to withstand the campaign of vilification. The French Resident Commissioner blocked, however, a proposal to exchange Wilkes with Salisbury on Santo; but in 1915 Wilkes himself resolved the *impasse* by resigning in order to go to the war.¹⁵ His successor was the chief engineer of the British Resident Commissioner's yacht, who shared with King a predilection for a quiet life and left the Presbyterians to follow their own devices. This they did with such vigour that a generation later the Tanese rebelled against them, took refuge in a millennial cult and a return to custom, and left the Mission stranded amidst hostility which its own insensitivity had engendered.¹⁶

III

By 1913 Britain was aware that the attitude of her co-sovereign power was making a farce of the Convention. She therefore called another conference.¹⁷ This met between June and August of the following year, with the evident intention—on the British side—of striking out some of those features of the Convention which enabled French officials to condone the misdeeds of their nationals. The British delegates were very well briefed and the French were decidedly on the defensive. Picanon's presence at the head of the latter was more than balanced by the presence of Mahaffy among the former.

The British delegates' object was to end that virtual absence of an 'administration neutre' which the French regarded as the chief advantage of the Convention. They intended to achieve this by extending the jurisdiction of the Joint Court at the expense of that of the National Courts. The French delegates protested that French law demanded the unimpaired retention of jurisdiction over their citizens, who, even in the colonial situation, must be assured of all the benefits of the Napoleonic Codes. Their adherence to this position prevented the British from achieving all that they had hoped. They failed, for instance, to secure for the Joint Court complete jurisdiction in all types of offences in the recruitment and engagement of labourers;¹⁸ but they ensured that Joint Court decisions should be implemented by the Resident Commissioners acting together, instead of by the Resident of the offender alone. Steps were taken—though not to the extent that the British desired—to give the Public

Prosecutor undeniable power to initiate prosecutions of his own volition, if the national administration failed to act within a certain time. The powers of the Native Advocate were more satisfactorily defined. The assumed jurisdiction of the Joint Naval Commission was abolished. The Joint Court was given jurisdiction over serious inter-native offences; Native Courts were to be instituted to deal with lesser ones. The appointment of Condominium Agents was to be continued, but the French still refused to permit a British Agent to inspect French plantations; they insisted that two Agents, one of either nationality, must be appointed to each district. These and other provisions were embodied in the Protocol of 1914 and came into force in the New Hebrides in 1922.¹⁹

The Protocol was thus another attempt to forge an instrument of government which would reconcile two widely differing legal systems and outlooks on the functions of colonial administration that in many instances were mutually at variance. It had all the disadvantages of such a compromise; even so, it was a considerable advance on the Convention. A great deal still depended on the spirit in which it was acted on by officials on both sides, but many of the more glaring defects of the Convention had been removed and neither Residency would in future be able to act in quite so blatantly partisan a fashion as had the French since 1907.

The land clauses were unchanged, however. Surveyors went out to locate blocks of land which were often described merely by a name and a few references to the points of the compass. The Commonwealth surveyor, for instance, had to locate a large tract of land on the west coast of Epi which was bought by Proctor in 1877 and had passed through the hands of the D.H.P.G. to Burns, Philp & Co. The only means of identification was a reference to 'a certain Fresh Water Spring on the Sea beach'. It was only after much guesswork that he managed to identify it (on evidence which the Commonwealth solicitor considered very flimsy, but which convinced the Joint Court) with land bought by the S.F.N.H. in the 1880s and covered with French plantations.* The Commonwealth and the S.F.N.H.,

* Application No. 60, Northern Islands, deed of purchase, 26 September 1877, External Affairs Records: Vance to Woolcott, 11 October 1910, CP 717, VIII; Wallace to Lucas, 3 December 1912, *ibid.*, IX; Judgement No. 332, Joint Court. The land was identified by its name, 'We', and by the following description of boundaries:

Commencing at a certain Fresh Water Spring on the Sea beach, and running along said sea beach for a distance of three and a half miles ($3\frac{1}{2}$) more or less, to a certain tree called Beale—also on the Sea beach—From thence in an Easterly direction in the interior and towards the hills for a distance of one half mile ($\frac{1}{2}$) more or less to a certain hill called Boutournare. From thence to another tree called Boulari a distance of about three and one quarter miles ($3\frac{1}{4}$) more or less, and also parallel to the front line on the Sea beach. From thence in a Westerly direction to the Sea beach for a distance of one half mile more or less to a tree called Metenoua (all these trees are blazed and marked 'P').

Which said tract of land as above described contains nine hundred acres—more or less.

with political objects in view, both endeavoured to include as large an area as possible in their surveys.* In 1926 it was reported that the plans lodged with the S.F.N.H.'s claims were simply attempts to transfer the vague directions contained in the deeds to maps of the area and were worthless from the survey point of view. There was, no doubt, characteristic exaggeration in the account of R. J. Fletcher, who, about to begin work as a surveyor, wrote:

I grant you that nearly all the land was pinched originally, but that is much too abstract a question for me. M. Chose tells me that he has 5,000 acres of good land somewhere in Malekula! He has never seen it, and has unfortunately lost the title-deeds, but he is willing to pay me £ 150 to go and find it and survey it, while he on his part will look for (and most assuredly find) the title-deeds after he has seen my plan. I pick out a nice chunk for him with as much sandal-wood as possible, survey it, and leave the rest to him. It's nothing at all to do with me whether he has rows with niggers or with the Joint Court.†

This was not, however, pure invention.

When the deeds with their supporting surveys came before the Joint Court, the tests applied were three years' occupation or pure antiquity coupled with registration. Where villages were still established on land awarded to a European, provision was made for a reserve; but since the Court itself never stirred out of Vila it could not be sure that the land awarded to the New Hebrideans was cultivable. Even at Havannah Harbour a reserve on the mainland awarded to the Moso people was apparently so inadequately surveyed that when they wanted to make use of it, it could not be located.²⁰ Where claims were seriously contested before the Joint Court it was usually because several Europeans had claims to the same area. On some of the huge areas which the S.F.N.H. claimed but which it had never occupied, for instance, British planters had established rights by occupation. In these cases, the Court usually gave the cultivated areas to the occupants and the rest to the S.F.N.H. The Joint Court had not been hearing land cases for long, indeed, before it became apparent that any piece of paper of whatever date, if it was duly registered, constituted valid title and could not be upset by native caveators. Occupation, on however unsatisfactory a written title, constituted inalienable right as against New Hebrideans,

* See, for example, Hawkins to Lucas, 27 November 1912, *CP* 717, IX; Lucas to Wallace, 17 August 1915, External Affairs Records. The French often magnified the areas of their claims by surveying on the assumption that 'miles' meant 'sea-miles' (see, e.g., Judgement No. 303, Joint Court).

† Bohun Lynch (ed.), *Isles of Illusion*, pp. 90-1. The reference to sandalwood was more picturesque than realistic, since there would not have been much sandalwood on Malekula, or anywhere else in the New Hebrides, at that time.

although as against other Europeans it might involve the occupant in the obligation to pay compensation.²¹

The land clauses of the Convention wholly fulfilled the aim of those who had the predominant part in formulating them. They caused vast areas of land to pass into European hands, without any inquest at all into the nature of the sale. This was in marked contrast with what had happened in Fiji and Samoa. In the New Hebrides, expropriation flourished.

The Eventual Solution: Protectorates, 1892-1914

I

From the moment that the principal Western Pacific Order in Council was issued, it had been clear that the presence in the islands of any European not a British subject went far to paralyse it. Under its provisions, official relations with islanders were necessarily left on an unsatisfactory basis. It had soon become doubtful whether even British subjects could be effectively governed under it without the assumption of territorial sovereignty. Yet even Sir Arthur Gordon, who was painfully aware of these drawbacks, was not ready to recommend the wholesale annexation of island groups, which was the only effective way of meeting them. Reacting strongly, in 1879, against Sir George Grey's demand for annexation of the independent islands, Gordon had argued that the less government had to do with groups like the Solomon Islands and the New Hebrides, where European influence was not intense, the better; it was 'not to the influence of Government, but to that of the missionary and trader that we must in the first instance look for the improvement of their condition'.¹ The point was considered briefly four years later in the report of the Western Pacific Committee, which concluded that annexation had not much to recommend it to the power assuming the responsibility.²

The Colonial Office itself did not for some years afterwards consider taking such a step. When at last, with New Guinea's administration settled, attention was turned again to the rest of the Western Pacific, the Colonial Office concentrated upon amending the Orders in Council to meet the internal defects which ten years of administration had revealed. In August 1888 it was decided to prepare a consolidated Order which would cover some loopholes in the existing instruments and would take account of the political divisions that had occurred in the Western Pacific since 1877.³ The Colonial Office proposed to widen the powers of deputy commissioners, in particular, by enabling them to pass, without appeal, sentences of up to three months' imprisonment or a £25 fine, as against up to one month's imprisonment or a £10 fine under existing instruments. Memories of past failures were reflected in the provision that deportees might

be sent to Fiji and, as the Order finally emerged in 1893, in the article which made it an offence against the Order to take sides in native warfare.⁴ But, as has been shown, there was no disposition to make broader plans for establishing effective control in that part of the Western Pacific which the Anglo-German Agreement of 1886 had left to Great Britain.

Towards the end of the 1880s, however, it was increasingly brought to the High Commissioner's attention that such plans could not much longer be postponed. When, in February 1888, Thurston assumed substantively the office of High Commissioner—which he was to hold until his death in February 1897—a greater sense of purpose returned to the High Commissioner's Office than had been shown there for some years. The situation in the New Hebrides Thurston was content to leave untouched; but his attention was focused on the Solomon Islands by continued dealing in arms by foreigners outside his jurisdiction.⁵ And his imagination was caught, late in 1889, by a Malaita man's story that his chief, Kwaisulia of Ada Gege, wanted to be annexed to Fiji.* In May of the same year he had been extremely concerned about reports of German designs upon the Gilbert Islands. He therefore suggested to the Secretary of State that a deputy commissioner should be appointed at Makira Harbour or Ugi, to be responsible for the Gilbert and Ellice Islands also. He advised that in the two latter groups, treaties should be made with the local authorities which would provide for their acceptance and financial maintenance of a British Resident. He did not intend 'to recommend . . . anything that would awaken national jealousies' or entail a greater expenditure by the imperial government than was already necessary for the efficient administration of the Orders in Council on their existing basis.⁶

No action was taken on these recommendations and when the question of establishing British control in the area on a sounder basis was raised again, it was at the instigation of the foreign power whose own intervention Thurston had feared. In July 1891 Germany herself urged Britain to declare a protectorate over the Gilbert Islands; she understood that the United States contemplated making treaties there and feared that the Deutsche Handels- und Plantagen-Gesellschaft might thus be cut off from one of its recruiting grounds. The point was constantly being pressed by her in the following months, on the assumption that Britain would not interfere with recruiting for Samoa.⁷ It did not immediately awaken a favourable response in the Colonial Office. There had been no appeal for protection

* Minutes by Thurston and Collet, 16 October 1889, *WPHC Inward Correspondence, General*, no. 198 of 1889. Kwaisulia wanted assistance against his enemies, the neighbouring Manaoba people, who had just obtained from a Samoan recruiting ship a supply of more modern rifles than he could command; he also expressed himself anxious to receive the *lotu*.

from the Gilbertese, and from Findlay's *Directory*—a book of sailing directions, the only source of information immediately to hand in the department—the islands did not appear to be a valuable potential possession.⁸ Only when the Colonial Office realised that the alternative was to permit Germany to take the group herself, thus tearing up the 1886 Agreement and risking violent protests from Australasia,* was the Admiralty in January 1892 requested to have the flag hoisted.⁹ In September the protectorate was extended to the Ellice Islands.

In the Solomon Islands local actualities were more pressing; but even here the protectorate which was declared in June 1893 owed a good deal to international considerations. The question of establishing permanent civil control in the southern Solomon Islands had been raised in 1892, as a result of the reopening of the Queensland labour traffic, by Fuller in the Colonial Office and by Thurston in private letters to the Secretary of State. In May of that year Thurston insisted to Lord Knutsford that Queensland's resumption of recruiting demanded action by the imperial government to establish independent supervision. It was only by breach of the regulations issued by Queensland, he argued, that recruits could be obtained in the numbers required. And the fact that, with the increasing depopulation of the New Hebrides, labour ships would concentrate upon the Solomon Islands, was a powerful argument in favour of declaring a protectorate there.¹⁰ In the same month Fuller, briefly reviewing the High Commission's original purpose, justly concluded that, so far as controlling the labour traffic was concerned, success had not been achieved. He argued that, if the Colonial Office was to be able to justify itself before the wave of criticism caused by Queensland's decision to start recruiting again, imperial control was required, based on the assertion of territorial jurisdiction.¹¹

In the recommendations of both Fuller and Thurston another consideration was the possibility that France, checked in the New Hebrides and aroused by British action in the Gilbert Islands, might seize the southern Solomons. This was the fear which remained with the Colonial Office when the recruiting storm had been weathered and which forced it reluctantly into action. If France were to forestall Britain there, observed Meade, 'such an outcry would be raised, that I doubt the govt. being able to withstand it'.¹² In December 1892, observing that he would gladly have avoided the step had not the risk been so great of alienating Aus-

* Minutes on F.O. to C.O., 8 January 1892, CO 225/41; see, especially, Herbert's minute, *ibid.*: 'The idea of transferring these Islands into the German Sphere & so tearing up the settlement with Germany which grew out of the "intrusion" of Germany into New Guinea, cannot for a moment be entertained. The Australasian Colonies would look upon it as a breach of faith portending surrender in all directions to Foreign Powers.'

tralia by losing the islands, the Secretary of State directed that a protectorate should be declared over the Solomon Islands south of Ysabel.¹³ In this very half-hearted fashion, therefore, the Western Pacific High Commission become responsible for the intimate affairs of large island groups and not simply for the conduct of British residents in them. From being primarily an official with police and judicial functions, the High Commissioner became the executive head of two small colonial administrations.

His legal authority, and that of his deputies, was as conferred by the consolidated Pacific Order in Council, March 1893. An important feature of the new Order was the increased power and independence which it gave to the deputy commissioners.¹⁴ Jurisdiction over British subjects was placed on a sound legal footing by the consolidated Foreign Jurisdiction Act, 1890. For jurisdiction over islanders and the subjects of foreign states, vital to the success of administration under the Order, the legal basis was debatable. The Law Officers in November 1892 considered that foreigners resident in a protectorate were justiciable under the Order in virtue of the Berlin Act, 1885, relating to African protectorates, whose provisions they thought might be taken as constituting norms accepted in international law for the rights of a protecting power in respect of foreign nationals.¹⁵ So far as jurisdiction over the islanders themselves was concerned, however, they and the Foreign Office also were alarmed by the Colonial Office's assumption that it flowed '*ipso facto* from the bare assumption of a Protectorate . . .', feeling rather that it was 'dependent on an explicit or implied grant by the protected Sovereign . . . in whom such jurisdiction was (in theory at any rate) originally vested'.¹⁶ The Colonial Office view prevailed. In the Gilbert and Ellice Islands, moreover, it had been possible to put the protectorate on a sound legal basis by entering into treaties with the island governments. In the Solomon Islands this could not be done.¹⁷

These, actually, were academic considerations. Neither they, nor the preparation of the Pacific Order in Council, 1893 itself, had any of the significance on the level of policy-making that had attached to the drafting of the Western Pacific Order in Council, 1877. The major question overshadowing the inauguration of the protectorate administrations was a financial one. The Colonial Office recognised the High Commission's altered function sufficiently to be agreed that its parliamentary vote must be placed under a different head to that hitherto employed: 'For the administration of the Pacific Islanders Protection Acts'; but there was little inclination to increase the size of the vote itself, nor had the imperial government's attitude towards expenditure upon the Western Pacific undergone a sea-change. Protectorates had been declared under pressure and with reluctance. According to Fuller, protection, rather than annexation,

had been adopted as 'a matter of convenience, enabling us to shuffle off what may prove to be unnecessary for us to hold'.¹⁸ And the basis of policy to be pursued towards them, as laid down by the Secretary of State in December 1892, was that no extra expense arising from their administration must fall upon imperial funds. The cabinet had only agreed to the declaration of the protectorates on the understanding that no responsibilities would be incurred the cost of which could not be met from local revenue.¹⁹ The ideal type of administration, therefore, was that of essentially self-governing native communities acting under the advice of a Resident whose salary and expenses would be paid by them and who would be directly responsible for dealing with foreign residents.

II

The Gilbert and Ellice Islands provided a very suitable basis for this ideal. When Captain E. H. M. Davis appeared with H.M.S. *Royalist* to hoist the flag in May 1892, no British warship had been seen there since the *Miranda* in 1886, and several islands were subject to a good deal of disorder. Tarawa was still rent by the war between the north and south of the island which Commander Rooke had attempted to end in 1886, and fighting had only just ceased on Tabiteuea. On most islands European traders had some complaint or other to make, whether about theft or tabus on trade. On Butaritari, where were concentrated twenty-one of the seventy-seven whites living in the group, the foreigners were divided into factions among themselves. Davis secured from the Gilbertese promises of financial support for a Resident, settled the most pressing disputes, and confiscated most of the firearms, which traders had been importing for over forty years, even whilst averring that they were the curse of the group.²⁰

Beneath the apparent confusion, the indigenous authority structure survived. It formed the basis of the protectorate administration which Thurston established after visiting the islands in July and August 1893. On the northern islands, from Little Makin to Abemama, the *uea* of each island was made responsible for its good order, with the assistance of *kaubure*, the councillors elected by each *maneaba* district. In the southern islands, following the prevalent social and political pattern, this duty was given to the *kaubure* alone. Magistrates, police and a scribe were appointed to every island. Affairs were to be conducted under the Native Laws of the Gilbert Islands Protectorate. This document, which issued from the High Commissioner's Office in 1894, represented an amalgamation and codification of the existing laws of all the islands.

It . . . appeared my duty [Thurston observed] to avail myself of such organization as the natives, with the aid of Missionaries had themselves

set up, and to improve it from time to time as the people advanced in civilization, and as other circumstances would permit.²¹

Copies of the local laws then in operation had therefore been collected by the first Resident Deputy Commissioner, C. R. Swayne, were rationalised and amended in the High Commissioner's Office, and were submitted to each government for adoption after being discussed in the *maneaba*. Similar provisions were made in the Ellice Islands and on this basis the local government henceforth carried on the affairs of their islands, under the perambulating oversight of the Resident.

From the Colonial Office viewpoint, the most important aspect of the Gilbert and Ellice Islands Protectorate was its ability to pay for itself. A capitation tax on islanders, to be paid in copra, and various taxes on European residents and trading vessels, were expected to produce more than a sufficient income to meet the expenses of the protectorate government.²² Initially, however, there was difficulty here. Late in 1892 Swayne found that all the islands south of the Line were depressed by drought; little copra was being made and there was no hope of collecting the native tax in the following year.²³

On Butaritari, one of the largest islands, there were other claims outstanding which, in the interests of harmony, had to be settled before government took its share. Petitions had at once been received, when the protectorate was declared, from resident traders for payment of debts owing to them from the Gilbertese. Before the flag was hoisted, trade had been conducted in the Gilbert Islands on a credit basis. On Butaritari, which was the local headquarters for all the four firms that had been engaged in the group—Wightman Brothers and Crawford & Co. of San Francisco, the Jaluit Gesellschaft, and On Chong & Co. of Sydney—the so-called 'clip' system had been introduced: trade goods were advanced in return for a lien on the copra produced by a particular grove of trees. The U.S. Commercial Agent and manager for Wightman Brothers, Adolphe Rick, had grown especially fat on this system, making profits of several hundred per cent. Claims were immediately laid before the Resident to copra still outstanding to the value of \$32,434, of which the Gilbertese admitted to owing at any rate \$23,937. A tabu had to be placed upon the sale of copra until enough had been collected to pay off those claimants who were able to establish their case at an inquiry before the Resident.²⁴

The Butaritari debts were the major single legacy of the pre-protectorate period which remained for the Resident to settle. During the rest of his two-year appointment, Swayne—whose principles of native government derived from over twenty years' experience as Stipendiary Magistrate at

Lomaloma*—was chiefly occupied in putting the island governments to work along lines of which British authority could approve. In the southern islands he found the democratic tradition so strong that it was difficult to induce the *kaubure* to appoint magistrates, whilst on the northern islands the *ueas* constituted a focus of disorder. Swayne dealt energetically with these problems. He appointed magistrates himself and, under article 52 of the Pacific Order in Council, deported first the *uea* of Marakei to Fiji and then the *uea* of Tarawa to Rotuma.²⁵ Governments had to be taught to enforce the law with an even hand, regardless of the power of a culprit's family. At Maiana in 1894, for instance, he insisted that a man should be tried for murder, that the *kaubure* themselves should arrive at a decision, and that the sentence prescribed should be carried out.²⁶ The foreign population, which was directly answerable to the Resident, was not at this time giving much trouble.†

At this stage in the protectorate's history, the Resident was essentially peripatetic. With nominal headquarters at Butaritari, he travelled through the protectorate in a trading steamer or, when available, in a warship. This enabled him to spend only a short time on each island and involved constant motion also between Butaritari, Sydney, and Suva. Early in 1895, however, the decision was taken to erect a Residency on Betio islet in the Tarawa lagoon.²⁷ By the following year Swayne's successor, W. Telfer Campbell, was established there, training a protectorate police force and already looking with a jaundiced eye upon the proceedings of the various missionaries and beachcombers of whose attentions the islands were the recipients.‡ By that time, moreover, the Resident's expenses were being met by local taxes.

III

In December 1894, after his visit to the Solomon Islands, Thurston reported that it was not possible to establish the protectorate there on so satisfactory a basis as in the Gilbert and Ellice Islands. No treaties could be made with local authorities, which for present purposes scarcely existed,

* Swayne had been appointed Stipendiary Magistrate for Lau during the governorship of Sir Arthur Gordon; he was only temporarily seconded from the service of the Fiji government to that of the Western Pacific High Commission.

† Swayne sometimes found it necessary, however, to warn foreign residents against meddling in native affairs and 'to make it particularly plain to the Kaubure that they were the responsible Government of the Island, and that while the Foreigners . . . were entitled to their protection and consideration they had no place in the Maniaba and no right to interfere with Native Government'. (Swayne to Berkeley, 1 July 1895, *WPHC Inward Correspondence, General*, no. 215 of 1895.)

‡ Campbell to Berkeley, 28 March 1896, no. 209 of 1896. The new Resident Commissioner had earlier served in British New Guinea, under MacGregor, as Resident Magistrate in the Louisiade Archipelago.

and no local revenue was to be expected, beyond what might be raised from European traders, to meet the expenses of a local government. Nor, indeed, did he advise that any regular government should be instituted. All he thought necessary was that steps should be taken to meet long-standing abuses: to prevent the sale of arms to islanders, regulate their employment in local vessels, and supervise the Queensland labour traffic. For these purposes, he recommended the appointment of a resident deputy commissioner.²⁸

The limited scope of Thurston's proposals was, of course, fully in accord with Colonial Office policy; but the need for even a deputy commissioner was not felt to be overwhelming by his superiors. With the failure of the Gilbert and Ellice Islands' copra production in 1894-5 and the consequent impossibility of collecting the native tax, the salary of the Resident there had still to be borne upon the High Commission vote. There was no provision for more than one such salary and the Secretary of State refused to move from the principle that 'The Solomons must support themselves'.²⁹ By November 1895 Thurston was seriously concerned at the failure to make an effective appointment to the Solomons.³⁰ In the Colonial Office, however, a strong body of opinion existed which was adverse to spending imperial money on them. The reason for this was that, with the prospect of Australian federation, the ancient chimera of Australian responsibility for the Western Pacific islands had reappeared.

When Fuller was urging in 1892 that action should be taken in the Solomon Islands to establish an independent check on Queensland recruiting, he had actually contemplated, not a protectorate under the High Commissioner, but annexation to British New Guinea.³¹ Such a proposal had been made three years before by the Administrator, Sir William MacGregor, who wanted to annex Guadalcanal as a recruiting ground for his police force.* It was raised again on a larger scale in 1892 when, in an effort to induce the imperial government to continue its grant-in-aid of the territory's steamer, the *Merrie England*, MacGregor and Sir Samuel Griffith joined in advocating that responsibility for the southern Solomon Islands, and perhaps for the New Hebrides also, should be transferred from the High Commissioner to the Administrator of British New Guinea.³²

The Colonial Office was impressed with MacGregor's argument that British New Guinea was the natural geographical centre from which to administer the area in question, but it received at first with respect the denunciation of Thurston, who represented the proposal as a mere

* MacGregor to Knutsford, 6 August 1889 (private), CO 422/5. This suggestion foundered on fears raised by the Ambassador in Paris that France would violently protest and insist on reopening the New Hebrides question if Britain were to take any of the Solomon Islands.

intrigue to increase imperial interest in the *Merrie England*. It was, the High Commissioner insisted, an improper deviation from the principle that, where white and coloured peoples were brought into contact, their supervision should be a direct imperial responsibility alone.* In December 1895, however, the proposal was raised again by Anderson—first-class clerk in the Colonial Office—as grounds for taking no steps to appoint a deputy commissioner to the Solomon Islands. Anderson took it to be a fact that it was agreed

by everyone except Sir J. Thurston, who is rather jealous of his old colleague Sir Wm. McGregor that the natural centre from which the Solomons should be managed is N. Guinea.

He thought it undeniably the case that 'if we are ever to make anything of our numerous island possessions, we must do it in association with the Australian Colonies'. Such trade as there was with the Solomon Islands was conducted by Australian firms,

and to attempt to administer them without their assistance & co-operation would not only be a difficult task in itself, but one which they might & not improbably would render impossible.

Thurston himself, Anderson continued, was due to retire in 1897, the imperial agreement with Australia on New Guinea came to an end in the following year, 'and the whole administration of the Pacific will be, so to speak, in the melting pot and will have to be created anew'. He doubted, therefore, whether in the meantime it was worthwhile to spend from imperial funds even the few hundred pounds which would be needed to enable a deputy commissioner to watch Queensland recruiting. It would be better

* Thurston to C.O., 12 November 1892, *CO* 225/39. The proposal ran counter to all Thurston's principles as a colonial administrator and was the more galling in that he and MacGregor were old rivals from the latter's Fiji days. A hint of the proposition came to the ears of Sir Arthur Gordon, whose reaction was characteristically decided:

Sir William MacGregor, indeed, personally, might be trusted to perform this duty efficiently, but the principle involved is very dangerous. The one thing the traders still have really to fear is the chance of being had up before a Deputy Commissioner acting under an independent external authority. They know very well that Queensland officials will not report irregularities if they can help it, that Queensland juries will not convict, if there is any loophole of escape, and that Queensland public opinion will not allow the Executive to hang a white man, for any conduct, however atrocious, towards natives. (Gordon to Fuller, 17 June 1892 (private), *CO* 234/55.)

In March 1898 C. M. Woodford, Resident Commissioner of the British Solomon Islands Protectorate, was assured by the master of a Queensland labour vessel that the protectorate would soon be under Queensland control and that no one would then observe any regulations which they felt disposed to ignore. Woodford reported this as an instance of a common attitude on the part of Queenslanders. (Woodford to O'Brien, 11 March 1898, *WPHC Inward Correspondence, General*, no. 147 of 1898.)

to limit interference in the Solomon Islands to the occasional visit of a 'magistrate' from Fiji until the group could be included in British New Guinea. These views were accepted in the Colonial Office, halting proposals to approach the Treasury for an increase in the High Commission vote.³³ In September 1896 Anderson repeated that, after Thurston's retirement, a governor could be appointed to Fiji whose sole concern would be the crown colony,

and if the federation of Australia is completed by then it shd. not be difficult to get complete and satisfactory arrangements made for the supervision of the outlying islands and dependencies which have hitherto devolved on the High Commission.³⁴

In March 1897 a circular despatch went to the Australian governors, pointing out that the main object of establishing a protectorate over the southern Solomon Islands had been to prevent injury to Australian interests by permitting them to pass into the hands of a foreign power. It was

desirable therefore that the responsibility for the administration should rest with the Australian colonies, and that it shd. be conducted in accordance with Australian rather than English ideas.

It was hoped that the renewal of the British New Guinea agreement in 1898 might be discussed on the assumption that the Solomon Islands would be included in the territory.³⁵

From the High Commissioner's Office, however, protests continued to come that this would be in effect to 'make the Solomon Islands practically a dependency of Queensland, for the purpose of supplying that Colony with black labourers', and 'would be to inflict a great injustice on the natives'.³⁶ Anderson himself was impressed by the views of Wilfred Collet, who in a personal interview argued that, unless recruiting were ended and Australia promised a large grant-in-aid of the Solomon Islands, it would be better to leave them under the High Commissioner's control.³⁷ At the Australian Premiers' Conference in London in 1897, moreover, it was apparent that the Colonial Office had been over sanguine in its expectations. Queensland was willing to take over the group, on condition that recruiting should not be stopped; but the Premiers of the other colonies felt that it was premature to accept responsibility for the Solomon Islands before a federation was actually in being.³⁸ They had not even responded as readily as was expected to the Secretary of State's invitation to relieve the imperial Treasury of responsibility for financing the administration of British New Guinea. The Australian governments were prepared to make no fresh, long-term provision for administering the territory; they proposed that where expenses exceeded local revenue, the deficit should be met by raiding the accumulated local revenue fund, and they were prepared to retain the *Merrie*

England only if the imperial government would continue to provide its annual £3,000 towards her maintenance costs.³⁹ Once again, therefore, attempts to make over to Australia responsibility for the administration of the Western Pacific islands had ended in disenchantment.

That there was, by this time, any administration in being in the Solomon Islands Protectorate was due to the energy of C. M. Woodford, the first Resident Deputy Commissioner, and to the support which he received from the ailing Thurston. Woodford, who had served briefly in Fiji in the early 1880s, had later made expeditions as a naturalist to the Solomon Islands. He published on them several scientific papers and a book. In the latter he observed that he knew 'no place where firm and paternal government would sooner produce beneficial results than in the Solomons . . .'; here was 'an object worthy indeed of the devotion of one's life'.⁴⁰

His career showed that these were not empty words. Having arrived in Suva in 1894, on the off-chance of being appointed Resident Commissioner in the Solomon Islands, to find that there was no money with which to pay him in that capacity, he served briefly as acting consul to Samoa.⁴¹ In April 1896, whilst Thurston was in Sydney, he was assisting Collet in the High Commissioner's Office. And the despatch which went to the Colonial Office that month, protesting at its failure to include on the revised 1896-7 estimates a salary for a Resident in the Solomon Islands, bore all the signs of having been drafted by him. It represented a complete change of local attitude towards the protectorate.

It had been intended, the despatch insisted, that, however modest the Solomons administration might initially be, it should at any rate be a real one. The despatch proceeded to demonstrate how it might be made so: the Gilbert and Ellice Islands Protectorate was now self-supporting, and this released a Resident's salary for the Solomons; with an imperial grant-in-aid of only £600 a local government could be established. A station could be erected from the proceeds of trading licences and, with a force of eight native constables, the Resident could begin to deal with the problems which demanded immediate attention: suppression of the arms traffic, development and supervision of local trade, control of labour recruiting, and 'the education of the natives'. In the meantime, it concluded, Woodford had been appointed acting deputy commissioner, on a salary drawn from local savings on the vote, with instructions to report generally on the group.⁴² This despatch went via Thurston in Sydney. The High Commissioner also received there a personal visit from Woodford, *en route* to the Solomons, as a result of which Thurston became an enthusiastic convert to Wood-

ford's vision of the Solomon Islands as an area of great commercial possibilities, ripe for development.*

The excellence of Woodford's first report from the Solomon Islands in November 1896 offset the immediate inclination of the Colonial Office to criticise what it considered an appointment in defiance of its known policy. His despatches showed that trade was increasing. There was a prospect that plantations would be opened and already there were instances of large speculative land purchases, for the prevention of which he advised that the High Commissioner should assume ownership of all unoccupied land.⁴³ The Colonial Office was so impressed by the need for immediate action that it deviated from its policy of avoiding imperial expenditure on the Solomon Islands. In January 1897 it obtained from the Treasury a grant-in-aid of the Solomons of £1,200 with which to erect a Residency on the island of Tulagi—already purchased for that purpose by Woodford—and to establish the nucleus of a local administration.⁴⁴

This, indeed, even with the £800 which Woodford expected to raise locally from trading and recruiting licences, was little enough for the task ahead. Woodford returned to the Solomon Islands in 1897 without sixpence to spare, his only establishment six native policemen trained in Fiji, and a whaleboat. His appointment, moreover, was a provisional one for a year only. And the Colonial Office had given the Treasury an undertaking that no more imperial money would be spent on the protectorate and that, if Australia did not agree to assume responsibility for it, it must become self-supporting.⁴⁵

An outbreak of smallpox in 1898, however, and the consequent necessity of enforcing stringent quarantine regulations, enabled the High Commissioner to argue successfully that humanitarian considerations demanded the continuance of the grant-in-aid so that A. W. Mahaffy could be appointed Assistant to Woodford.⁴⁶ And, for the financial year 1899-1900, the necessity of taking over, under the Samoa Agreement, the German Solomon Islands as far north as Bougainville Strait enabled the Colonial Office to wring from the Treasury a grant of £2,500 from which to provide a sailing vessel—although Woodford was asking for a steamer—and an additional force of police. The terms in which the Treasury agreed

* Thurston at first had been unenthusiastic towards Woodford, whom he remembered as a junior and unpromising officer in the Fiji Immigration Department (Thurston to C.O., 30 March 1894, *WPHC Despatches to S of S*). And he had had no plans for active administration in the Solomon Islands, still less for their large-scale commercial development. After meeting Woodford again, he became both his staunch supporter and an ardent convert to the idea of developing the islands. (See extract from a private letter of Thurston's, undated but clearly of 1896—CO 225/50: 'If I were a little younger and had my old health I would make the place pay in a very short time. It has great possibilities.')

to this were decidedly minatory. They marked a renewal of the policy of establishing Australian responsibility, which the Colonial Office by now knew to be, for the moment at any rate, a dead issue: their Lordships wished it

distinctly to be understood that They will not be prepared to sanction the continuance of this Vote in future years, and They trust that Mr Chamberlain will take a very early opportunity of informing the Australian Governments that British authority will be withdrawn from the Solomon Islands on a date to be definitely named, unless before that date they are prepared to assume all responsibility for the administration of the Protectorate.⁴⁷

The effect of this shadow hanging over the protectorate's future was to add urgency to Woodford's personal predilection for large-scale commercial development of the islands. If the protectorate was to be saved, it must stand financially on its own feet as soon as possible. This end could be attained, not by relying on the initial sources of local revenue (taxes on stations and on trading and recruiting vessels), but only by attracting a big company prepared to invest large sums in opening copra plantations.

Within a few months of Woodford's taking up residence at Tulagi, this seemed to have been achieved. In 1898 both the High Commissioner and the Colonial Office were approached by the Pacific Islands Company for a concession of land in the Solomon Islands. This company had been formed during the course of that year, when the guano and copra exporting firm of J. T. Arundel Ltd bought out Henderson and McFarlane's interests on and around the Line. Arundel himself was travelling director, Sir Arthur Gordon—now Lord Stanmore*—was chairman, and Sir Robert Herbert and Sir John Bramston, both lately retired from the Colonial Office, were interested in the company. It appears to have had political as well as commercial ambitions. Thurston, for instance, expected it to strengthen the hand of government in negotiations on the political future of the islands and it proposed to form Anglo-French and Anglo-German subsidiaries, of which Arundel expected the latter to be able to settle the Samoan problem 'peacefully & satisfactorily'.⁴⁸ Stanmore wrote that the company, with Burns, Philp & Co. Ltd, should secure 'a joint domination over the Pacific'.⁴⁹ Humanitarian ends were also catered for. According to Arundel, he and Stanmore were

both trying to work towards the same high ideal of making, or trying at any rate—to make money-getting subservient to the best interests of the native proprietors of the soil.⁵⁰

* Gordon was raised to the peerage in 1893; no man had coveted the honour more (J. K. Chapman, *The Career of Arthur Hamilton Gordon*, p. 346). His biographer, unfortunately, has not given his involvement in these commercial enterprises the elucidation which it requires.

If the company's plans for the Solomon Islands had been realised, its operations there would have given it ample opportunity to show how it interpreted those 'best interests'.* Stanmore was convinced that the Solomon Islands offered the finest of all fields for the investment of capital,⁵¹ and he was ably seconded by Woodford, who in January 1898 was assuring Arundel that the group was unrivalled for coconut planting. Next year the company's representatives were accompanied by Woodford on a tour of the protectorate, selecting land on Gizo, Kolombangara, Wana Wana, Ysabel, Choiseul, and Guadalcanal for lease to the company.⁵²

In agreeing in principle to the issue of ninety-nine-year occupation licences to these lands, the Colonial Office intimated that it could afford the company's local operations no protection against islanders. 'In other words', observed Stanmore, 'they have established a protectorate which does not protect.'⁵³ He was willing to accept this situation, on behalf of the company, 'If they will make over to us the *administration* of the islands we lease . . .'; otherwise, 'we shall always be at the mercy of a blundering administrator, and responsible to a distant High Commissioner'. He wanted 'a Charter to administer the islands—a small sort of British North Borneo'.⁵⁴

Between April and August 1899 Stanmore put this idea to the Colonial Office, in official correspondence and private conversations, suggesting that such a scheme of company government should last until Australia was ready to assume responsibility for the group; but the day of the chartered company was passing and the Colonial Office did not take the suggestion seriously. Anderson, who dealt with it, thought it might be used to awaken Australian commercial jealousy and so arouse colonial public opinion and politicians to a sense of Australia's responsibility for the Solomon Islands: 'it practically only amounts to making use of the Company to bring the Australians to the scratch'. The Secretary of State, Joseph Chamberlain, refused either to accept Stanmore's proposal or to make use of it in this way.⁵⁵

Despite this disappointment, the Pacific Islands Company persisted in its application for occupation licences in the Solomon Islands. Just as these had been prepared, however, it was discovered that in 1898 the D.H.P.G. had registered with the High Commissioner claims to a large part of this land, purchased in 1886-8.⁵⁶ In 1902 the company bought these claims from the D.H.P.G. By this time the attention of Arundel and most of the other directors had been distracted by the discovery of phosphate at Ocean Island, which promised—as Arundel said, quoting Dr Johnson—'the prospect of riches beyond the dreams of avarice'.⁵⁷ Stanmore persevered for several years longer with the Solomon Islands scheme, but was unable

* For its interpretation of such interests elsewhere, see below, pp. 272-7.

to raise sufficient capital.⁵⁸ In 1906 the concessions were disposed of to Levers' Pacific Plantations Ltd, one of the companies formed by the soap magnate, Sir William Lever, to provide his factories with an assured supply of raw material.

Levers' Pacific Plantations Ltd had actually gone into the Solomon Islands in 1905, when they bought 28,870 acres of land from the people and also acquired the 51,000-acre properties of Captain O. Svenson. The latter comprised tracts of undeveloped land with plantation potential and a chain of trading stations. Amongst the stations was the island of Gavutu, three miles from the seat of government at Tulagi. Levers established their local headquarters at Gavutu.⁵⁹ In 1907 they consolidated their position by converting the properties which they held on occupation licences—including those acquired from the Pacific Islands Company—from their original ninety-nine-year term to one of 999 years. They then held a total area of about 300,000 acres of land—about 470 square miles—in the central and western islands of the group.⁶⁰ For this they were to pay a nominal rent, to encourage them in development, since, as the Secretary of State observed,

it is not every day that we find a millionaire tenant in the Solomon Islands, and I think we may assume that the rental he pays is the lesser part of the advantage the Protectorate will derive from him.⁶¹

The speed and scale at which Levers at first embarked upon the development of their properties surprised and gratified even Woodford.⁶² The protectorate government's financial problem was solved almost overnight as a result of their operations. Whereas in 1905 a large deficit was expected for the following financial year—with the consequent necessity of approaching the Treasury for the first grant-in-aid since 1899-1900—a surplus was actually achieved. From a total of £1,994 in 1904-5, revenue reached £7,430 in 1907-8 and continued to increase. It derived mainly from new customs regulations and, in particular, from an import duty on tobacco, which was used as currency in trade with the islanders.⁶³ Other firms—such as Burns, Philp & Co. Ltd—followed Levers' example and opened plantations in the group. In 1908 Woodford was able to replace the government's ketch, purchased eight years before with the 1899-1900 grant-in-aid, with a steamer, paid for from revenue.

Development on the large scale and at the rapid pace with which Levers' Pacific Plantations Ltd proceeded brought problems as well as advantages. It placed upon the government an added obligation to bring at least the coasts of the main islands under control. In the early years of the protectorate, indeed, much energy had been devoted to the suppression, in particular, of head-hunting. In 1898 Woodford had found that the New

Georgia head-hunters were extending their activities as far as Choiseul, having already almost denuded of people the south coast of Ysabel.⁶⁴ His Assistant's report on a voyage westwards from Tulagi showed that in recent raids a total of 164 heads had been taken by the New Georgia people. Mahaffy was graphic in his account of the tensions on an island subject to attacks and forthright in the remedial measures which he advocated:

The perpetual and elaborate watch kept on Simbo throughout the nights, where sentry answers sentry with a strange regularity; and where the midnight rumour of the arrival of five men in a strange canoe is sufficient to set the whole island in an uproar of panic . . . speak volumes as to the general state of uncertainty and insecurity felt by the natives of these islands; nor do I believe . . . can a better state of things be induced without strong, continuous, and consistent, repressive measures.⁶⁵

Mahaffy was therefore placed at Gizo and, with twenty-five Solomon Island policemen, travelling in a war-canoe captured in the Roviana Lagoon, he succeeded in overawing the New Georgia people. Those of Ronongo and Vella Lavella, who were particularly warlike, he reduced to obedience in a series of sustained campaigns. In 1908 another government station was opened in the Shortland Islands and it was determined to make the existing *ad hoc* tripartite division of the group for police purposes a more formal one. A government officer with six policemen was to be placed in the Shortlands, with responsibility for the western district; another, with twenty police, was to reside at Gizo for the central district; and at Auki, for the eastern district in general and for Malaita in particular, was to be concentrated a large force of forty policemen.

It proved impossible to get suitable Solomon Islanders in sufficient numbers to fill these posts, however, and four years later the question was still being discussed in the High Commissioner's Office as to what other part of the Empire might provide recruits to bring the Solomon Islands' police force up to strength.⁶⁶ In the meantime, government was unable to provide the security which the planting interests demanded, and the clumsy support of warships had still to be invoked. Those who had invested heavily in the protectorate cannot have regarded this situation with favour. It is possible, also, that investors were not entirely content with the District Magistrates who held sway at the government stations. According to the High Commissioner Sir Francis May in 1911, they

have one qualification in common—they are gentlemen. But they are untrained, having had little education in office-work, in the routine of official correspondence, and none at all in law. They are situated in widely separated isolation where supervision of their actions is very difficult, with the result that as a class they gave me the impression of being somewhat indisciplined and prone to irresponsible action.⁶⁷

Their indiscipline did not lead them to contest the policy which the central protectorate administration had now developed towards pacification. The government gave up the aggressive policy adopted by Woodford and Mahaffy in the early days and—making, perhaps, a virtue of the necessity which derived from the lack of a sufficient force of police—took up a standpoint which amazed administrators who were used to a forthright system of pacification by armed patrols. In 1916 the Solomon Islands were visited by Sir Hubert Murray, Lieutenant-Governor of Papua, who wrote privately to his brother that the group was ‘the queerest place imaginable’, in that ‘No attempt is made to preserve order, or to punish crime’.

The amount of crime that goes unpunished on Malaita is something appalling. The natives seem to tolerate the missions—though one of the missionaries told me, quite as a matter of course, that the bushmen always took a ‘certain toll of lives each year from the mission boys’—but within a couple of hundred yards of a mission it is unsafe to land, and even within a few yards of the Government Station. The plantation labourers on Malaita work under armed guards, and a few months ago there was a fight which lasted a week between the Plantation people and the bushmen—they fought every night, but eventually the plantation people were reinforced from another island and beat them back.

All this seems to be due to a deliberate policy on the part of the Government. They say you can not bring these people under control by violence but only by moral influence; therefore they do not punish them at all—even apparently when they kill a white man—and not only that but they hardly take any pains to protect the lives of the law abiding natives. It seems difficult to believe that any one can allow things to get in such an awful muddle. . . .⁶⁸

The government blamed native unrest on the behaviour of some of the white population. Woodford had got rid of some of the more obnoxious characters among the pre-protectorate Europeans—such as Peter Pratt Edmunds, who sold out and left in 1901 after government, suddenly descending on him in force, had fined him heavily for illegal arms dealing; but Levers had employed several others whose actions were often calculated to cause forceful resentment among the natives. Such a one was P. C. Munster, manager of their Ugi station, who was deported in 1909 for shooting and assault.⁶⁹ Far worse, in some cases, were the employees whom Levers themselves brought into the group. They were mostly recruited in Australia and often combined an overbearing, insensitive attitude towards the islanders whom they employed with an absence of elementary caution in dealing with them. In 1908 Mahaffy felt obliged, in an official report, to make the point that the

mere absence of a policeman from the next corner (a condition of life

to which the [recent] settler has not been accustomed) does not justify him in acting in a manner which would not be tolerated for a moment in a civilised community . . . [and newcomers] should remember that respect for honesty and sobriety is not confined to either place or colour.

Some of the firm's employees, on trading expeditions, adopted the practice of simply collecting all the coconuts in sight and, when the owner appeared, paying him what they thought fit. By reference to such practices as these the administration explained the fact that, whereas in the years 1897-1904 no Europeans had been killed in the Solomons, such murders were thereafter of comparatively frequent occurrence.⁷⁰

The protectorate's commercial development was advanced at the expense of the humanitarian considerations which hitherto had always played so large a part in determining High Commission policy. Even with the revenue accruing from Levers' and other firms' activities, it was not possible for the administration to provide a staff sufficiently large to supervise all their proceedings, with the result that overseers were not subject to adequate government control. Conditions on Levers' plantations, reported Mahaffy, were sometimes such as he imagined would 'amaze and horrify the proprietor of the model town of Port Sunlight'.⁷¹

Levers' policy came rapidly to exhibit the characteristics typical of the large firm with a heavy investment in a comparatively small territory. They assumed, naturally enough, a proprietorial attitude towards government. In 1909, apropos of illegalities committed by Munster, they assured the High Commissioner that 'Regulations are made to facilitate business'.⁷² In the previous year one of their officials had attempted to organise a meeting of all foreign residents to draw up grievances against the administration. Mahaffy believed that they aimed to obtain 'some sort of charter for the "running" of the group on their own lines', of which he considered that the result would speedily be 'the throttling of private enterprise'.⁷³

Within a few years of Levers' arrival the government's enthusiasm for operations by so large a company had waned considerably. Officials began to look with a jealous eye on the vast areas of land comprised in Levers' properties and to complain that they were not fulfilling their obligations in respect of the land which they held by occupation licences. In 1910 Woodford observed that they had certainly invested very large sums of money in development, but that much of it had been ill-spent as a result of inexperience and acting on bad advice. Almost all of it had gone to develop their freehold lands on Guadalcanal, the Russell Islands, and Rendova. On the 200,000-acre concession which they had obtained from the Pacific Islands Company—and on which they were pledged to spend £20,000 in the first ten years—they had so far expended only £2,500. Woodford now believed that they lacked not only the ability but also the inclination to

develop this concession and regretted that it could not be made available to other applicants. And from consideration of the deeds and of native evidence, he had come to doubt whether some of the freehold lands they had acquired from Svenson were so extensive as had been supposed and whether they had been disposed of by the rightful native owners.⁷⁴

Lever's Pacific Plantations Ltd had their own difficulties and complaints. Sir William Lever himself was never convinced that he had made a particularly good bargain in the Solomon Islands. Despite all that the directors in Sydney could do—and Woodford believed that they demanded of their employees more output than honesty*—he felt that management costs were far higher than the price of copra warranted and that the manufacturing side of his empire was subsidising the side responsible for providing the raw material.⁷⁵ The company had grounds to complain that it was hampered by the Colonial Office, which was slow in issuing the occupation licences to the concessions⁷⁶ and, above all, failed to enable Levers to obtain in sufficient numbers the labourers without whom development was impossible.† Company officials labelled photographs of Tulagi: 'Seat of Misgovernment'.

IV

The Gilbert and Ellice Islands Protectorate was also the recipient of a big company's attentions. In about 1900 an assay of rock brought from Ocean Island by an employee of the Pacific Islands Company, A. F. Ellis, had revealed that the island was rich in phosphate. In May of that year, Ellis returned to Ocean Island and obtained an agreement by which the Banabans conceded to the company 'the sole right to raise and ship all the rock and alluvial phosphate on Ocean Island for and on account of the said company', for a period of ninety-nine years, at an annual rent of £50, 'or trade to that value at prices current in the Gilbert Group'. Phosphate was not to be removed from land where fruit trees were growing.⁷⁷

In anticipation of their representative's action, the company had already approached the Colonial Office for a licence to export phosphate from Ocean Island, and Stanmore had forwarded privately the suggestion of J. T. Arundel that the island should be annexed to the Gilbert and Ellice Islands Protectorate.⁷⁸ The suggestion was resisted by the High Commissioner, Sir George O'Brien, who held that this would greatly add to the difficulty of

* See, for example, his statement about an employee of Levers who had resigned and wanted to join the administration: 'If I may be permitted in an official despatch to express my strictly private opinion, it is that Mr. Berneys was too honest and not sufficiently unscrupulous to satisfy the requirements of Messrs. Lever's Sydney directorate.' (Woodford to im Thurn, 22 April 1910, encl. Woodford to C.O., 25 April 1910, CO 225/93.)

† See below, pp. 294-7.

administering the protectorate and failed to see why the company could not work the deposits without the island's being annexed.⁷⁹ Stanmore, however, pressed for annexation, on the grounds that only from the Crown could an exclusive right to work the phosphate be obtained:

unless the Pacific Islands Company has an exclusive right to work for a term of years the deposits it has discovered it will never pay the Company to work them at all. The commencement of operations would be the signal to adventurers of various nationalities to try their luck in the same field, all of whom would obtain, from the Natives, with equal facility, similar permission to work the deposits. . . .

The Pacific Islands Company wishes that, in this, as in other cases, it shall be guaranteed some return for its initial expenditure, by being granted, in consideration of the money spent by it in developing a new industry, an exclusive Licence for a certain term of years, at a reasonable fee. This can only be effectually done if the Island be declared a British Possession.⁸⁰

The Colonial Office felt that it had responded sufficiently to this reasoning by granting an imperial licence to work the deposits for twenty-one years at an annual rent of £50, since it was declared in such a licence that the place in respect of which it was issued was British territory.⁸¹ In August 1900, however, Stanmore made repeated approaches to Lord Selborne—Under-secretary of State and son of his old friend and confidant—for a warship to be sent to Ocean Island to take formal possession. Eventually—on Selborne's authority and much against the inclination of Anderson, who protested that 'we have never before been asked to waste coal at 30/- a ton to humour a private individual'—the Admiralty was requested to instruct that the next ship that was in the vicinity of Ocean Island should hoist the flag.⁸² In September 1901 this service was performed by H.M.S. *Pylades*.

The Pacific Islands Company, meanwhile, was in process of being reconstituted. Amalgamating with the Jaluit Gesellschaft of Hamburg, which controlled the phosphate deposits at Nauru, it emerged in 1902 as the Pacific Phosphate Company. The chief asset of the reconstituted company was a revised imperial licence, dated 1 January 1901 and confirmed in December 1902, which gave it exclusive right to work the deposits on Ocean Island for a period of ninety-nine years, at a royalty of 6d. per ton, payable to the imperial Treasury from 1 January 1906.

In all the negotiations which the Pacific Phosphate Company conducted with the Colonial Office until 1914, its tone suggested that it was establishing an important imperial asset at great expenditure of, and risk to, its own capital, without any very large returns. In reality the case was very different. Large profits were soon forthcoming. An energetic sales campaign by Arundel as managing director had put the Pacific Phosphate Com-

pany on its feet by 1903 and in August 1908 Sir William Lever—one of the major shareholders—wrote:

The prospects are so bright that one almost feels nervous in these days of sudden slumps and surprises, earthquakes and convulsions that the reports are too good to be realised.⁸³

The returns, in fact, were enormous and were not disturbed by any of the phenomena that Lever feared. The company was exporting up to 200,000 tons of phosphate a year and was paying a dividend of about 50 per cent on a paid-up capital of £250,000.⁸⁴

For several years the Pacific Phosphate Company's operations were conducted with no more government supervision than an occasional visit from the Resident. It strenuously resisted suggestions that it should help to pay the cost of placing a government official on Ocean Island; for, as Stanmore observed, a magistrate cooped up there with the company's managers 'would be almost more than human if he refrained from criticism of the Company's Administration, and interference in its affairs'.⁸⁵ But in 1908 the Resident Commissioner's headquarters were moved from Tarawa to Ocean Island. And in the following year the Acting Resident, A. W. Mahaffy, called attention to the question of the Banabans' future on an island which was being gradually eroded by the company's mining operations.

Mahaffy reported that the people now said that when they signed the agreement of 3 May 1900, empowering the company to remove the rock and alluvial phosphate, they did not realise that this would mean the destruction of almost the whole island. Were all the phosphate removed, Mahaffy observed, 'it is no exaggeration to say that . . . the island would become perfectly uninhabitable for man—and a mere desert of pointed coral rocks'.

Neither the stipulation in the agreement of May 1900 that no phosphate should be removed from land where trees grew, nor the extension to Ocean Island of the general protectorate prohibition on the sale of land to Europeans, had been of any effect; the company had circumvented these by the 'phosphate and trees agreements', under which the owner of a block covenanted to the company all the phosphate and trees thereon. The company worked the land and returned it to the owner, 'cleared of all phosphate and denuded of trees, and hence absolutely without value'; but the fiction that the land had not been alienated was maintained. Mahaffy estimated that 240 acres had so far been stripped of phosphate and trees or had passed into the company's control with that fate in prospect; another 300 of the island's approximate total area of 1,500 acres consisted of coral pinnacles; and so only about 960 acres were left to support a

population of 476 people. In an island so infertile and subject to drought as Ocean, this was not enough. Under the terms of the imperial licence, the company was bound to 'duly respect the rights of other inhabitants' of the island. Mahaffy could not see that it had the right—as it appeared to suppose was the case—to enforce sales of land which the Banabans were now becoming unwilling to make.⁸⁶

As a result of the removal of the seat of government to Ocean Island, therefore, the administration had immediately become aware that, if Ocean Island was to continue in the occupation of its indigenous inhabitants, the activities of the company would have to be restricted. Later in 1909 Mahaffy's successor at the Residency, Captain Quayle Dickson, drew up a scheme by which mining would be confined to a clearly defined area, to be bought from the Banabans by the Resident Commissioner in blocks as the company needed it, and the company would make an annual contribution to a fund which would eventually enable the Banabans to buy and remove to another island.⁸⁷

The company was violently hostile to these recommendations. It was prepared to contribute an ungenerous £250 annually to the proposed trust fund, since, as Stanmore observed, this

would be some inducement to the natives, but not an obligation on them, to remove to a more fertile island, and, by so removing, the natives would not only have the benefits arising from a more fertile soil but would also be able to sell more land at Ocean Island to my Company.⁸⁸

But it insisted that the Resident ought not to be allowed to intervene in the way suggested by Quayle Dickson:

we must have the initiative in choosing the place where we were to work, and we must have as large an area as possible put at our own disposal to be worked in our own way.⁸⁹

Behind this insistence lay the fact that the company's mode of procedure was extremely wasteful of land, geared as it was to producing large quantities of good quality phosphate as cheaply as possible. According to High Commissioner Sir Everard im Thurn,

They strip the surface practically of all vegetation and soil, they then take out the whole of what is below (i.e. purely phosphate), but they do this only to search the depth at which they can easily work, and then leave whatever is below—often a considerable amount [of phosphate]—with the surface bare of vegetation and of soil and quite useless for purposes of cultivation.

Even if in clearing the original surface they leave (in accordance with the so-called 'phosphates and trees agreements') any scattered coconuts and other fruit trees which may have been on it, they dig so closely round these trees that they leave a mere pinnacle of rock on which the fruit tree—its roots all cut away, soon withers and dies.

. . . these 'eyes of the land' are often scattered over the face of the land in such a way that their working prevents access to land less desirable for its phosphates and even sometimes . . . prevents access to paths and places and even waterholes almost necessary for the convenience of the natives.⁹⁰

Misrepresenting the figures given by Mahaffy, the company in March 1910 asserted that another 300 acres could be assigned to it without harming Banaban interests, instead of 170 acres which Quayle Dickson thought it should be allowed to have;* these it proposed to buy for £20 an acre. It required an assurance that when these 300 acres were worked out it would be allowed to acquire more land. As a condition for paying £250 a year into a trust fund, it demanded that it be always guaranteed sufficient land to enable it to export an annual 200,000 tons of phosphate, as well as that the 300 acres be immediately assigned to it; this would give it a contiguous area of 540 acres in the main phosphate-bearing district of the island.

These were curious terms for a company of which one director assured another a few months later that they had always tried 'to make money-getting subservient to the best interests of the native proprietors of the soil'. Even in the Colonial Office, whose clerks had no reason to suppose that the Pacific Phosphate Company entertained humanitarian intentions towards anyone but its own shareholders, eyebrows were raised. Officials noted that the company proposed to continue paying £20 for a capital asset which in many cases brought it £10,000 and thought that it could afford to pay at least £1,000 a year to a trust fund.⁹¹

The Colonial Office was confirmed in this reaction by a despatch from the Acting High Commissioner, Sir Charles Major, which held up the company's operations and proposals to hostile scrutiny. Major showed that, contrary to its protestations, Banaban interests were being harmed by the manner in which the mining was carried on. He pointed out that whilst there was some truth in the company's assertions that the Banabans had benefited from its coming to the island, in that they were relieved from the dangers of famine which previously had always been with them, they were in several respects exploited by it. The two-price system—by which islanders paid up to 200 per cent more than Europeans for goods—operated in the company's store, which under the 1900 agreement had the monopoly of trade on Ocean Island, and Banabans were charged four times as much as Europeans for the company's distilled water. He argued that negotiations should only be conducted on the assumption that the

* P.P.C. to C.O., 11 March 1910, *CO* 225/94. Mahaffy had shown that of the island's total area of 1,500 acres, 300 acres were barren rock pinnacles, useless to the Banabans but bearing no phosphate. The company somehow concluded that this meant the Banabans could afford to lose another 300 acres of phosphate and tree-bearing land.

Banabans would continue to occupy the island, since there was as yet no indication that they would consent to be moved elsewhere. It was agreed in the Colonial Office that 'The natives made a shockingly bad bargain with the Company' and in January 1911 the latter was informed that Quayle Dickson's proposals would be accepted.⁹²

The company felt that it had been very unfairly treated. Stanmore expressed amazement that 'they propose to make serious modifications of our concessions on the mere *ipse dixit* of the Resident Commissioner . . .'⁹³ and Lever delivered himself of an expression of the enterprising businessman's ethic, in which his reiterations of the argument indicate how rigidly he adhered to it:

Success is envied and if success comes difficulties are thrown in the way of the successful developer. . . . It seems to me that the logic of the case would be that the Government should rejoice when development is successfully made and should encourage and assist the successful ones. The Phosphates that our Company are developing were lying unused in the Pacific. The wealth that is produced from them contributes a considerable proportion to income tax, secures the British Flag on Ocean Island and supports British Shipping. The profits received by the Shareholders . . . [are] nothing like as large as the amount paid to British Shipping, employment of labour, management, income tax and various other directions in which the Government are interested. The Government, however, only see the Dividends paid to Shareholders. They do not see that whatever may be the Dividends paid to Shareholders nearly double that amount has been paid to British Shipping and another large amount to labourers in the Pacific and a further large amount in income tax. I cannot understand the jealous obstructive policy with which we . . . have been met on this question. I do not think it would be a costly matter to arrange satisfactorily with the Natives on the Island to transport them to some other Island where living would be much cheaper, a better supply of water for drinking purposes, a better soil for agricultural products and altogether where they would be much better and happier. It seems to me that we shall have to come to this as the final solution of the problem, and I think the sooner it is dealt with the better. In the meantime we ought to stand firm and not agree to the slightest surrender of the smallest of any item in our rights on Ocean Island.⁹⁴

It seems clear that the Pacific Phosphate Company considered that the agreement of May 1900 gave it the right to strip the whole island of phosphate, regardless of consequences to the Banabans.* The latter it appears

* For a comment on the company's attitudes, see im Thurn to C.O., 6 August 1910, CO 225/92: 'their half expressed claim to whatever land is needed for their workings must be founded on the strange misconception that the phrase "exclusive right to occupy", used in the original lease from the Crown to the Company, means the right to exclude the natives from lands which they still own, rather than the exclusive right to work phosphates on the island . . .'.

to have regarded merely as an obstacle to its eventual possession of the whole island, one to be removed as quickly and cheaply as possible. It looked upon the government as an interloper in relations between itself and the Banabans. As the company saw matters, it had obtained from them the exclusive right to occupy Ocean Island for the purpose of removing phosphate, subject only to agreement with the landowners. It had strengthened this title by a licence in similar terms which it had obtained from the British government. And any High Commission or Colonial Office legislation to hinder it from obtaining the land it required was in derogation of these concessions and was therefore *ultra vires*.*

Colonial Office legal opinion supported it in this, to the extent that H. B. Cox, Assistant Under-secretary, considered that the government had no *locus standi* in any dispute between the company and the Banabans, since there was nothing in the licence specifically to restrict the locality from which phosphate could be taken. Cox considered, however, that, should the company continue to break the stipulation in the 1900 agreement that it must not remove phosphate from places where trees were growing, then the Banabans would have their remedy at law. It was agreed in the Colonial Office that, if it should come to this, the government would assist the Banabans with money and legal advice.⁹⁵

The question was never put to the courts; it was settled by negotiation. Between London, Suva, and Ocean Island, slow communications made for confusion and misunderstanding, which in these negotiations seem to have favoured the company rather than the Colonial Office. Certain personal idiosyncrasies of Captain Quayle Dickson tended to obscure, in the eyes of his superiors in Suva, the justness of the stand which he took against the company, with the result that the latter's representations received more sympathetic treatment in the High Commissioner's Office than did those of the Resident Commissioner. In London the company enjoyed the advantage that its directors were men of the utmost respecta-

* P.P.C. to C.O., 6 April 1910, CO 225/94; notes on précis of correspondence with C.O., by A. R. Dickinson, 30 January 1911, Unilever Papers. According to Dickinson, who was one of the two managing directors:

In issuing a licence to the company for 99 years, the Secretary of State clearly expected that a very large quantity of phosphate would be exported, and the acquisition of land from the natives and the clearing of trees and undergrowth for that purpose must have been contemplated. The *subsequent* application by the High Commissioner of a Regulation prohibiting the sale of land by the natives to the Company is therefore considered by . . . the Company's legal adviser to be *ultra vires* and that any influence brought to bear upon the natives not to sell their land . . . would be a 'wrongful act'.

Had the Company anticipated the present action of the Government, they might have acquired 500 acres of land by purchase from the natives before the application of the Regulation prohibiting the sale of land by the natives . . . But they relied on the spirit of the licence.

bility, who in some cases moved at the apex of society. Lord Balfour of Burleigh, for instance, was once able to discuss the company's affairs with the head of the Dominions Department, Sir Charles Lucas, as they dined at Buckingham Palace.⁹⁶ And Lord Stanmore's standing at the Colonial Office in one instance enabled him to secure material alterations to the Secretary of State's decisions.

Thus in April 1911 the Colonial Office offered the company terms for a final settlement. It would be allowed to acquire 250 acres of contiguous land in a defined area and to exchange for this some of the land held elsewhere under the illegal phosphate and trees agreements. The price per acre was to be decided upon locally, subject to the approval of the directors and the Secretary of State.⁹⁷ In May the company replied, agreeing generally but adding that they hoped that a price of £20 per acre would not be exceeded. This was accepted by Sir Charles Lucas as practically accepting the Colonial Office's offer. A telegram was then drafted and approved by the Secretary of State, Harcourt, informing the High Commissioner of the settlement and saying that the company was 'unwilling to exceed' £20 per acre but that the final price was to be arrived at locally. This telegram was shown by Lucas to Stanmore and, at the latter's request, Lucas, as he said, 'added a few words showing that the Sec of State approves generally'.⁹⁸ These emendations consisted of changing the words 'unwilling to exceed' to 'price not to exceed' and of adding 'I approve generally', in Harcourt's name. It was, observed the latter when he discovered the alterations, 'A very unsatisfactory affair'.⁹⁹

Sir Francis May, so directed, over-rode the Resident Commissioner's protests that £20 per acre was an inadequate price and concluded an agreement with A. F. Ellis on these lines in August 1911.¹ The Banabans refused to part with any more land, on the grounds that mining was destroying the island which it was their duty to preserve for their descendants. This enabled the Colonial Office to secure better terms. In 1913 it was agreed that the new area of 250 acres should be bought for £40 to £60 per acre and that the Banabans should be paid a royalty of 6d. per ton of phosphate exported, as from 1 July 1911.²

In the circumstances these terms represented a small victory for the Colonial Office on the Banabans' behalf; but the new Resident Commissioner, whose first duty it was to induce the people to accept the terms, soon conceived an intense distaste for the company's general attitude and its acts of petty trickery. It failed to implement, for instance, the agreement extracted from it by the Secretary of State that Banabans should be charged the same store prices as Europeans.³ The fact that the royalty was to go into a

trust fund, though provident, was a pointer to the eventual outcome that, whatever their own wishes upon the subject, the people would finally be removed to enable the whole of the island to be mined for phosphate.*

V

Before the Resident Commissioner's move to Ocean Island in 1908 brought him face to face with the problems caused by the Pacific Phosphate Company's mining operations, his administration was mainly concerned with the Gilbert and Ellice Islands proper. There also it had problems, though they were of a more localised nature. They sprang from the interaction of the character of W. T. Campbell, Resident Commissioner from 1895 to 1908, with the two classes of Europeans who were most prominent in the islands under his charge—missionaries and beachcombers.

The Gilbert and Ellice Islands had always been a refuge for those whites for whom even the standards of places like Apia constituted an intolerable strain. Living precariously as agents for one or other of the trading firms, and generally alcoholic, they drifted into a kind of limbo between the two societies, European and native, more closely assimilated into, and more at home in, the latter, but often retaining some of the pretensions of the former.⁴ Such a one was Arthur Eury, of Abaiang, who was at pains to avoid the Resident because he had no trousers to put on, but reports of whose drunken sprees reached Campbell's disgusted ears.⁵ These men Campbell harried unmercifully, from both an innate contempt and a conviction that their example did more harm to the islanders than the administration could undo in years.⁶

His attempts to discipline one of them, Francis Lodge, caused much harm to the protectorate's public image, however. Lodge was a fairly recent arrival, having failed successively to make a living in Fiji, Samoa, and Tonga. A weak, puling creature, but capable of pursuing an obsession, he lived off the prostitution of the daughter of his Gilbertese wife. In 1900 Campbell confined him to Betio as an idle and undesirable person whose example to the Gilbertese was deplorable. Lodge's talent for hypocritical letter-writing and success in enlisting the aid of an embittered former official of the administration—T. C. T. Potts, who had been dismissed by Campbell and who nursed a virulent hatred of the Resident Commissioner—enabled him to conduct a campaign against Campbell, in the

* When the land thus made over in 1913 to the Pacific Phosphate Company ran out in 1927, the Banabans refused to sell more except on terms which the Pacific Phosphate Commission—which had acquired the interests of the company in 1920—regarded as unreasonable. An area of 150 acres was then taken over by compulsion, under a special ordinance which the High Commission passed to meet the emergency. The island of Rabi, off Viti Levu, was bought for the Banabans in 1942 and they were moved there in 1945.

Colonial Office and in Parliament, which lasted for several years and called for more attention on the administration's part than it merited.⁷

Campbell also did battle with the Sacred Heart Mission. His early despatches as Resident contained gibes at the expense of the Protestant missions, especially of the L.M.S., which operated in the Ellice and the southern Gilbert Islands; its opposition to dancing and smoking, its pre-occupation with church collections, and its lack of control over its Samoan pastors were all the butts of his satire.⁸ He soon became concerned with the more active proceedings of the Catholic Mission, which, having entered the Gilberts in 1878—later than either the L.M.S. or the American Mission—had greatly increased its proselytising efforts after the protectorate was declared. In many instances it seems clear that the members of the Mission conducted themselves with more spirit than discretion, forcing their way into islands where the Protestants were entrenched and attempting to build up a congregation by flamboyant demonstrations of faith.⁹ Their methods were occasionally unscrupulous: in 1900 Father Philippe was conducting a correspondence with Lodge, whom he used as a spy at Betio, pouring out a paean of hatred against Campbell; within a few months he was warning the administration against Lodge himself.¹⁰ They were contemptuous of the authority of their own local Mission superior; and although members of the hierarchy in Sydney were always ready to write in support of them there was no one with authority over them closer than Rome.¹¹

From the administration's point of view, the trouble was that the priests caused dissension among the Gilbertese and could not be restrained from interference with the island governments and the policy of the protectorate administration. They complained bitterly that the Resident had prohibited the punishment of what they called 'crime between young people of different sex' by the confiscation of land, as had been customary under the former, mission-inspired island governments, and that he permitted the people to perform dances which the priests considered indecent.¹² Their constant demands to be allowed to convert their leases into freeholds on which to erect permanent buildings ran contrary to protectorate policy, which forbade the alienation of land to foreigners.¹³ Campbell, however, seems to have pressed his campaign against them for its own sake. He came from Londonderry and was later described as being 'a violent Orangeman'.¹⁴

The basis of his opposition to both missionaries and beachcombers lay in his conviction that they were, as he alleged, 'possessed with selfish aims utterly opposed to a policy aiming at protecting and advancing the interests of a numerous native community'.¹⁵ Campbell's administration of the Gilbert and Ellice Islands Protectorate was authoritarian and intensely

paternal. He could brook no competition: the protectorate administration, but no other body, was to intervene in most aspects of native life. From the moment of his appointment he was deeply concerned with the physical improvement of villages, the digging of efficient latrines and, above all, with the energetic working of the island governments. In 1896 he adjured the *uea* of Tarawa to be more forceful in conducting his island's affairs and assured him 'that in carrying out the Regulations and studying the welfare of his people he will always receive the strongest support of the Protectorate Government'.¹⁶

As a rule, Campbell's intervention was more direct than this. That same year, for example, he reinstated the magistrate of Maiana, whom the *kaubure* had deposed, and took away for detention at Betio two men who had been disturbing the government; he dismissed a drunken *kaubure* at Abemama and at Vaitupu directed the election of new *kaubure* for those whom the people had recently deposed.¹⁷ His intervention was constantly being invited by the people themselves; those of Niutao were much given to overturning their government and waiting for him to arrive to set up a new one; on several islands the *kaubure* were too numerous and undisciplined to be efficient deliberative bodies.¹⁸ Already by 1897 Campbell considered that more permanent supervision of the individual island governments was required than he could provide, travelling as he did between twenty-five islands in trading vessels and able to spend only a few hours in each *maneaba*.¹⁹ He therefore proposed to appoint European assistants to reside on those islands which most needed supervision. By 1901, despite initial opposition from the High Commissioner, he had Island Agents residing on Butaritari, Tabiteuea, Abemama, and Beru.

These Agents* made their influence felt in the same assured fashion as did the Resident Commissioner himself. Local laws multiplied and the former independent-minded, traditionalist *kaubure* were replaced by younger men, who were literate and interested in a new and wider world, but who lacked the self-confidence to question the edicts of the administration.²⁰ Protectorate and local edicts came to govern almost every aspect of life. This extreme paternalism was what most impressed Sir Everard in Thurn, when he visited the islands in 1906:

in Beru, as elsewhere in the Group, the impression I gained was that the natives . . . are now managed, regulated and ruled, with extraordinary kindness, with great advantage to their merely material prosperity, almost to their own animal satisfaction, certainly with the result of their increase in number, but with too little regard to their individualities—if any such tendency still survives in them—and with too little opportunity given for the development of any spirit of self dependence.²¹

* The most famous of them was G. M. Murdoch, who had been a trader in the Gilbert Islands before Campbell took him into the administration.

The Island Agents who, under Campbell, were largely responsible for this result were not officially included as members of the protectorate administration; they were appointed locally on Campbell's own responsibility and drew their salaries from the island funds. This anomaly was not removed until 1908, when—with the prospect of the protectorate's receiving the royalty on Ocean Island phosphate which hitherto had gone to the imperial Treasury—the High Commissioner at last acted on Campbell's recommendations for the reorganisation of the protectorate administration. Campbell had for years been urging this point and others—such as the need to buy a protectorate steamer—on the High Commissioner's Office.

After about 1900, indeed, the High Commissioner's intervention in the protectorate's affairs was fitful and idiosyncratic. Between 1901 and 1906 Campbell was not even asked for an annual report. Moreover, he informed im Thurn, he would have found it difficult to report on the years 1901-6 without drawing attention to certain proposals of his, submitted to the High Commissioner, which, 'made after considerable attention to, and knowledge of, local requirements, have been either ignored, in some cases totally, or abandoned'. He complained that, on several occasions,

Sections of proposed Regulations have been omitted and altered to such an extent, without reference to experienced local officials, as to render original suggestions futile and to retard progress.²²

VI

Even before the Anglo-French New Hebrides Convention of 1906 brought additional duties, it was clear that, with his proponderant responsibilities as Governor of Fiji to fulfil, the High Commissioner had more work to perform than he could efficiently discharge. Reports poured into the office, demanding swift, sympathetic, and informed treatment. This they frequently did not receive. Much of the trouble was due simply to the pressure of paper, which, with each mail, streamed in from Tulagi, Betio, Nuku'alofa, and now Vila. Even in 1883 the work of the High Commissioner's Office had been described as being equal in amount to that of the secretariat of one of the small West Indian colonies,²³ and with the protectorates' establishment it had vastly increased in amount, scope, and urgency. And so, whilst Tonga could count on receiving the High Commissioner's full attention, as well as occasional visits from him, the other protectorates were less fortunate. The only High Commissioner to visit the Gilbert Islands, after Thurston in 1893, was Sir Everard im Thurn in 1906; the Solomon Islands received a brief visit from Sir Henry Jackson in 1903 and a longer one from Sir Francis May in 1911.

The protectorates suffered also as a result of lack of sympathy between their administrations and the High Commissioner's Office. In view of the remoteness and comparative unimportance of the Gilbert and Ellice Islands Protectorate, officials in Suva rarely took its problems as seriously as the Resident considered was due to them. In one instance Campbell's policy was reversed, on very insufficient grounds, by a newly-appointed High Commissioner: in 1903 the Roman Catholic Sir Henry Jackson, after a visit from a representative of the Sacred Heart Mission and without waiting to consult Campbell, issued instructions that it should be permitted to buy land.²⁴ In the case of the British Solomon Islands Protectorate, additional factors operated to its detriment throughout most of the period under review. These were, first, personal antipathy between the Resident Commissioner and Sir Everard im Thurn, who was High Commissioner from 1904 to 1911, and, second, the conflict of its interests in important respects with those of Fiji. Woodford complained that the measures which he advocated for the protectorate's welfare were not effectually supported by the High Commissioner. Controversies with Queensland over her recruiting in the Solomons, for instance, and, more particularly, over the return in 1906—at the Commonwealth government's behest—of all the labourers then in the colony, gave Woodford reason to suppose that he could have conducted negotiations better himself.

The Queensland trade, in its last stages, was remarkable for providing an inlet for arms and ammunition and for drowning recruits by the use of rotten ships. Rifles and ammunition were constantly being smuggled in, concealed in the ballast, in women's dresses, or in specially-prepared packets of tobacco. A loophole in the Solomons (Labour) Regulation, 1897—which provided that labour vessels must call at Tulagi before they began recruiting, but omitted to stipulate that they should do so before starting to land returns—enabled many of the forbidden articles to be got ashore before the Resident could carry out a more thorough search than was customary in Queensland ports.²⁵ The ships were now almost uniformly unseaworthy. In 1902 the *Sybil* went down with over one hundred recruits on board and later, when the *Roderick Dhu* staggered into the anchorage at Tulagi, on the point of foundering with a full complement of labourers, Woodford prohibited any further recruiting by Queensland in the protectorate.²⁶ This step, taken under the Solomons (Labour) Regulation, 1897, was *ultra vires* without the High Commissioner's prior sanction; but, after a visit to Brisbane and Tulagi, it was approved by Sir Henry Jackson, who issued another Regulation—No. 5 of 1903—which required labour vessels to call at Tulagi for inspection immediately on arriving in the protectorate and to land their returns as the Resident should direct.²⁷

When, two years later, there arose the problem of organising the return

of nearly 2,000 Solomon Islanders from Queensland, some of whom had lived there for many years, this Regulation should clearly have been the basis of the High Commissioner's case, instigated by Woodford, that the Resident should take charge of the operation. Both Queensland and the Commonwealth government insisted that it was their responsibility alone; they were determined to extract, by their efficient handling of the operation, as much public credit as they could from what in essence was a very sorry business.²⁸ The Secretary to the High Commissioner, sent to Australia to negotiate, seems to have accepted their view fairly readily and to have expended more effort on having some of the returns sent to ease the labour problem in Fiji.²⁹ When the first ship with returns arrived at Tulagi in October 1906, however, Woodford assumed complete control, in the interests of the protectorate's peace and good order. In answer to the High Commissioner's subsequent rebuke, he flourished King's Regulation No. 5 of 1903, the existence of which had clearly been quite forgotten in the High Commissioner's Office and which obliged the Commonwealth government to acknowledge that it had no grounds for complaint.³⁰

The end of Queensland's recruiting from the protectorate focused Woodford's resentment upon the continuance of the Fiji traffic. In about 1903 he had requested to be allowed to purchase a steamer with which to recruit for local plantations and had recommended that, until the protectorate's need for labour had been met each year, no recruiting for Fiji should be permitted.³¹ Once Levers began large-scale planting, the question became acute. In 1905, whilst in England on leave, Woodford protested directly to the Secretary of State against the continuance of the Fiji traffic.³² In the following year he sent a series of protests to the High Commissioner, with copies to the Secretary of State, alleging that the recruiting of about two hundred labourers for Fiji each year was a severe drain on the protectorate's labour supply.³³

Each appeal met with implacable resistance from im Thurn. The High Commissioner opposed the steamer project on the grounds that islanders might regard recruiting by a government ship as some form of impressment and that the administration should not be directly involved in so dubious a business as labour recruiting. Continuance of recruiting for Fiji he defended on the ostensible grounds that the single ship which recruited each year for the crown colony provided local planters with healthy competition. His main reason, as he acknowledged privately, was that Fiji coconut planters were unwilling to use any labour other than that of Solomon Islanders.³⁴ And on his objection to government recruiting, Woodford was able to remark that apparently it did not extend to getting labour for Fiji, since in 1906 im Thurn had tentatively inquired whether the

proposed new protectorate steamer could be used to recruit labourers for the colony.*

The rapid development of the British Solomon Islands Protectorate made it, indeed, something of a cuckoo in the High Commissioner's nest. More than ever before, the High Commissioner's complex loyalties—divided between concern for the interests of Fiji and for those of the High Commission territories—became a potent factor in conditioning his response to proposals from the protectorates. He could scarcely view other than with mixed feelings Woodford's success in attracting to the Solomon Islands capital which might otherwise have gone to the colony, and was bound to resent somewhat Woodford's assurance to potential investors that the Solomons had twice the potential of Fiji.³⁵

Continuance of an authority structure designed for the administration of an extra-territorial jurisdiction was anachronistic when territorial responsibilities were assumed. Woodford was the more resentful of it since he considered not only that, where their interests clashed, those of his protectorate were made subordinate to the interests of Fiji, but also that im Thurn did not possess the understanding of conditions outside Fiji which alone would have entitled his opinion to decisive weight. In March 1907 Woodford assured im Thurn that it was impossible for the High Commissioner to exercise effective control over the Solomon Islands, or over any other part of the Western Pacific, from Fiji and that 'since the death of Sir John Thurston, and especially since Mr Collet left the High Commission office, the various High Commissioners have been entirely out of touch with the Western Pacific'.³⁶ In the following month he informed im Thurn that his recent despatch to the Secretary of State, justifying Fiji's continued recruiting in the protectorate, 'proves in every paragraph that you are at present unacquainted with even the preliminaries of the business'.³⁷ Protesting again in 1909 against im Thurn's refusal to sanction government recruiting, Woodford complained that of the abuses inseparable from private recruiting he had been unable to make any High Commissioner aware, 'since the time of Sir John Thurston'.³⁸

Even whilst he was representing Woodford's attacks as resulting from the effect of a tropical climate on an initially uncertain temper and was recommending his early retirement for insubordination,† im Thurn was

* Woodford to im Thurn, 17 February 1908, encl. Woodford to C.O., 21 February 1908, CO 225/83. Under pressure from both Woodford and the Secretary of State, im Thurn eventually agreed to end the Fiji labour trade, as from 1 January 1912.

† Im Thurn to C.O., 8 May 1907 (confidential, draft), *WPHC Inward Correspondence, General*, no. 65 of 1907. On Woodford's personal apology—a form of submission on which im Thurn set much store—the High Commissioner withdrew his recommendation that Woodford should be prematurely retired. But by 1910 their relations were again deplorably bad, and probably only im Thurn's relinquishment of office next year saved Woodford from this fate. He remained Resident Commissioner of the British Solomon Islands Protectorate until his retirement in 1915.

informing the Secretary of State that the combined duties of Governor and High Commissioner were such as no one man could discharge with justice to either Fiji or the protectorates. Pressure of work apart, the distances dividing High Commission headquarters from the territories for which it was responsible were in most instances immense and means of communication were quite inadequate. There were no telegraph cables, nor direct commercial connections; from every High Commission area, except Tonga, mail had to travel via Sydney, and the High Commissioner himself had no transport beyond what he could beg from the naval Commander-in-Chief. Im Thurn recommended, therefore, that the office of High Commissioner should be made separate from that of the Governor of Fiji.³⁹

The overriding problem—as it had been when Gordon recommended such a separation, on relinquishing the office twenty-three years before⁴⁰—was one of money. The Colonial Office itself recognised the need for a change of administrative structure in the Western Pacific; but it regarded this, once again, as a matter to be settled in conjunction with Australia, the more so in that federation had now at last been achieved. The Imperial Conference in 1907 was seen by the Colonial Office as an opportunity to discuss with the Dominion Premiers measures by which they might assume some responsibility for the conduct of British administration in the Western Pacific.

In 1904 the Commonwealth government had suggested that the Governor-General should be appointed High Commissioner. On the eve of the Conference this possibility was being considered in the Colonial Office, together with an alternative proposition that the office should go to the Governor of New South Wales. In the event, apparently, the subject was only discussed privately between the Secretary of State and the Commonwealth Premier, Deakin. The former was strongly opposed to the proposal, which the latter favoured, that the Governor-General should be made High Commissioner. His objection was based upon the consideration that, as High Commissioner, the Governor-General would be little more than a figurehead for the federal government, whose trenchant views upon the inadequacy of the New Hebrides settlement might imperil relations with France. The expedient favoured by the Colonial Office—that the Governor of New South Wales should be High Commissioner—was unacceptable to Deakin.⁴¹

There were now, moreover, elements of opinion in the Colonial Office which strongly adhered to the view—hitherto almost exclusively that of High Commission officials—that the Western Pacific territories should remain an imperial responsibility alone, without even the degree of oversight by Australian politicians which the latter might exercise on a state governor. A conversation between H. B. Cox and Sir William Lyne,

Minister for Trade and Customs in Deakin's government, hardened the former's feeling that Australia should be allowed no vestige of control over island administrations. The Commonwealth, Cox observed, clearly wanted to impose 'Australian views' upon them, 'but she is not qualified to deal with native questions or to handle affairs with foreign nations'.⁴² Im Thurn himself—though generally agreeing that, from his geographical position, the Governor of New South Wales would make a better High Commissioner than did the Governor of Fiji—pointed out that, although British territorial interests in the Western Pacific must eventually pass into the political orbit of Australia, so long as the White Australia policy was applied to Pacific islanders, 'it necessarily and entirely destroys every possibility of natural union between the great Island Continent and the island groups which should be in her train'.⁴³ And Woodford requested that the British Solomon Islands Protectorate should be made into a crown colony, responsible directly to the Secretary of State, rather than be placed under an Australian governor, since

the large amount of British Capital, as distinguished from Australian capital, now being invested here, would appear to be a good reason for postponing the inevitable eventual absorption of the Protectorate by the Commonwealth for as long a period as possible.⁴⁴

Now that Australian federation had been achieved, in fact, the imperial government proved reluctant to make over the responsibility for the Western Pacific territories which, eight or nine years before, it had looked forward to fastening upon the federal government. The Commonwealth's slowness in taking over British New Guinea may have played some part in this change of attitude and Cox's minutes indicate that new doubt had arisen as to Australians' fitness, even under federation, for governing coloured peoples; but the main cause of the change of attitude seems to have been reluctance to give the Commonwealth any pretext for dealing with the French and possibly disturbing imperial foreign policy.⁴⁵ Commonwealth subsidies to British settlers in the New Hebrides were encouraged, but the federal government's desire to have a separate High Commissioner specifically for that group was resisted. And, although the assumption continued to be that eventually Australia and the Western Pacific territories, as well as Fiji, would form one unit of the Empire under the former's tutelage, the only step taken in the period towards this end was the agreement in 1909 that the High Commissioner should send to the Governor-General copies of his despatches to the Secretary of State.⁴⁶

The existing system had, then, to be continued. Implementation of the New Hebrides Convention demanded large sums from the imperial Treasury, which precluded any approach to it for heavy expenditure on the

central High Commission administration itself. There was no chance of appointing an independent High Commissioner. In 1909 an attempt was made to ease the burden of work then falling on one man by appointing an Assistant to the High Commissioner. Three years later, in the hope of removing his transport problems and enabling him to give the outlying protectorates proper supervision, an old, composite-built, sail-assisted warship was recommissioned, supposedly for the High Commissioner's special use. Neither of these measures proved to be any considerable step towards the problem's solution.

Problems of personal incompatibility greatly curtailed the usefulness of A. W. Mahaffy, who—having served in both the Solomon and the Gilbert and Ellice Islands protectorates—was appointed Assistant to Im Thurn in 1908 from being Colonial Secretary of Fiji.⁴⁷ Mahaffy—son of the Provost of Trinity College, Dublin—was an unusual man to find in the Western Pacific, an intellectual where most of his fellow administrators were simple pragmatists. He had reached high office with extreme rapidity. Im Thurn, however, insisted that his comparative lack of acquaintance with office routine had made him an inadequate Colonial Secretary and that he possessed personality traits which made it dangerous to send him to any of the High Commission territories.⁴⁸ Yet Mahaffy's main characteristic was great sympathy for islanders, his reports were all admirable pieces of work, and the fact seems rather to have been that the High Commissioner himself—an able, vigorous man, with literary powers and some evident self-satisfaction in his own abilities—preferred to surround himself with comparative cyphers, rather than with men capable of meeting him on equal terms. His judgment of individuals was sometimes idiosyncratic in the extreme and he was not above using his personal influence with Colonial Office officials to denigrate those of his subordinates whom he disliked.

Im Thurn's feeling against Mahaffy led him to use his services very sparingly and to ignore most of his recommendations. Soon after his appointment, Mahaffy proposed that he should deal with routine matters on the High Commissioner's behalf and that he should also visit each group annually, settling on the spot the many small administrative details which now had to be referred to Suva, with consequent irritating loss of time, and putting an end to the impression, which now obtained in the protectorates, that the High Commissioner's Office did not appreciate their problems.⁴⁹ In the event, Mahaffy was given no independence of action, though in six years of office as Assistant he visited all of the High Commission territories and served as Acting Resident Commissioner in the New Hebrides and at Ocean Island. His reports on the Solomon Islands were not calculated to endear him further to Im Thurn, since he

expressed full agreement with Woodford that there was on the High Commissioner's part

a certain tendency towards inflexibility in the attitudes adopted towards recommendations made by the Resident Commissioner and . . . a certain inability to grasp the widely differing conditions which race and climate and distance impose upon the Protectorate when compared with the much more civilised and above all much more accessible Colony of Fiji.⁵⁰

The problem of finding transport for the High Commissioner had been a difficult one since the original Western Pacific Order in Council was first issued; the naval Commander-in-Chief never had so many ships that he could place one for any length of time at his disposal. In 1905 the problem became more acute with the prospect of the Australian Squadron's passing, in a few years, under Australian control and its re-equipment with modern ships. Fast steel cruisers were quite unsuited to the operating among coral reefs and lying in uncharted anchorages demanded by High Commission business, punitive or otherwise. And naval officers were reluctant to do the punitive work which the inadequacy of the Solomons and New Hebrides police forces continued to force upon them.⁵¹ Finally, in 1911, on a suggestion made by Mahaffy in 1909, the old gun-boat *Torch* was commissioned for patrol duty in the Western Pacific.⁵²

But, whilst the High Commissioner expected to use her as his personal despatch-vessel, the Admiral had been instructed to regard her as free for participation in the Station's normal duties. Moreover, her engines were worn out. She took Sir Francis May to Tonga and the Solomons in 1911 and Mahaffy to the Ellice and Union Islands in the same year. In 1912 she was not available. In 1913 she broke down at Nouméa, but arrived in Suva in time to take Mahaffy to the Gilbert Islands, visited the New Hebrides in 1914, and on the outbreak of war was laid up at Auckland.

In December 1914 Mahaffy was made Administrator of Dominica. No successor was appointed to him as Assistant to the High Commissioner and the outbreak of war ended any hope of subjecting the administrative structure of British authority in the Western Pacific to the drastic revision which it required. Even before war broke out, the Colonial Office had been resisting opinions in favour of a change of system. A member of the Dominions Department of the Colonial Office who visited the British Solomon Islands Protectorate at the end of 1912 had reported very unfavourably upon its existing subordination in Fiji. This, he considered, 'was of no practical advantage, and was productive of great inconvenience'. He emphasised that the problems of administration in the protectorate were quite different from those in the colony, so that 'Fiji experience is a hindrance rather than a help in the Solomon Islands'. He thought that the

sum of £915, which on the 1913-14 estimates was payable by the protectorate to the expenses of the High Commissioner's Office in Suva, was out of all proportion to the services which the latter provided.⁵³ And im Thurn's immediate successors as High Commissioner, Sir Francis May and Sir Bickham Sweet-Escott, both advised the separation of the Western Pacific territories—with the exception of Tonga—from the oversight of an official resident in, and responsible for, Fiji. The former's proposal, that the Gilbert and Ellice Islands Protectorate should be under the overall control of a High Commissioner resident at Tulagi, was akin to the solution which was at last adopted in 1952.⁵⁴ The Secretary of State, however, refused to alter the existing arrangement. Since neither the British Solomon Islands nor the Gilbert and Ellice Islands could have met the cost of the hierarchy of officials which was thought inseparable from a colony that was to correspond direct with London, the Colonial Office preferred to maintain the status-system afforded by the existing arrangement.

It provided, however, for some degree of local decentralisation, by permitting Woodford to continue, for example, his practice of deporting undesirable Europeans to Sydney instead of sending them to Suva, under escort and at great additional expense, as the 1893 Pacific Order in Council demanded. In 1914 a resident judicial commissioner was appointed to the British Solomon Islands Protectorate. The problem of the Gilbert and Ellice Islands Protectorate *vis-à-vis* the High Commissioner, on the other hand, was one of simple remoteness rather than lack of sympathy and direct conflict resulting from similarity of interests with Fiji, and there the problem was more satisfactorily solved by a similar decentralisation, after the Protectorate was made into a Colony in 1915.

A Postscript to Trusteeship

The establishment of protectorates in the Solomon, Gilbert and Ellice Islands* had enabled British authority to put an end to most of those abuses with which, under the Western Pacific Orders in Council of 1877-80, the High Commissioner had been unable adequately to deal. The presence of Resident Commissioners in the islands, with wider powers under the 1893 Pacific Order in Council than were available under the earlier instruments, made it impossible for roving adventurers to follow their own devices as they had continued to do after 1877. The Cerberus at Tulagi barred the British Solomon Islands Protectorate to such characters as George Weaver and Peter Sorenson (both of whom returned there in the early 1900s with the object of mending fortunes which had been broken by long residence in gaol for Western Pacific offences), put an

* In addition to these groups (and Tonga), the Tokelau Islands, the Cook Islands, and Pitcairn were also subject in varying degrees to the jurisdiction of the High Commissioner.

The Tokelau Islands, placed under protection in 1889 as possible staging-points on the Pacific cable, were, until 1899, the concern of the deputy commissioner at Apia, who visited them at infrequent intervals. When Samoa passed into German hands and the British Consul there ceased to be a deputy commissioner they were attached to the Gilbert and Ellice Islands Protectorate. Although their comparative isolation in respect of both the Protectorate and Suva made them a source of some administrative embarrassment, they presented the High Commissioner with no other major problems.

The Cook Islands had no effective court of their own for hearing cases in which Europeans were involved and in the 1890s the High Commissioner was occasionally requested by the New Zealand government—whose charge they then were—to send a judicial commissioner to hold civil sittings at Rarotonga. Their inclusion in New Zealand in 1900 brought them within the jurisdiction of the Supreme Court of New Zealand and relieved the High Commission of a duty which, with its ingrained suspicion of anything connected with a colony under responsible government, it had been very reluctant to perform.

In 1898 a double murder made it necessary to place Pitcairn Island within the High Commissioner's jurisdiction. Here, however, the connection was to be even more remote, since, after an initial visit by the Fiji Chief Police Magistrate as judicial commissioner, the island was placed under the general oversight of the British Consul to Tahiti, who was made a deputy commissioner for the purpose.

These were all matters of little importance to the High Commissioner's Office, whose attention was centred on the three major protectorates and on the New Hebrides.

end to arms dealing by men like Peter Pratt Edmunds, prevented the growth of speculative land-claims like those which disfigured the New Hebrides, and kept a close watch upon the proceedings of colonial labour vessels. His counterpart at Betio or, later, at Ocean Island, allowed no opportunity for would-be Haywards to repeat that individual's exploit, ground down the beachcombers and ended the anarchy which, on several islands, had flourished in the latter part of the nineteenth century. All this was in marked contrast with the New Hebrides, where—facilitated by the dual control and under the protection of the French Residency—the abuses long characteristic of the group continued to flourish.

Moreover, the Colonial Office at last adopted the principle which was always insisted on by Sir Arthur Gordon and Sir John Thurston: that the Western Pacific was an imperial responsibility alone. Apprehension that the Commonwealth would provoke vexatious controversies with France over the New Hebrides made the Secretary of State less eager to implement the ideal of Australian responsibility. In 1910 he informed the High Commissioner that the problem of establishing more efficient overall administration of the Western Pacific territories was 'simply a question of money, and of competing calls upon the Imperial Exchequer', which alone was responsible for the cost of implementing imperial policy in the area.^{1*}

Since the Treasury remained unsympathetic to calls for expenditure on the Western Pacific, the corollary of this was that the protectorates must meet the cost of their own government. The development of local resources was, therefore, one of the major concerns of the protectorate administrations. In the Solomon Islands, in particular, the need to make the protectorate financially self-supporting led to a preoccupation with the establishment of a European plantation economy in which the interests of the islanders were relegated to the background. Commercial development outran the ability of government to exercise the supervision of the recruitment and employment of native labourers which, in the 1880s, the High Commission had considered essential to the just advancement of European enterprise in the islands, even when it regarded that enterprise as desirable in itself. The impact of large-scale plantation development, with the active support of government, was far more destructive of native society than were the comparatively petty depredations of the individual adventurers with whom the High Commission was warring from 1878 until the early 1900s. And, with government encouragement, much land was alienated—either by outright sale or on licences to occupy—on the assumption that it was 'waste' or 'vacant'. The findings of a lands commission which sat in

* It was still held, however, that the Western Pacific would eventually become an Australian lake (see below, p. 295).

the 1920s were to indicate that this assumption was not always well-founded.²

From the late 1890s and until the end of the period with which the present study is concerned, there was a marked difference between the attitude adopted towards native welfare and that which had been taken up in the 1870s and 1880s. Then it had invariably been assumed that the protection and advancement of native interests was the principal object of government. The attitudes of Gordon, Des Voeux, and Thurston were characterised by a spirit of trusteeship which belonged more to the first than to the second half of the nineteenth century. During the seventies and eighties, whilst Bantu and Maori were being handed over by the Colonial Office to the tender mercies of white settler governments, with only a pious expression of hope that their rights would be respected, the High Commission and the Fiji government carried their point that neither Fiji nor the islands of the Western Pacific were white men's territories and acted on the assumption that islanders' interests were their first concern. Even though he had no particular desire to administer the wild Melanesian islands, Gordon would probably not have doubted that, had he done so, the islands' indigenous inhabitants would have benefited from his rule.

Now that early optimism had vanished, Fiji, the model for earlier High Commission officials, had been the scene of a conscious experiment in native administration, whose object had been to preserve intact Fijian society and to disprove the popular opinion, beloved of European settlers, that primitive people could not survive the impact of European civilisation.* By the late 1890s some of the inconsistencies and apparent failures of that policy were becoming clear. The immigrant Indian population, whose introduction alone had enabled the native policy to be made a viable one, was now almost as great a threat to the Fijians as a large European population would have been and the Fijian population itself was declining.³ From 1905 to 1908, im Thurn was attempting to throw open to European settlement much Fijian land, on the assumption that the Fijians themselves were dying out and could never use it.

Simple observation showed, similarly, that the population was declining throughout Melanesia and seemed also to suggest the reason. Woodford in 1908 remarked that the density of population in the Solomon Islands was 'in inverse ratio to the degree of civilisation exhibited'.⁴ Two years later Mahaffy pointed out that the pacification of the Roviana Lagoon by

* The work of Dr Peter France has shown that Gordon's method in this experiment was faulty, in that, in attempting to reaffirm the values of traditional Fijian society by edict, he established a society which in some respects was a European construction and which was not well adjusted to meeting the demands of the modern world.

government and the Wesleyan Mission had been accompanied by such a decrease that, in a few years, the people would be

a mere remnant of the former population, at one time so conspicuous for their numbers, their warlike character, their magnificent canoes, and the remarkable excellence of their decorative art.⁵

From the early 1900s, officials of the High Commission were much exercised as to the extent and cause of depopulation in the Western Pacific islands. They concluded that the decline in numbers was universal and inevitable and that absolute extinction was all that the islanders could look forward to. A. W. Mahaffy—who was once described by Im Thurn as being ‘pro-native to a degree which is dangerous’⁶—listed the possible causes of depopulation, in imported disease, the labour traffic, the introduction of firearms, liquor, and European clothes; but he found these inadequate explanation, even in the aggregate, and concluded:

is it not possible that there may exist some natural law, which we are unable to formulate, but of which we are even now witnessing the operation, which decrees, that, under certain conditions, native races shall decline and fail, even as in ages past those former races which have left behind them memorials in the Cyclopean stonework scattered throughout the Pacific, from the Caroline Islands to Easter Island, have in their appointed time vanished away, without leaving even a legend or tradition to mark their origin, their rise, decline and ultimate fate?⁷

Im Thurn remarked that ‘nothing can save the Fijian race from eventually dying out’⁸ and considered that the same was true of the people of the High Commission territories. And Woodford, from observation of both Fiji and the Solomon Islands, asserted that

nothing in the way of the most paternal legislation or fostering care, carried out at any expense whatever, can prevent the eventual extinction of the Melanesian race in the Pacific. This I look upon as a fundamental fact and as certain as the rising and setting of the sun.⁹

Later administrators had thus returned to the same opinions as were held by Fiji’s European settlers in the early 1870s. And they developed a similar state of mind. Since the people were doomed, administrators turned their attention to the land. It became in their eyes not merely financially desirable but morally mandatory, a sacred imperial duty, to develop the economic resources of Melanesia. The word ‘empire’ was, in fact, a word that appeared frequently in their correspondence, as it had scarcely ever done in that of their predecessors in the seventies and eighties.

Patent or even suspected injustices to islanders—whether by the French in the New Hebrides or by the British companies operating in the protectorates—were deprecated as strongly as ever and, where possible,

were prevented; but the conviction that the people on whose behalf the humanitarian instinct still intervened in matters of detail had no future as a race, coupled with the belief in development as a duty, enabled decisions to be taken on matters of policy which relegated their interests to the background. This emerges at its clearest in the concerted effort by High Commission officials to obtain Colonial Office consent to the introduction of Indian labourers to work on European plantations in Melanesia.

According to Im Thurn, it was 'quixotic to the point of futility' to suppose that the Solomon Islands could be developed by the labour of Solomon Islanders,* whilst Woodford wrote that the latter 'are just as surely destined to disappear [as the Fijians] and some more adaptable race must eventually take their place, so the sooner the situation is faced the better'.¹⁰ Indians must, therefore, be brought in to work European plantations, whilst the Melanesians, confined to adequate reserves, dwindled away in a cultural twilight which administrators would make as comfortable as the limitations of science and of protectorate funds would allow. After a visit to the Solomon Islands in 1911, High Commissioner Sir Henry May recommended that they 'should be regarded as a country to be gradually filled with the overflow of the Indian population . . . Thus only can these islands be shaped to the best advantage of the British Empire'.¹¹

May's visit to the New Hebrides earlier that year had resulted in a similar recommendation, in which he examined the issues, as he saw them, more fully:

These islands can of course, if H.M.'s Government so wish, be denied the means of development and be left for many years to come as the playground of a mere handful of white settlers, some of whom do a remunerative trade with the natives while the majority live from hand to mouth by cultivating the soil.

There is much good land in these islands, and I think they are worthy of a better fate. The best use to which they can possibly be put from the English standpoint is to regard them as a vacuum to be filled by the overflow of population in India. The adoption of such a policy will provide the means by which British enterprise may find a fresh field in these seas; it will benefit the New Hebrides by a civilising development; and it will benefit India by relieving her of many thousands of her population, which is multiplying at a somewhat alarming rate.¹²

The Colonial Office was approached directly by Levers' Pacific Plantations Ltd in 1909 for permission to import such labour into the Solomon Islands. They were strongly supported by Woodford, who assured officials

* Im Thurn to C.O., 24 January 1910 (confidential), CO 225/50. He thought, however, 'that, under right direction and probably at considerable cost, something might be done to keep this expiring race a little longer in existence and to utilize them, with advantage and some degree of comfort to themselves, side by side with the imported labourers . . .'

that the introduction of free (Oriental) labourers would not prejudicially affect the native in any way (i.e. accelerate the decrease of the native population etc.) provided it did not lead to an evasion of the law as to the sale of liquor to natives.

The Colonial Office agreed in principle; but, since the reversion of the Solomon Islands was still regarded as lying ultimately with Australia, it decided to consult the Commonwealth government.¹³

The Commonwealth objected to the proposal, professing to be unconvinced that the local labour supply was insufficient for development purposes.¹⁴ Whilst the Colonial Office and the High Commissioner, im Thurn, both ascribed this objection to the influence of the White Australia policy. Commonwealth officials referred to Australia's policy in Papua and protested—privately and in official correspondence—that they were solely actuated by concern for the Melanesians. The White Australia policy, wrote Atlee Hunt, 'is a policy for this Continent only', not for the Pacific islands, 'but we do think, and think strongly, that the first question to be asked in regard to all proposals for change in the islands is: How will this benefit the Islanders?'¹⁵ Deakin took the same line:

They [the Ministers of the Commonwealth] wish it to be clearly understood that as at present advised they regret any steps which would encourage the introduction of Indians into the Solomons because they conceive that a main reason underlying the British Protectorate over that group is or ought to be the desire to civilize and develop its native inhabitants. In their opinion the first step to that end is to encourage in them a willingness to labour. . . .

It is clearly in the interests of the Islanders themselves that they should be induced to undertake the cultivation of their own country. On the other hand if labour is introduced from abroad their decadence and probable disappearance may be anticipated. . . .

Ministers fear that the encouragement of Indian immigration into the Solomons will prejudice the future of the natives whose care and guidance your Government have taken upon themselves.¹⁶

It was a new and unexpected experience for Colonial Office and High Commission officials to be lectured upon their duty towards dependent peoples by Australia and to have Papua held up as an example for them to follow; but the attitude of the Commonwealth's administrators in Papua indicates that, in this respect, the territory was indeed a model which imperial officials in the High Commission protectorates could have followed with advantage to the islanders. The present Lieutenant-Governor, Hubert Murray, differed from his immediate predecessor in holding that European development was not incompatible with Papuans' best interests.¹⁷ He subscribed, indeed, to the popular theory that labour of some sort was essential to their survival: 'the Papuan must work or die'.¹⁸ Though development

could thus advance Papuan interests, it would only do so if it were kept within such limits that the Papuans themselves could supply all the labour that was required. Foreign labourers must never be brought in.

It is fully realized by the Papuan Government that the welfare of the natives is the first of all considerations, and there is no intention of departing from the policy of Sir William MacGregor which . . . was actuated by a desire to show that advancing civilisation does not necessarily involve the degradation or disappearance of even the most primitive of aboriginal races, but that, if their interests are carefully protected, they can, by European influence, be raised to a standard which they would of themselves be incapable of attaining. . . .

The conclusion which I would draw . . . is that the native has nothing to fear and everything to gain from the policy of development so long that recourse is not had to the importation of labour.*

The Colonial Office declined to debate the question. It told the Commonwealth that it had simply informed it of the proposal as a matter of courtesy, not with the intention of asking for agreement.¹⁹ In an important despatch of September 1910, the Secretary of State, reviewing the opinions of High Commission officials, indicated that it was accepted policy that the Solomon Islands and, if possible, the New Hebrides also, should be developed with the use of imported labourers. The government, though 'not concerned with the private interests of private individuals', was 'concerned with the revenue and the general prosperity which is the result of successful planting and settlement'. Though he could not countenance the spread of the indentured labour system to the Western Pacific protectorates, the Secretary of State was prepared to sanction the employment there of free Indian labour.²⁰

The prohibition of indenture was, however, a fatal stumbling-block. All the schemes that Levers offered for bringing labourers from India to work their Solomon Islands lands involved some form of contract, in order to give the company control over the immigrants, which the Colonial Office felt bound to reject.²¹ In October 1911 the Secretary of State did seek the opinion of the India Office on a scheme submitted by Levers which, although it involved a contract, seemed to be as close to a free labour scheme as an employer faced with the expense of importing a labour force could reasonably be expected to go. In December it was rejected by the India Office, both on specific points and on the general grounds that the Solomon Islands did not appear to be a suitable field of employment

* Murray to Minister for External Affairs, 28 November 1907, *CP* 146, no. 11404 of 1907. There is no doubt that Murray was genuinely opposed to the importation of labourers in large numbers for the reasons he gave; but the White Australia policy did operate, in that there would have been no chance of getting any proposal to introduce them through the federal parliament, had he thought otherwise. (I am indebted to Dr Francis West for this point.)

for Indians.²² This failure was as much regretted by High Commission officials as by Levers' Pacific Plantations Ltd.

By 1914, it was far from clear—except, perhaps, in Tonga—that the protectorate administrations established in the High Commission territories were of the benefit to islanders that it had always been assumed they would be. Their effect was to weaken indigenous modes, undermine custom and cause dependence on European direction. Dependence of this sort was especially marked in the Gilbert and Ellice Islands, where a minutely paternal administration was in action. There only, however, was any attempt being made to combat depopulation by appointing government medical officers to strike at its roots. In other places, depopulation was being made the keystone of policy. Officials in the Solomon Islands drew what they imagined to be the only conclusion and set themselves to attract investment of capital to secure for the group a prosperous future, but one in which the Solomon Islanders would have no permanent place.

Trusteeship had yielded the field to the harder task-master of financial expediency. The pro-settler publicist of 1870 who had envisaged the future of the Western Pacific islands as lying with the 'Anglo-Saxon race' and their Asian indentured labourers²³ seemed likely to be proved a true prophet. The administrators of 1914 expected the future inhabitants of the islands for which they were responsible to be white settlers or the managers and overseers of big companies, working with imported Indian labourers, whilst the indigenous population wasted away around them. The protectorate administrations, established with the hope of affording islanders the safeguards which the High Commissioner's original extra-territorial jurisdiction had failed to provide, seemed likely to hasten their demise.

Appendix

HIGH COMMISSIONERS AND ACTING HIGH COMMISSIONERS FOR THE WESTERN PACIFIC, 1877-1914

High Commissioners

Sir Arthur H. Gordon	November 1877-October 1883
Sir G. William Des Voeux	October 1883-January 1885
Sir Charles B. H. Mitchell	January 1877-January 1888
Sir John B. Thurston	February 1888-February 1897
Sir George T. O'Brien	July 1897-July 1901
Sir Henry M. Jackson	September 1902-March 1904
Sir Everard im Thurn	October 1904-August 1910
Sir Francis H. May	February 1911-June 1912
Sir Bickham Sweet-Escott	July 1912-June 1918

Acting High Commissioners

J. Gorrie	June 1878-August 1879
Sir G. William Des Voeux	September 1882-October 1883
W. MacGregor	January-August 1885
J. B. Thurston	August 1885-January 1887
Sir Henry S. Berkeley	February-July 1897
W. L. Allardyce	July 1901-September 1902
Sir Charles Major	March-October 1904, August 1910- February 1911

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2. A. B. Deacon, *Malekula*, pp. 47-50, 270-339.
3. Douglas L. Oliver, *A Solomon Island Society*, p. 362.
4. H. B. Guppy, *The Solomon Islands and their Natives*, pp. 14-15, 21-5; C. E. Fox, *The Threshold of the Pacific*, p. 296; Walter G. Ivens, *The Island Builders of the Pacific*, p. 65. On the general question of Melanesian chieftainship, see also R. H. Codrington, *The Melanesians*, p. 46.
5. Goodenough to Admiralty, 1 June 1875, encl. Admiralty to C.O., 14 August 1875, CO 83/7.
6. See Marshall D. Sahlins, *Social Stratification in Polynesia*, *passim*.
7. E. W. Gifford, *Tongan Society*, p. 19.
8. *Ibid.*, pp. 48, 86.
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11. Davidson, *Samoa mo Samoa*, Chapter II.
12. John M. Ward, *British Policy in the South Pacific (1786-1893)*, Chapters V and VI; J. W. Davidson, 'European Penetration of the South Pacific, 1779-1842' (Ph.D. thesis, Cambridge, 1942), p. 333; H. Britton, *Fiji in 1870*, pp. 64-8.
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17. F.O. to J. C. Williams, 23 August 1869, BCS, 1, I.
18. F.O. to G. Pritchard, 15 January 1845 (draft), FO 58/38.
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24. For the difficulties of Pacific island consuls see W. T. Pritchard, *Polynesian Reminiscences*, Chapter XII.
25. W. T. Pritchard to F.O., 5 November 1861, *FO* 58/94; Jones to F.O., 24 November 1865, *FO* 58/124.
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29. *Ibid.*; correspondence in *BCS*, 2, I.
30. Fremantle to Admiralty, 15 November 1855, *Adm* 122/12.
31. See, for example, John Elphinstone Erskine, *Journal of a Cruise among the Islands of the Western Pacific*, p. 187.
32. Busby to F.O., 28 January 1845, *FO* 58/40.
33. Cochrane to Admiralty, 11 June 1846, encl. Admiralty to F.O., 1 February 1848, *FO* 58/63.
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2 A FRESH DEPARTURE: THE WESTERN PACIFIC ORDER IN COUNCIL, 1877

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18. Western Pacific Order in Council, 13 August 1877, *Hertslet's Treaties*, XIV, 871-909; articles, 7, 9, 10, 22-6, 28, 31, 45.

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20. C.O. to Gordon, 19 November 1877 (draft), *CO* 83/15.

21. Maudslay to Gordon, 11 December 1876, Baron Stanmore, *Fiji: Records of Private and of Public Life 1875-1880*, II, p. 238; Maudslay to Herbert, 18 September 1877, with memorandum, *CO* 83/15; minute by Herbert, 27 August 1877 (after conversation with Maudslay) on Privy Council Office to C.O., 23 August 1877, *ibid.*; minute by Herbert, 28 September 1877, on Maudslay's memorandum, *ibid.*

3 DISENCHANTMENT, 1878-1881

1. W. D. McIntyre, 'Disraeli's Colonial Policy: The Creation of the Western Pacific High Commission, 1874-1877', *Historical Studies, Australia and New Zealand*, IX, xxxv, 1960, p. 284; for evidence that the limited draft of 1876 was forwarded that year to Gordon, see Gordon to C.O., 28 December 1877, *Fiji, Governor to S of S*. He had also seen an earlier draft before leaving England in 1875 (see Gordon to C.O., ? December 1878, *CO* 225/1).

2. Vogel to Carnarvon, 4 and 6 May 1875, with encls., *PRO* 30/6/47; minute by Herbert, 5 May 1875, *ibid.* Vogel was in London at the time.

3. Goodenough to Admiralty, 24 December 1874, encl. Admiralty to C.O., 25 February 1875, *CO* 83/7.

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5. Suckling to Goodenough, 4 September 1873, encl. Admiralty to F.O., 27 March 1874, *FO* 58/144; Goodenough to Admiralty, 21 May 1874, encl. Admiralty to C.O., 29 July 1874, *CO* 83/5.

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11. Gordon to C.O., 24 February 1879, *CO* 225/4.

12. Minute by Herbert on Gordon to C.O., 17 December 1877, *CO* 83/14; minute by Malcolm on F.O. to C.O., 23 July 1877, *CO* 83/15.

13. Minute on Gordon to C.O., 24 February 1879, *CO* 225/4; minute by Herbert on Gordon to C.O., 11 October 1879, *CO* 225/3.

14. C.O. to F.O., 26 March 1879, *FO* 58/106; F.O. minutes thereon and F.O. to C.O., 9 May (draft), *ibid.*

15. Gorrie to Gordon, 29 September 1879, Stanmore, *Fiji*, IV, p. 125; Gordon to Lady Gordon, 16 November 1879, *ibid.*, IV, 129; Gorrie to Gordon, 11 September 1880, *ibid.*, IV, 428; Gorrie to Derby, 8 July 1884 (private), *CO* 225/17; Gorrie to Wilson, 2 May 1879, *RNAS*, XX; Gorrie to C.O., 16 August 1879, *WPHC Despatches to S of S*.

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17. Wilson to Admiralty, 5 May 1879, *RNAS*, XX; Gorrie to C.O., 26 May 1879 (nos. 33 and 35), *WPHC Despatches to S of S*.

18. Gorrie to Wilson, 2 May 1879, with memorandum, encls. Wilson to Admiralty, 5 May 1879, *RNAS*, XX; Wilson to Gorrie, 4 May 1879, *WPHC Inward Correspondence, General*, no. 41 of 1879; see also Wilson to Admiralty, 5 July 1879, *RNAS*, XIV; Bramston's minute, 7 July 1879, on Gorrie to C.O., 26 May 1879 (no. 35), *CO* 225/2.

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23. Gordon to C.O., 11 October 1879, with encls., *CO* 225/3; minute by Bramston, *ibid.*

24. Gordon to C.O., 11 October 1879, *CO* 225/3; Wilson's Confidential Memorandum, 15 May 1879, *RNAS*, XIV; C.O. minutes and C.O. to Admiralty, 23 March 1880, drafted on Gordon to C.O., 11 October 1879, *loc. cit.*; see also Hicks Beach to Gordon, 22 and 29 April 1880 (private), Stanmore, *Fiji*, IV, pp. 329-30; Admiralty to Wilson, 6 May 1880, *RNAS*, XX, copy encl. C.O. to Gordon, 20 May 1880, *WPHC Despatches from S of S*.

25. De Houghton to Wilson, 29 October 1880, encl. Gordon to Des Voeux, 7 January 1881, *WPHC, Despatches from High Commissioner to Assistant High Commissioner*, December 1880-June 1882.

26. Wilson to Admiralty, 25 May 1879, *RNAS*, XIV; Wilson to Des Voeux, 25 May 1879, with encls., *WPHC Inward Correspondence, General*, no. 45 of 1879; C.O. to Gordon and Admiralty, 18 and 28 September 1879, respectively, drafted on Gorrie to C.O., 23 June 1879, *CO* 225/2; Gorrie to Gordon, 8 September 1879, *WPHC Inward Correspondence, General*, no. 77 of 1879; Gordon to Gorrie, 31 March and 1 April 1880, Stanmore, *Fiji*, IV, pp. 257-8; Bramston's minute on Gordon to C.O., 14 October 1879, *CO* 225/3. For an opinion that the Commodore had sent Aratuga to Levuka with the object of embarrassing the High Commission, see Thurston to Gordon, 16 March 1880, Stanmore, *Fiji*, IV, p. 250.

27. Gorrie to Gordon, 22 December 1879, *WPHC Inward Correspondence, General*, no. 106 of 1879; Gorrie's judgment, 5 April 1880, encl. Gordon to C.O., 28 April 1880 (no. 10), *CO* 225/5; hostile minutes by Bramston and Kimberley, *ibid.*

Aratuga was kept under light confinement in Levuka until 1885, when he was apparently sent home (see minutes at *WPHC Inward Correspondence, General*, no. 43 of 1885).

28. Wilson to Admiralty, 2 December 1880, *RNAS*, XV; Wilson to Admiralty, 12 January 1880, *ibid.*

29. Gordon to Wilson, 22 October 1880, *RNAS*, XV; Gordon to Wilson, 10

August 1880, *ibid.*; Wilson to Admiralty, 23 March 1881, *ibid.*; Admiralty to Wilson, 8 January, 12 September 1881, *ibid.*

30. *NSWVP*, 1880-1, I, pp. 399-412.

31. Minute by Kimberley, 17 May 1881, on Loftus to C.O., 24 February 1881 (confidential), *CO* 201/595.

32. For Van Camp's reappearance see Swanston to Gorrie, 17 July 1878, with encls., *WPHC Inward Correspondence, General*, no. 21 of 1878; see also Thurston to Gordon, 23 July 1878, Stanmore, *Fiji*, III, p. 369, and 'Journals of R. S. Swanston' (MS.), 30 June 1878.

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1. Minutes of Herbert and Hicks Beach on Prendergast to C.O., 20 March 1879, with encls., *CO* 209/238.

2. Gordon to F.O., 15 September 1879, 1 March 1880, *WPHC, Consul-General to FO, 'Treaty of Friendship, etc.'*, 28 August 1879, *Hertslet's Treaties*, XV, p. 334; 'Convention . . . for the Government of the Town and District of Apia', 2 September 1879, *ibid.*, p. 336.

3. 'Extract of Report on the Condition of the Samoan Islands, by Mr J. B. Thurston, C.M.G.', 1 October 1886, *FOCP* No. 5417X.

4. Gordon to F.O., 4 March, 2 April 1878, *WPHC, Consul-General to FO*; joint statement by Gordon, H.I.G.M.S. Consul-General Zembusch, U.S. Consul-General Dawson, H.B.M. Consul Graves, *BCS*, 3, III.

5. Purvis to Wilson, 19 May 1880, encl. Admiralty to F.O., 28 July 1880, *FO* 58/171; Purvis to Wilson, 27 March 1880, encl. Admiralty to F.O., 8 June 1880, *ibid.*

6. Brown to Nettleton, 4 June 1872, Letterbooks of the Rev. George Brown.

7. S. F. Williams to F.O., 17 October 1873, with encls., *FO* 58/137; Williams to F.O., 30 October 1873, *ibid.*; Williams to F.O., 1 January 1874, *FO* 58/143; R. P. Gilson, 'The Politics of a Multi-Racial Community', Chapter XIII.

8. For the Steinberger episode generally, see Sylvia Masterman, *The Origins of International Intervention in Samoa 1845-1884*, pp. 116-27; G. H. Ryden, *The Foreign Policy of the United States in relation to Samoa*, pp. 83-147. The following account owes most, however, to Gilson, 'The Politics of a Multi-Racial Community', Chapter XIII, and J. W. Davidson, *Samoa mo Samoa: the Emergence of the Independent State of Western Samoa*, Chapter III.

9. Brown to Chapman, 11 October 1873, Letterbooks of the Rev. George Brown; see also *Annales de la Propagation de la Foi*, XLV, p. 376.

10. Gilson, 'The Politics of a Multi-Racial Community', Chapter XIII.

11. See, for example, Minutes of General Meeting, December 1873-January 1874, *LMS, SS Letters*, Box 34; Brown to Chapman, 11 October 1873, Letterbooks of the Rev. George Brown; Vidal to various, 4 October 1873, *Annales de la Propagation de la Foi*, XLVII, p. 280.

12. For notes on Steinberger's entourage, see encls., *WPHC*, 'Reports of Proceedings of Captain C. Stevens, Commanding "Barracouta"'. .

13. Encl. Williams to F.O., 18 February 1876, *FOCP* No. 2848. Correspondence between Steinberger and Godeffroys (encls. Foster to State Department, 18 March 1876, Despatches from U.S. Consul in Apia), shows him drawing on the firm for advances of money—though not to the extent that he wished—whilst they looked to him to establish the peaceful conditions in which their commercial operations would flourish.

14. Gilson, 'The Politics of a Multi-Racial Community', Chapter XIII.

15. Turner to Whitehouse, 8 August, 12 September 1874, *LMS, SS Letters*, Box 34; Steinberger to Mullens, 4 July 1874, *ibid.* The letters were later delivered by Steinberger. The ultimate fate of the bill is not recorded.
16. Minutes of General Meeting, November 1875, *ibid.*; joint letter to Fish, 5 October 1875 (private and confidential), *ibid.*
17. Gordon to Stevens, 30 November 1875, *Fiji, Naval Letters Outward*. Stevens had already applied to the Acting Commodore, Chapman, for permission to visit Samoa; Chapman's refusal was in the mail (memo. on Admiralty to C.O., 10 May 1876, *CO 83/11*).
18. Correspondence in *Fiji, Naval Letters Outward*, and Admiralty to C.O., 27 November 1875, *CO 83/7*.
19. Turner to Mullens, 5 January 1876, *LMS, SS Letters*, Box 35.
20. Gilson, 'The Politics of a Multi-Racial Community', Chapter XIII; Admiralty to F.O., 20 February 1874, with encls., *FO 58/144*; for the opposition of the consuls and the beach, see also Steinberger to Fish, 6 July, 3 November 1875, 8 January 1876, *USCP, 1877, IX, xlv*.
21. Layard to F.O., 8 March 1876, *FOCP No. 4285*.
22. Stevens to C. in C., 5 January 1876, 'Navigator Islands, Proceedings at and Correspondence respecting' (print), *CO 83/11*.
23. Turner to Mullens, November 1875, *LMS, SS Letters*, Box 34.
24. R. W. Robson, *Queen Emma*, pp. 50-5.
25. Williams to F.O., 29 October 1874, 21 May, 2 June 1875, *BCS, 3, III*; Elloy to Membres des Conseils centraux . . ., 5 September 1875, *Annales de la Propagation de la Foi, XLVII, p. 221*.
26. Brown to Watkin, 24 December 1873, Letterbooks of the Rev. George Brown.
27. Malietoa Laupepa to Stevens, 27 December 1875, encl. Stevens to C. in C., 5 January 1876, *CO 83/11*; see also Ta'imua and Faipule to Steinberger, 22 July 1876, *USCP, 1877, IX, xlv*.
28. A. Monfat, *Le Missionnaire de Samoa: Mgr L. Elloy*, p. 416; for the unpopularity which, as a result, the L.M.S. suffered with Samoans, see Davies to Mullens, 23 June 1876, *LMS, SS Letters*, Box 35; Pratt to Mullens, 29 September 1876, 12 September 1877, *ibid.*
29. Gordon to F.O., 4 March 1878, *WPHC, Consul-General to FO: J. K. Chapman, The Career of Arthur Hamilton Gordon*, p. 277.
30. Ogden to Steinberger, 4 August 1875, *WPHC, Samoa, Correspondence between Steinberger and various persons in America*.
31. 'Journal of Commodore J. G. Goodenough' (MS.), 12 March 1874.
32. Stanmore, *Fiji*, II, pp. 407-8.
33. Gordon to F.O., 4 March 1878, no. 8, *WPHC, Consul-General to FO*.
34. Lister's minute, 3 December 1877, *FO 58/158*; Carnarvon's minute, 21 May 1877, on Robinson to C.O., 19 May 1877 (cable), *CO 83/13*; Herbert's minute on Gordon to C.O., 25 April 1877 (confidential), *ibid.*; C.O. to F.O., 30 July 1877 (in the terms of Herbert's minute), *FOCP No. 3372*.
35. Gordon to F.O., 15 September 1879, nos. 1 and 2, *WPHC, Consul-General to FO*; Graves to Gordon, 25 March 1880 (with 24 March 1880 to F.O.) *WPHC, Samoa, Despatches from Consul to Consul-General*.
36. F.O. to C.O., 7 January 1880, with encl. *CO 225/6*; Wilson to Admiralty, 8 April 1880, with encls., encl. Admiralty to F.O., 8 June 1880, *FO 58/171*; Wilson to Admiralty, 8 June 1880, with encls., encl. Admiralty to F.O., 28 July 1880, *ibid.*; Wilson to Sir Cooper Key, 7 June 1880 (private), *ibid.*; F.O. to C.O., 7 September 1880 (confidential), *CO 225/6*.
37. Minute by Kimberley, 15 September 1880, *ibid.*
38. Minutes of Apia meeting between Gordon, Zembsch, Dawson and Graves, 28 August 1880, *BCS, 2, III*.

39. Thurston to Des Voeux, 1 December 1883, *WPHC Outward Letters, General*; 'Extract of Report on the Condition of the Samoan Islands by Mr J. B. Thurston, C.M.G.', 1 October 1886, *FOCP* No. 5417X, p. 8.
40. *Ibid.*, encl. 19.
41. Thurston to C.O., 25 October 1888 (confidential), *WPHC Confidential Despatches to S of S, 1887-94*.
42. Thurston to C.O., 8 November 1886 (secret and confidential), encl. C.O. to F.O., 1 January 1887, *FOCP* No. 5607.
43. For these designs see Angus Ross, *New Zealand Aspirations in the Pacific in the Nineteenth Century*, *passim*.
44. Thurston to C.O., 8 November 1886 (secret and confidential), *FOCP* No. 5607.
45. Graves to Gordon, 26 July 1881 (with 16 July 1881 to F.O.), *WPHC, Samoa, Consul to Consul-General*; Churchward to Des Voeux, 21 July 1882, *ibid.*; Graves to Des Voeux, 10 January 1882 (with 10 January 1882 to F.O.), *ibid.*; Churchward to Des Voeux, 31 December 1882, 13 July 1883, *ibid.*; statement by George Pritchard in Deputy Commissioner's Court, 17 February 1886, encl. Powell to Thurston, 22 February 1886, *WPHC, Inward Correspondence, General*, no. 57 of 1886.
46. Churchward to Des Voeux, 6 December 1883 (confidential), 28 October, 17 and 19 November 1884, *WPHC, Samoa, Consul to Consul-General*; see also Munster to Granville, 7 April 1885, *FOCP* No. 5150.
47. Des Voeux to C.O., 19 December 1883 (confidential), with encls., *CO* 225/12; see also Ross, *New Zealand Aspirations*, p. 181.
48. Consular despatches in *WPHC, Samoa, Consul to Consul-General*. For details of Weber's proceedings in 1885, see report of Steubel's statement to Lei'ataua, n.d., *BCS*, 2, V; minutes of meeting at British Consulate, *ibid.*; Newell to Churchward, 10 March 1885, *ibid.*; Malietoa Laupepa to Kaiser, 18 May 1885 (copy), *ibid.*
49. Wilson to Thurston, 25 August, 19 September 1887, *WPHC, Samoa, Consul to Consul-General*; De Coetlogon to Thurston, 13 November 1888, *ibid.*
50. De Coetlogon to Thurston, 17 September, 13 November, 10 December 1888. *WPHC, Samoa, Consul to Consul-General*; see also correspondence in *BCS*, 2, VII, and 5, III.
51. 'Final Act of the Conference held at Berlin into the Affairs of Samoa', *GBPP*, 1890, LXXXI, p. 957.
52. Fifth Session of Berlin Conference, *GBPP*, 1890, LXXXI, p. 905; De Coetlogon to Thurston, 7 January 1889, with encl., *WPHC, Samoa, Consul to Consul-General*; Von Pilsach to Cusack-Smith, 2 June 1891, *BCS*, 2, IX; Mata'afa to Cusack-Smith, 18 June 1891, *ibid.*; Mata'afa to Laupepa, 29 December 1891, encl. Maben to Cusack-Smith, 4 January 1892, *ibid.*, XI; F.O. to Admiralty, 4 July 1893, encl. F.O. to C.O., 4 July 1893, *CO* 225/44.
53. Quoted C. in C. to Admiralty, 18 August 1893, encl. F.O. to C.O., 9 October 1893 (confidential), *CO* 225/44.
54. Blacklock to Cusack-Smith, 10 May 1894, *BCS*, 2, XIII.
55. Minute by Ripon, 12 February 1894, on F.O. to C.O., 7 February 1894, *CO* 225/46; Cusack-Smith to F.O., 21 December 1895, encl. F.O. to C.O., 12 February 1896, *CO* 225/51; minute by Chamberlain, 6 March 1896, *ibid.*
56. Full reports are in *RNAS*, XXXIX; C.O. minutes on F.O. to C.O., 18 January 1899, *CO* 225/57.
57. Davidson, *Samoa mo Samoa*, Chapter IV.
58. Minute by Smallwood, 10 December 1897, on C.O. to High Commissioner, 23 September 1897 (confidential), *WPHC Despatches from S of S; Auckland Weekly Times*, 27 May 1893, report of interview with Thurston.
59. Thurston to Cusack-Smith, 1 June, 9 October, 18 August 1893, *BCS* 2, XI; 'Report for the Year 1894 on the Trade of Samoa', *GBPP*, 1895, CI, 593.

60. See, for example, Thurston to Gordon, 30 March 1879 (Stanmore, *Fiji*, III, p. 546).
61. Thurston to Knutsford, 11 May 1892 (private), *CO* 225/40.
62. Gordon to F.O., 15 September 1879, *WPHC, Consul-General to F.O.*; Robert Louis Stevenson, *A Footnote to History*, pp. 20-3, 25-6; map in *FOCP* No. 5421; Municipal Regulations, encl. Churchward to Des Voeux, 26 September 1883, *WPHC, Samoa, Consul to Consul-General*. The 1879 Convention was renewed in September 1883 (*Hertslet's Treaties*, XV, p. 1051).
63. Stevenson, *Footnote to History*, p. 26; Trade Reports, *GBPP*: 1880, LXXIII, p. 112; 1883, LXXIII, pp. 86, 796; 1884, LXXX, p. 644; 1895, CL, p. 593; 'Extract of a Report on the Condition of the Samoan Islands, by Mr J. B. Thurston, C.M.G.', with encls., *FOCP* No. 5417X.
64. Cusack-Smith to Thurston, 18 April 1896 (personal), *WPHC Inward Correspondence, General*, no. 171 of 1896.
65. Cusack-Smith to F.O., 21 December 1895, encl. F.O. to C.O., 8 February 1896, *CO* 225/51.
66. Berlin Treaty, article IV; reports by Commissioners Haggard (Haggard to F.O., 5 December 1894, memo., 31 December 1894, *FOCP* No. 6663), and Chambers (Chambers to State Department, 3 February 1895, *USCP*, 1895, No. 97).
67. Memorandum by Maudslay, 20 October 1880, encl. F.O. to C.O., 19 November 1880, *CO* 225/6; Cornwall to Liardet, 21 November 1877, *BCS*, 5, XXII; Liardet to Wylde, 5 January 1878, with photograph of the hanging, *FO* 58/150.
68. Cusack-Smith to Thurston, 6 October 1892, *WPHC Inward Correspondence, General*, no. 219 of 1892.
69. Cusack-Smith to Thurston, 21 May, 14 July 1892, with encls., *ibid.*, nos. 119 and 156 of 1892.
70. For the activities of this group, see Liardet to Gordon, 5 April, 5 June, 19 September, and 2 October 1877, *BCS*, 5, XXII; see also much correspondence, *ibid.*, 2, II, and Woods to Gordon, 14 August, 17 September 1877, with encls., *WPHC Inward Correspondence, General*, nos. 5 and 6 of 1877.
71. Swanston to Gorrie, 10 April, 2 June 1879, *BCS*, 7, IV; Hetherington to Graves, 13 October 1879, *ibid.*, 2, III; Malietoa to Powell, 9 January 1886, *WPHC, Samoa, Deputy Commissioner to High Commissioner*, 1882-92; Powell to Thurston, 27 January 1886, *WPHC Inward Correspondence, General*, no. 25 of 1886; Hetherington to Thurston, 28 January 1886, *ibid.*, no. 26 of 1886.
72. Hunt's statement encl. Izard & Bell to MacGregor, 12 November 1885, *WPHC Inward Correspondence, General*, no. 208 of 1885; Buckland to MacGregor, 11 March 1885, with encls., *ibid.*, no. 71 of 1885; Turner to Maudslay, 11 September 1880, *FO* 58/171; and correspondence in *BCS*, 2, II and III.
73. Gorrie to Gordon, 26 March, 15 May 1878, *WPHC Inward Correspondence, General*, nos. 5 and 9 of 1878; Law Officers to C.O., 28 August 1878, *CO* 225/1.
74. Churchward to Des Voeux, 13 June 1883, *WPHC Inward Correspondence, General*, no. 86 of 1883.
75. *WPHC* print no. 25, 'Papers relating to the Order Prohibiting W. J. Hunt from residing in Samoa'; Law Officers to F.O., 28 October 1882, *FO* 58/180; Gordon to C.O., 8 October 1883, with encls., *CO* 225/14; ruling by Richmond, C.J., 20 July 1883, and judgment of Court of Appeal, 8 August 1883, *WPHC Inward Correspondence, General*, no. 79 of 1884.
76. Churchward to Des Voeux, 14 June, 8 and 24 November, 17 December 1883, with encls., *WPHC Inward Correspondence, General*, nos. 87, 167, 169, and 174 of 1883; *New Zealand Herald*, 28 January 1889. See also Ross, *New Zealand Aspirations*, pp. 176-93.
77. Thurston to C.O., 23 December 1885, *CO* 225/18; for Stout's disclaimer of interference by the New Zealand government, see his memorandum, 7 June 1886, encl. Jervois to C.O., 18 June 1886, *CO* 209/246; for Thurston's rejoinder, see

Thurston to C.O., 27 October 1886, *CO* 225/22, which Bramston (minute, *ibid.*) considered to provide sufficient evidence of interference to justify the conclusion that 'we have been fighting the Colonial battle in entire ignorance of the schemes & under-hand policy of Sir George Grey & Sir R. Stout'.

78. *GBPD*, 3rd Series, CCXXI, 4 August 1874, p. 1287.

79. McArthur's instructions to Captain Moller, 16 June 1877, printed *New Zealand Freeman's Journal*. Special Supplement, 8 December 1882. This supplement, with that of 24 November 1882, is devoted to an attack on McArthur's for their dealing with Cornwall, under the rubric: 'Commercial Morality in the South Seas, Or, How to do business in Righteousness'. For their trading with gin and muskets in the New Hebrides, see Julian Thomas, *Cannibals & Convicts*, pp. 143, 184.

80. Gilson, 'The Politics of a Multi-Racial Community', Chapter XVI; Cornwall to Thurston, 9 November 1882, with encls., *WPHC Inward Correspondence, General*, no. 151 of 1882; for McArthur's version of events, see memorandum on House of Commons question, 11 June 1884, *CO* 225/16; a rebuttal by Cornwall is Cornwall to C.O., 12 October 1884, *CO* 225/17; Graves to Gordon, 25 November, 19 December, 2 January 1882, *WPHC Inward Correspondence, General*, nos. 64, 19, and 57 of 1882; memorandum by Gorrie, encl. C.O. to Des Voeux, 14 February 1884, *WPHC Inward Despatches from S of S*; Des Voeux to C.O., 6 September 1884, *CO* 225/15.

81. Cornwall to Thurston, 9 November 1882, *WPHC Inward Correspondence, General*, no. 151 of 1882, with minutes; Fielding-Clarke to Des Voeux, 18 December 1882, *WPHC Inward Correspondence, General*, no. 158 of 1882; Des Voeux to C.O., 10 November 1882, *CO* 225/10; Cornwall to Des Voeux, 27 June, 14 July 1883, *WPHC Inward Correspondence, General*, nos. 77 and 105 of 1883; a copy of the petition is *ibid.*, no. 63 of 1883; minute by Collet on Cornwall to Des Voeux, 18 November 1884; *ibid.*, no. 250 of 1884.

82. *Fiji Times*, 20 October 1886; Fiji, Supreme Court Records, Maneama and others v. Wm McArthur & Co.; Wilson to Thurston, 30 June 1888, *WPHC Inward Correspondence, General*, no. 164 of 1888, with minutes; Berkeley to Thurston, 27 June 1888, *ibid.*, no. 156 of 1888; Wilson to Thurston, 24 July, 20 August 1888, *ibid.*, nos. 196 and 212 of 1888; De Coetlogon to Thurston, 8 January, 18 March, 25 November 1889, with minutes, *ibid.*; nos. 14, 57, and 260 of 1889; McArthur to Des Voeux, 3 June 1884, *ibid.*, no. 89 of 1884; *Fiji Times*, 8 March 1890, editorial.

83. *Fiji Times*, 19 March 1890; *Law Reports, Appeal Cases, 1892*, pp. 75-89; Cusack-Smith to Thurston, 4 January 1893, *WPHC Inward Correspondence, General*, no. 10 of 1893; Cusack-Smith to Arundel, 25 January 1898, *BCS*, 2, XXI; Powell to Thurston, 29 December 1885, *WPHC Inward Correspondence, General*, no. 17 of 1886; *New Zealand Herald*, 10 December 1885.

84. Stevenson, *Footnote to History*, p. 20.

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1. Gordon to C.O., 31 July 1880, *CO* 83/22; for F. and W. Hennings generally, see H. Britton, *Fiji in 1870*, p. 21; for Ma'afu's operations on the eve of Cession, see *Fiji Times*, 12 December 1874, extract from *Sydney Empire*, and *Fiji Gazette*, 21 March 1874, Thurston's answer to a deputation of settlers.

2. Minute, 3 October 1880, on Gordon to C.O., 31 July 1880, *CO* 83/22.

3. Minute, 16 December 1887, on F.O. to C.O., 14 December 1887, *CO* 225/27.

4. Thurston to C.O., 8 October 1886 (secret and confidential), encl. C.O. to F.O., 1 January 1887, *FOCP* No. 5607.

5. *Ibid.*; memorandum for Hatzfeldt, 16 March 1887, *FOCP* No. 5607; memorandum by Plessen, 15 April 1887, *ibid.*; Thurston to C.O., 13 September 1887, encl. C.O. to F.O., 19 September 1887, *ibid.*
6. W. P. Morrell, *Britain in the Pacific Islands*, p. 309.
7. For Thomson's mission and his report, see C.O. minute paper of December 1899, *CO* 225/59, and Thomson to C.O., 28 May 1900, *CO* 225/60.
8. *Herislet's Treaties*, XV, p. 396; *ibid.*, XIX, p. 847; Gordon to F.O., 27 April 1878, *WPHC*, *Consul-General to FO*; Thurston to C.O., 20 June 1891, *WPHC Despatches to S of S*.
9. Mitchell to Leefe, 27 April 1887 (confidential), *WPHC*, *Consular Letters, Outward*, 1886-96.
10. For such an assurance, see, for example, Parker to Mitchell, 5 February 1887, *WPHC Inward Correspondence, General*, no. 47 of 1887.
11. Major to May, 18 August 1911 (personal), *ibid.*, no. 753 of 1911.
12. Minute by Mahaffy, 27 October 1910, *ibid.*, no. 1431 of 1910.
13. Noel Rutherford, 'Shirley Baker and the Kingdom of Tonga' (Ph.D. thesis, A.N.U., 1966), pp. 40-4.
14. The Constitution of Tonga, encl. 17 to 'Report by Sir C. Mitchell . . . in connection with the Recent Disturbances in, and the Affairs of Tonga', *GBPP*, 1887, LVIII, p. 639; Rutherford, 'Shirley Baker', pp. 148-56.
15. Lillian and Beatrice Shirley Baker, *Memoirs of the Reverend Dr. Shirley Waldemar Baker, D.M., LL.D.*, p. 5; Rutherford, 'Shirley Baker', pp. 18-26.
16. See, for example, Mitchell to Holland, 25 November 1887 (private), *CO* 225/24.
17. Rutherford, 'Shirley Baker', pp. 74-83.
18. *Ibid.*, pp. 51-6, 126-36.
19. Baker's reply to Consul Layard's despatch, *WPHC*, *Miscellaneous Papers Relating to Tongan Affairs*, Bundle 1.
20. Baker's reply to Consul Layard's despatch, *loc. cit.*; Layard to F.O., 8 March 1876, 19 November 1877, *FOCP* No. 4285.
21. Rutherford, 'Shirley Baker', pp. 168-9.
22. *Tonga Times*, 22 January 1876, quoted *ibid.*, p. 178.
23. Layard to F.O., 8 March 1876, *FOCP* No. 4285; Gordon to F.O., 27 April 1878, *WPHC*, *Consul-General to FO*; on the size of the European population, see Rendle to Chapman, 19 August 1874, *RNAS*, XLII.
24. Hoskins to Admiralty, 19 May 1877, *RNAS*, XLII.
25. Gordon to F.O., 29 April 1878, *WPHC*, *Consul-General to FO*. He had initially largely discounted Layard's allegations, pointing out some internal inconsistencies and factual inaccuracies (see Gordon to C.O., 16 October 1876, *FOCP* No. 4285).
26. Gordon to Baker, 13 April 1878, *WPHC Outward Letters, General*.
27. Rutherford, 'Shirley Baker', p. 162. See also Wilkinson to Gordon, 2 July 1878 (Stanmore, *Fiji*, III, p. 349).
28. Gordon to F.O., 30 December 1880, *WPHC*, *Consul-General to FO*, reporting interviews of November 1880; see also memoranda on the same interviews, encl. Gordon to Symonds, 12 January 1881, *Agent and Consul, Tonga*, Set 10.
29. Gordon to Maudslay, 14 June 1878, *Fiji*, Governor's Letter-Book, 1876-83. It seems unlikely that Gordon had actually instructed Maudslay privately to unseat Baker, as Dr Rutherford suggests (Rutherford, 'Shirley Baker', p. 211), but the impression certainly prevailed that Gordon wanted Baker out of Tonga—as indeed he did—and that Maudslay was, in fact, sent to achieve this.
30. Maudslay to Gordon, 14 July 1878 (Stanmore, *Fiji*, III, p. 351).
31. Maudslay to F.O., 23 January 1879 (no. 1), with encls., *FOCP* No. 4285.
32. Maudslay to F.O., 23 January 1879 (no. 2), with encls., *ibid.*; Maudslay to Gordon, 30 September 1879 (Stanmore, *Fiji*, III, p. 417).
33. Maudslay to Gordon, 8 August 1878, *ibid.*, p. 393.

34. Maudslay to Gordon, 14 July 1878, *ibid.*, p. 351.
35. Maudslay to Gordon, 30 September 1878, *ibid.*, p. 417; 'Papers connected with the investigation at Tonga of certain charges brought against the Revd S. W. Baker', evidence on charge 4.
36. Memorandum by B. H. Thomson, 24 August 1891, *WPHC Inward Correspondence, General*, no. 276 of 1891.
37. *Tonga Times*, 22 January 1876 (copy in FO 58/150).
38. Maudslay to Gordon, 26 October 1878 (Stanmore, *Fiji*, III, p. 426).
39. Maudslay to Gordon, 25 January 1879, *ibid.*, pp. 513-14.
40. Gordon to C.O., 25 September 1883, *CO* 225/14.
41. Gordon to F.O., 15 July 1882, *WPHC, Consul-General to FO*.
42. Memorandum by Mitchell, 30 October 1888, on Thurston to C.O., 28 August 1888, *CO* 225/28; for unfavourable High Commission comments on Baker's mode of government, see, for example, minutes on Symonds to Thurston, 12 December 1882, *WPHC Inward Correspondence, General*, no. 73 of 1883.
43. Gordon to Symonds, 24 August 1881, *Agent and Consul Tonga*, Set 10.
44. See, generally, *ibid.*, Sets 2 and 5.
45. Bridge to Erskine, 25 July 1884, *RNAS*, XLII; Baker to Erskine, n.d., *ibid.*; Baker to Erskine, 17 September 1884, with copy of Baker to F.O., 27 August 1884, with encls., *ibid.*
46. Symonds to Thurston, 12 December 1882, *WPHC Inward Correspondence, General*, no. 73 of 1883; Gordon to C.O., 26 September 1883, *CO* 225/14; Thurston to C.O., 28 January 1884 and 22 January 1886, *WPHC Despatches to S of S*.
47. Constitution of Tonga, articles 109-11.
48. Symonds to Des Voeux, 13 December 1883, *WPHC Inward Correspondence, General*, no. 32 of 1884. The case was eventually decided, in the Deputy Commissioner's Court, in favour of the Tongan government (Leefe to Mitchell, 7 June 1887, *ibid.*, no. 200 of 1887).
49. Affidavit of Robert Hanslip, 22 October 1883, *WPHC Inward Correspondence, General*, no. 148 of 1883; Mitchell to C.O., 5 June 1887, with encls., *CO* 225/24. According to the would-be assassins, Hanslip had actually aided them with arms and advice (Rutherford, 'Shirley Baker', pp. 363-6).
50. Memorandum by Gordon, 5 July 1882, on a request by King and Premier for the prohibition of Hanslip, *Agent and Consul, Tonga*, Set 43, no. 22; minute by Thurston, 7 August 1887, on letter from Hanslip (missing), *WPHC, Miscellaneous Papers relating to Tongan Affairs*, Bundle 2; Mitchell to C.O., 5 June 1887, *CO* 225/24, reporting the acquittal of Hanslip by the Chief Judicial Commissioner on the charge of having been accessory to the assassination attempt, 'principally I understand because all the witnesses were themselves accomplices'.
51. Abstract of Proclamation, December 1880, encl. 2 in 'Appendix to Report of Sir C. Mitchell . . .', *GBPP*, 1887, LVIII, p. 602.
52. Telegram from Baker to the Adelaide General Conference, 28 May 1881, *ibid.*, p. 660, Annex 5 to encl. 22.
53. List of charges against Moulton in 'Tonga Government Blue Book', 7 November 1883, *ibid.*, p. 603, encl. 12.
54. Tupou to Church in Sydney, 1874, encl. 9 in 'Appendix to Report of Sir C. Mitchell . . .', p. 586; see, generally, Rutherford, 'Shirley Baker', pp. 101-25, who suggests that Baker drafted the letter.
55. 'Tonga Government Blue Book', 7 November 1883, encl. 12 in 'Appendix to Report of Sir C. Mitchell . . .', p. 611, second series, charge I.
56. Mitchell to C.O., 6 May 1887, *WPHC Despatches to S of S*.
57. Baker to Buckland, 6 April 1885, encl. Buckland to MacGregor, 9 April 1885, *WPHC Inward Correspondence, General*, no. 77 of 1885.
58. Memoranda of differences between Wesleyan and Free Churches by Moulton and Baker, April 1887, encl. 18 in 'Appendix to Report of Sir C. Mitchell . . .',

GBPP, 1887, LVIII, pp. 648-9. Baker scored points also with his further riposte, *ibid.*: 'The Wesleyan Free Church is no more a State Church than the Wesleyan Church was before the disruption . . .'.

59. Baker to Symonds, 3 September 1885, encl. Baker to MacGregor, 10 September 1885, *WPHC Inward Correspondence, General*, no. 178 of 1885.

60. Crosby to Leefe, 22 April 1889, encl. Leefe to Thurston, 30 April 1889, *ibid.*, no. 82 of 1889.

61. Thurston to C.O., 21 January 1886, *WPHC Despatches to S of S*.

62. Baker to MacGregor, 4 August 1885, *WPHC Inward Correspondence, General*, no. 141 of 1885.

63. MacGregor to C.O., 10 June 1885, *WPHC Despatches to S of S*; Thurston to C.O., 21 January 1886 (confidential), *ibid.*

64. MacGregor to Symonds, 10 June 1885, *Agent and Consul, Tonga*, Set 10; for immediate High Commission reaction to the declaration of the Free Church, see Collet's minute, 9 March 1885, on Hamilton to MacGregor, 31 January 1885, *WPHC Inward Correspondence, General*, no. 37 of 1885.

65. Thurston to Symonds, 2 October 1885, *Agent and Consul, Tonga*, Set 10.

66. Minute by Holland, 19 January 1888, on Mitchell to Holland, 25 November 1887 (private), *CO 225/24*.

67. Thurston to C.O., 30 December 1885 (confidential), *WPHC Despatches to S of S*; Baker to Thurston, 16 September, (two letters), 17 September 1885, *WPHC, Miscellaneous Papers relating to Tongan Affairs*, Bundle 2; for Hanslip's intrigues in 1885, see minute by Thurston, 7 August 1887, on letter from Hanslip (missing), *ibid.*

68. Thurston to Symonds, 21 June, 20 July 1886, *Agent and Consul, Tonga*, Set 10; Symonds to Crosby, 12 February 1886, *ibid.*, Set 5.

69. Baker to Thurston, 12 October, 17 November 1885, *WPHC Inward Correspondence, General*, nos. 193 and 197 of 1885; Baker to Collet, 5 February 1886, *ibid.*, no. 51 of 1886; also Baker to Thurston, 26 December 1885 (private and confidential), *WPHC, Miscellaneous Papers relating to Tongan Affairs*, Bundle 2; Baker to Collet, 6 May 1886, with Collet's minute and draft reply, *ibid.*

70. Moulton to Thurston, 28 June 1886, *WPHC Inward Correspondence, General*, no. 120 of 1886; Leefe to Mitchell, 14 February 1887, with encls., *ibid.*, no. 64 of 1887; Moulton to Mitchell, 30 May 1887, *ibid.*, no. 70 of 1887.

71. Thurston to Gordon, 11 May 1887, *BM Add 49204*.

72. Mitchell to C.O., 6 May 1887, *WPHC Despatches to S of S*; Baker to Weber, 26 November 1886 (private and confidential), encl. Thomson to Thurston, 14 November 1890, *WPHC Inward Correspondence, General*, no. 340 of 1890.

73. Mitchell to C.O., 6 May 1887, *WPHC Despatches to S of S*; memorandum by Mitchell, 30 October 1888, on Thurston to C.O., 28 August 1888, *CO 225/28*.

74. Mitchell to Holland, 25 November 1887 (private), *CO 225/24*.

75. Rutherford, 'Shirley Baker', pp. 402-12; *Memoirs of the Reverend Dr. Shirley Waldemar Baker*, p. 24.

76. Thurston to Leefe, 10 January 1889, drafted on Leefe to Thurston, 24 December 1888; *WPHC Inward Correspondence, General*, no. 266 of 1888.

77. Thurston to C.O., 28 August 1888, 9 April 1889, *WPHC Despatches to S of S*.

78. 'Tonga Government Blue Book, Report of Minister of Police in re Attempted Assassination', encl. Waterhouse to Collet, 5 September 1889, *WPHC Inward Correspondence, General*, no. 173 of 1889.

79. Leefe to Thurston, 23 July 1889, *ibid.*, no. 128 of 1889.

80. Tuku'aho to Thurston, 20 November 1890, *ibid.*, no. 341 of 1890.

81. George Tupou I to Thurston, 15 July 1889, encl. Leefe to Thurston, 23 July 1889, with Collet's minute, *ibid.*, no. 128 of 1889.

82. Baker to Thurston, 8 January 1889 (two letters), *ibid.*, nos. 57-8 of 1890.

83. Thurston to C.O., 31 July 1890, *WPHC Despatches to S of S*. For a version of the deportation from Baker's side, see 'Diary of C. D. Whitcombe, 1890'.

84. This was most explicitly stated in a memorandum by B. H. Thomson, 24 August 1891, *WPHC Inward Correspondence, General*, no. 276 of 1891.

85. Thomson to Thurston, 25 November 1890, *ibid.*, no. 342 of 1890; Thomson's report to king on finances of Tonga, encl. memorandum, 24 August 1891, *ibid.*, no. 276 of 1891.

86. Leefe to Thurston, 4 December 1893 (confidential), 20 April 1894, *ibid.*, nos. 10 and 91 of 1894.

87. Leefe to Thurston, 15 May 1895, *ibid.*, no. 184 of 1895.

88. Leefe to Thurston, 18 May 1896, 22 April 1897, *ibid.*, nos. 188 of 1896 and 208 of 1897.

89. Hunter to Allardyce, 9 September 1901, *ibid.*, no. 144 of 1901; Allardyce to C.O., 15 August 1902 (secret), *WPHC Despatches to S of S*; Hunter to Jackson, 10 May 1903 (personal), *WPHC Inward Correspondence, General*, no. 2A of 1900.

90. Hunter to Jackson, 12 January 1904, *ibid.*

91. Hunter to Jackson, 9 February 1903, *ibid.*; Allardyce to C.O., 15 August 1902 (secret), *WPHC Despatches to S of S*.

92. C.O. to Governor-General of Australia, 31 October 1902 (strictly confidential), drafted on Allardyce to C.O., 27 June 1902 (cable), *CO 225/63*; and C.O. minutes, *ibid.*

93. Hunter to Jackson, 10 May, 10 June 1903 (personal), *WPHC Inward Correspondence, General*, no. 2A of 1902.

94. Hunter to Allardyce, 23 and 25 June 1902, and Hunter to Jackson, 13 January 1903, *ibid.*; Allardyce to C.O., 27 June 1902 (cable), *CO 225/63*. (For Seddon's designs on Fiji at this time, see D. K. Fieldhouse, 'New Zealand, Fiji and the Colonial Office, 1900-1902', *Historical Studies, Australia and New Zealand*, VIII, xxx, 1958, p. 113.)

95. Jackson to C.O., 19 June 1903 (secret), *WPHC Despatches to S of S*.

96. Sir Everard im Thurn, 'Report on Tongan Affairs (December 1904-January 1905), Enclosure in W.P. Confidential 15 March 1905' (printed copy, Central Archives, Suva).

97. *Ibid.*

98. Sir Everard im Thurn, 'Report on Tongan Affairs . . .'

99. Im Thurn to C.O., 2 April 1906 (confidential), *COCP Australian No. 182*.

1. Foreign residents to im Thurn, 19 October 1908, *WPHC Inward Correspondence, General*, no. 749 of 1908; Matei'alona, Fatafehi, and others to im Thurn, 10 October 1908, *ibid.*

2. Campbell to Arundel, 5 May 1912, Papers of J. T. Arundel.

3. Campbell to May, 19 September, 14 October 1911, *WPHC Inward Correspondence, General*, no. 1842 of 1911.

4. Report on Tonga Protectorate for 1912 (extract omitted from printed version), *ibid.*, no. 2032 of 1911.

5. Campbell to Arundel, 5 May 1912, Papers of J. T. Arundel.

6. Report on Tonga Protectorate for 1912, *loc. cit.*

7. *WPHC Inward Correspondence, General*, no. 279 of 1906.

8. Mahaffy to Major, 2 January 1911 (confidential), *ibid.*, no. 426 of 1910.

9. Hunter to Jackson, 10 May 1903 (personal), *ibid.*, no. 2A of 1900.

10. See abstract of Hunter's correspondence with Jiosateki, encl. Hunter to im Thurn, 13 October 1906, *ibid.*, no. 261 of 1906.

11. George Tupou II to May, 7 September 1911, *ibid.*, no. 1489 of 1911.

12. Campbell to C.O., 12 September 1912, encl. C.O. to Sweet-Escott, 1 October 1912 (confidential), with High Commission minutes, *ibid.*, no. 2135 of 1912. Im Thurn considered that the position of the Agent and Consul in Tonga should be akin to that of the Residents in the Malay States.

13. May to C.O., 23 September 1911 (confidential), *WPHC Despatches to S of S*.
14. Grant to Sweet-Escott, 28 April 1915 (confidential), with encls., *WPHC Inward Correspondence, General*, no. 1321 of 1915.

6 FAILURE IN MELANESIA AND MICRONESIA, 1877-1892

1. H. E. Maude, *The Evolution of the Gilbertese Boti*, pp. 10-11, 45-51; naval reports in *RNAS*, XVI, especially proceedings of *Espiègle* in 1883 and *Dart* in 1884.
2. Depositions encl. report of G. R. Le Hunte, 10 October 1883, *WPHC Inward Correspondence, General*, no. 159 of 1883; Churchward to MacGregor, 10 May 1883, with encl., *ibid.*, no. 89 of 1885; the description of Rees is in *BCS*, 2, IV.
3. Romilly to Gordon, 6 August 1881, *WPHC Inward Correspondence, General*, no. 158 of 1881; Wilson to Gordon, 19 July 1880, with encl., *ibid.*, no. 98 of 1880; Richard to Purvis, 8 September 1879, encl., *ibid.*, no. 97 of 1879; Brown to Gordon, 6 November 1879, *ibid.*, no. 91 of 1879.
4. W. P. Morrell, *Britain in the Pacific Islands*, p. 246; Romilly to Gordon, 20 May 1881, *WPHC Inward Correspondence, General*, no. 151 of 1881.
5. Tryon to Admiralty, 21 January 1887, *RNAS*, XXXVIII; *Sydney Morning Herald*, 15 November 1881; for Sorenson, see *Adm* 122/21.
6. Wilson to Admiralty, 29 October 1879, *RNAS*, XIV; list of Cowlshaws' ships, *ibid.*, XV; *Sydney Daily Telegraph*, 19 February 1881, article by 'The Vagabond' (Julian Thomas); Woodford to Thurston, 25 November 1896, *WPHC Inward Correspondence, General*, no. 477 of 1896.
7. Admiralty to F.O., 30 October 1873, *FO* 58/141; C.O. to F.O., 18 November 1873, *ibid.*
8. Leefe to Gordon, 10 March 1878, *WPHC Inward Correspondence, General*, no. 4 of 1878.
9. For Young and Ford, see Leefe to Gordon, 10 March 1878, *WPHC Inward Correspondence, General*, no. 4 of 1878; Layard to F.O., 5 August 1874, *FO* 58/142; H. Le Chartier, *La Nouvelle-Calédonie et les Nouvelles-Hébrides*, p. 163; for Proctor, see *Fiji Argus*, 7 July 1876; Julian Thomas, *Cannibals & Convicts*, pp. 215-18; Philippe Viel, 'L'Américaine James Toutant Proctor, commerçant à Wallis et Futuna', *Journal de la Société des Océanistes*, XIX, xix, 1963, p. 125.
10. For McLeod, see Thomas, *Cannibals & Convicts*, p. 172; Goodenough to Admiralty, 24 December 1874, encl. Admiralty to C.O., 25 February 1875, *CO* 83/7.
11. *Twelfth Annual Report of the New Hebrides Mission Vessel 'Dayspring'*, 1875, p. 19; see also pp. 237-8.
12. Paton to Service, 5 November 1883, *NSWVP*, 1883-4, IX, p. 34.
13. Wilson to Admiralty, 25 May 1879, *RNAS*, XIV; *Fiji Times*, 5 February 1879.
14. Gorrie to C.O., 4 March 1879, *WPHC Despatches to S of S*; Waite to Gorrie, 1 August 1879, *WPHC Inward Correspondence, General*, no. 63 of 1879; Gorrie to Gordon, 8 September 1879, *ibid.*, no. 77 of 1879.
15. Kilgour to naval commander, 24 April 1879, *Brisbane Courier*, 25 June 1879; Wilson to Kennedy, 25 May 1878, General Letters to the Governor of Queensland, X; Wilson to Gorrie, 25 May 1879, *WPHC Inward Correspondence, General*, no. 47 of 1879; Gorrie to Gordon, 12 September 1879, *ibid.*, no. 78 of 1879.
16. George Tupou I to Gordon, 11 August 1880, *ibid.*, no. 121 of 1880.
17. Morrell, *Britain in the Pacific Islands*, p. 247; Gorrie to Gordon, 14 November 1879, *WPHC Inward Correspondence, General*, no. 90 of 1879; Purvis to Wilson, 21 September 1879, encl. Wilson to Gordon, 19 October 1879, *ibid.*, no. 88 of 1879.
18. Gorrie to C.O., 4 March 1878, *WPHC Despatches to S of S*; Layard to Gorrie,

several letters from January to June 1879, *WPHC Inward Correspondence, General*, no. 16 of 1879; Gorrie to Gordon, 24 January 1881, *WPHC, Inward Letters of High Commissioner and Assistant High Commissioner*.

19. C.O. to Gordon, 19 November 1877 (draft), *CO* 83/15; C.O. to Treasury, 21 December 1876 (copy), *CO* 225/1; Treasury to C.O., 6 January 1877, *ibid.*; minutes on Gordon to C.O., 2 April 1878, *CO* 83/16; C.O. to Gordon, 21 February 1878, drafted on Gordon to C.O., 30 November 1877, *CO* 83/14; Treasury to C.O., 17 December 1878, *CO* 225/1; Gordon to C.O., 21 December 1878, *ibid.*; Treasury to C.O., 17 January 1879, *ibid.*; C.O. to Treasury, 21 January 1879 (draft), *ibid.*; Treasury to C.O., 31 January 1879, *ibid.*

20. Gordon to C.O., 30 November 1878, 22 January 1879, encl. C.O. to Gorrie, 24 February 1879, *WPHC Despatches from S of S*.

21. Treasury to C.O., 12 February 1879, encl. C.O. to Gorrie, 24 February 1879, *loc. cit.*; Gordon to C.O., 7 January 1880, with Fuller's minute ('These so-called Estimates'), *CO* 225/5; Browne to Thurston, 7 December 1881, on Gordon's slackness in explaining items on the estimates, *WPHC, Inward Letters of High Commissioner and Assistant High Commissioner*; Gordon to C.O., 11 October, 24 November 1880, with C.O. minutes and draft reply, *CO* 225/6.

22. Gordon to C.O., 11 January 1881, *WPHC Despatches to S of S*.

23. Gordon to C.O., 8 May 1879, *CO* 83/21; Admiralty to C.O., 22 March 1880, *CO* 83/24; Treasury to C.O., 25 August 1880, *ibid.*; Gordon to C.O., 1 January 1881, *CO* 83/25; Des Voeux to C.O., 22 January 1881, *ibid.*; C.O. to Gordon, 16 August 1881, with encls., *WPHC Despatches from S of S*.

24. C.O. to Gordon, 12 February 1880, *WPHC Despatches from S of S*; Gordon to C.O., 1 August 1878. Stanmore, *Fiji: Records of Private and of Public Life 1875-1880*, III, p. 161.

25. Gordon to Romilly, 18 March 1881, *WPHC Outward Letters, General*; Hugh H. Romilly, *Letters from the Western Pacific and Mashonaland*, p. 148. Romilly had accompanied Gordon as a member of his staff on Gordon's return from leave in 1879.

26. Romilly to Gordon, 20 May, 6 August 1881, *WPHC Inward Correspondence, General*, nos. 151 and 158 of 1881.

27. Romilly to Gordon, 11 November 1881, *ibid.*, no. 176 of 1881; minute by Herbert, 12 March 1883, as to Gordon's plans for Romilly, on Gordon to C.O., 2 March 1883, *CO* 225/14; Des Voeux to C.O., 13 August 1883, *WPHC Despatches to S of S*; Romilly to Des Voeux, 14 July 1883, *WPHC Inward Correspondence, General*, no. 98 of 1883.

28. Romilly to Des Voeux, 15 September, 28 October, 20 November 1883, *ibid.*, nos. 3, 4, and 6 of 1884.

29. Gordon to Gorrie, 3 March 1881, *WPHC Outward Letters, General*; copies of the rules in *RNAS*, XX; C.O. to Gordon, 25 August 1881, *WPHC Despatches from S of S*.

30. Gordon to Maxwell, 31 March 1881, *WPHC Outward Letters, General*; 'Report of a Commission . . . into the Working of the Western Pacific Orders in Council', *GBPP*, 1884, LV, p. 787.

31. Des Voeux to C.O., 13 August 1883, *WPHC Despatches to S of S*.

32. 'Report of a Commission . . . into the Working of the Western Pacific Orders in Council', p. 789; Des Voeux to C.O., 15 September 1883, *WPHC Despatches to S of S*.

33. 'Report of a Commission . . . into the Working of the Western Pacific Orders in Council', pp. 784, 789.

34. Gordon to C.O., 20 May 1881, *WPHC Despatches to S of S*; 'Report of a Commission . . . into the Working of the Western Pacific Orders in Council', pp. 788, 797, 798.

35. Minute, 7 September 1884, on Service to Agent-General, Victoria, 14 July 1884, encl. Agent-General to C.O., 1 September 1884, *CO* 309/128.
36. Minute by Herbert, 6 April 1881, on Gordon to C.O., 28 January 1881, *CO* 225/7.
37. Minute by Kimberley, 17 May 1881, on Loftus to C.O., 24 February 1881 (confidential), *CO* 201/595.
38. Minute by Herbert, 31 October 1884, on Gordon to C.O., 29 October 1883, *CO* 225/14, and see C.O. to Agent-General, Victoria, 22 October 1883, encl. Agent-General to Colonial Secretary, 16 November 1883, *NSWVP*, 1883-4, IX, p. 169.
39. Derby to Palmer, 11 July 1883, *GBPP*, 1883, XLVII, p. 209.
40. Angus Ross, *New Zealand Aspirations in the Pacific in the Nineteenth Century*, pp. 145-56.
41. Minute by Mercer on MS. report, *CO* 225/14; see also J. K. Chapman, *The Career of Arthur Hamilton Gordon*, p. 292.
42. *GBPD*, 3rd Series, CCLXXXIV, 11 February 1884, p. 416; Service to Agent-General, Victoria, 14 July 1884, encl. Agent-General to C.O., 1 September 1884, *CO* 309/128.
43. 'Report of the Intercolonial Conference held in Sydney, in November and December, 1883', *NSWVP*, 1883-4, IX, p. 13.
44. Minutes on Des Voeux to C.O., 28 January 1884, *CO* 225/15; C.O. to Governor of New South Wales, 9 May 1884, *NSWVP*, 1883-4, IX, p. 171.
45. Agents-General to Colonial Secretary, 4 July 1884, *ibid.*, p. 172; the same, 17 July 1884, minutes of conversation with Derby, *ibid.*, p. 173; for the Colonial Office view, see Herbert's minutes of 24 July 1883 on Agents-General to C.O., 21 July 1883, *CO* 201/599, and 24 August 1883 on Agent-General, New Zealand, to C.O., 1 August 1883, *CO* 209/242.
46. Ross, *New Zealand Aspirations*, p. 156.
47. Ashley's minute, April 1884, on House of Commons question, 21 April 1884, *CO* 225/14; Herbert's minute, 20 March 1884, on Des Voeux to C.O., 28 January 1884, *CO* 225/15. There was difference of opinion between Ashley, the Parliamentary Under-secretary of State for the Colonies, who favoured a direct approach to the imperial Treasury, and Herbert, who preferred to wait on colonial contributions.
48. Minutes of early 1885 on Thurston's oral suggestions, filed with C.O. to F.O., 12 March 1885 (draft), *CO* 225/19; for Thurston's reports on the Commission's meetings, see *FOCP* No. 5150; on the demarcation of spheres of influence, see Morrell, *Britain in the Pacific Islands*, p. 259; see also correspondence in *FOCP* No. 5159.
49. C.O. to Des Voeux, 17 November 1884, *WPHC Despatches from S of S*.
50. Minute of February 1890 on Thurston to C.O., 26 November 1889, *CO* 225/30.
51. *New Zealand Herald*, 21 December 1878, 23 January 1879; Gorrie to C.O., 5 February 1879, *CO* 225/2; see also *AJHRNZ*, 1879, Session I, A-3.
52. Gordon to Governor of New Zealand, 20 March 1878, National Archives, Wellington, G10/1.
53. C.O. to Musgrave, 11 March 1884, cited Griffith to Musgrave, 7 May 1884, encl. Musgrave to C.O., 8 May 1884, *CO* 234/44.
54. Griffith to Musgrave, 7 May 1884, *loc. cit.*
55. Judgment of Lilley, C.J., 4 June 1884, encl. Musgrave to C.O., 20 June 1884, *CO* 234/44.
56. For the French see, for example, 'Journal of J. Gaggin, *Stanley*, No. 21', 24 May, 10 July 1880; 'Journal of J. T. Clay, *Winifred*, No. 28', 10 April 1881; extract from journal of F. Otway, *Lord of the Isles*, 3 September 1894, *Fiji CSO*, no. 530 of 1895. For the Germans see, for example, Douglas Rannie, *My Adventures Among South Sea Cannibals*, pp. 58-61; de Lautour to Layard, n.d., extract encl. F.O. to

C.O., 6 January 1888, CO 225/23; 'Australian Station. New Hebrides, 1885', Case 8, RNAS, XXIII.

57. COCP, Australian No. 84: 'Labour Trade in the Western Pacific, by Commodore Wilson, R.N.', pp. 35, 38. Not all of these voyages were actually completed in 1880.

58. 'Journal of F. Marshall, *Winifred*, No. 13', 15 May 1879.

59. *Ibid.*, 11 April 1879.

60. See, for example, *ibid.*, 23 May 1879.

61. *Ibid.*, 11 May 1879; 'Journal of H. A. Mair, *Flirt*, No. 27', 30 November 1880.

62. See, for example, 'Journal of F. Nicholls, *Dauntless*, No. 20', 5 June 1880.

63. 'Journal of T. Hoyt, *Mavis*, No. 40', 9 August 1882; see also William T. Wawn, *The South Sea Islanders and the Queensland Labour Trade*, pp. 123-4.

64. General Report on New Hebrides, by Lieut.-Commander Cross, 31 March 1886, RNAS, XXIII; *Brisbane Courier*, 4 July 1884, statement by T. W. Barry, government agent.

65. 'Journal of T. Hoyt, *Mavis*, No. 40', 20 October 1882.

66. 'Journal of F. Marshall, *Winifred*, No. 13', 9 May 1879.

67. 'Journal of T. Hoyt, *Mavis*, No. 40', 28 October 1882.

68. See, for example, 'Journal of T. Hoyt, *Jessie Kelly*, No. 15', 6 November 1879; 'Journal of E. Wecker, *Winifred*, No. 22', 26 June 1880; 'Journal of J. T. Clay, *Winifred*, No. 28', 15 May 1881.

69. 'Journal of T. Hoyt, *Mavis*, No. 40', 28 October 1882.

70. *Ibid.*

71. Extract from journal of P. Bevan, *Winifred*, 20 October 1886, *Fiji CSO*, no. 74 of 1887; Craig to Under-Secretary, 24 February 1904, Queensland Solicitor General's Office accession 44/9; *Argus*, 7 December 1892.

72. *Queensland CSO*, no. 291 of 1878; see also *QVP*, 1878, II, p. 47.

73. Nixon to Colonial Secretary, 14 June 1878, *Queensland CSO*, no. 2257 of 1878.

74. 'Journal of C. Mills, *Ethel*', 4 June 1884; Mills to Immigration Agent [?], 15 August 1884, Queensland Solicitor General's Office, accession 36/3686.

75. For Gorai, see Rannie, *My Adventures*, pp. 31-6; Moore to Erskine, 7 November 1883, RNAS, XVI; 'Journal of J. J. Fletcher, *Hally Bayley*, No. 45', 1 June 1883. For Kwaisulia, see Walter G. Ivens, *The Island Builders of the Pacific, passim*; 'Journal of F. Otway, *Sydney Belle*, No. 63', 12-24 October 1895; W. T. Wawn, 'Private Logs, 1888-1900' (MS.), 4 September 1888.

76. 'Journal of E. Reilly, *Oamaru*, No. 39', 29 September 1882.

77. Wawn, *Queensland Labour Trade*, p. 96.

78. 'A Cruise in a Queensland Labour Vessel to the South Seas' (MS.), pp. 12-13.

79. Rannie to Immigration Agent, 21 August 1891, *Queensland CSO*, no. 8105 of 1891.

80. Statement by Joseph Vos, master of the *Lizzie*, encl. Moore to Erskine, 17 August 1883, RNAS, XVI.

81. 'Journal of T. Hoyt, *Mavis*, No. 40', 23 September 1882.

82. *Ibid.*, 11 September 1882.

83. See the description of recruiting methods by 'The Vagabond', in Thomas, *Cannibals & Convicts*, pp. 328-9.

84. *Queensland Patriot*, 20 December 1877.

85. *Brisbane Courier*, 4 July 1884, statement by T. W. Barry.

86. Rannie, *My Adventures*, p. 30.

87. *Argus* (Melbourne), 2 February 1884.

88. McMurdo to Immigration Agent, 15 March 1886, *Queensland CSO*, no. 3755 of 1899.

89. Corney to Acting Agent-General of Immigration, 20 October 1884, *Annual Report on Polynesian Immigration for the Year 1884* (Suva, 1886), p. 30.

90. MacGregor to Colonial Secretary, 29 October 1879, *Fiji CSO*, no. 1818 of 1879.
91. J. C. Smith & Co. to Agent-General of Immigration, 30 December 1879, *ibid.*, no. 2132 of 1879. For dysentery in a Queensland ship see, for example, *Brisbane Courier*, 27 November 1884, 19 February 1885, 'Diary of a Trip in a Labour Vessel'.
92. 'Journal of A. Nixon, *Bobtail Nag*', 21 July 1877.
93. Horrocks to Colonial Secretary, 13 August 1878, *Queensland CSO*, no. 3746 of 1878.
94. Minute on Tarte to Thurston, 28 March 1888, *Fiji CSO*, no. 1333 of 1888.
95. Minute by Corney, 10 August 1888, *ibid.*, no. 2331 of 1888.
96. Wawn, *Queensland Labour Trade*, p. 81.
97. O. W. Parnaby, *Britain and the Labor Trade in the Southwest Pacific*, pp. 123-31.
98. *Brisbane Courier*, 16 July 1883: 'Archibald Forbes on the Kanaka in Queensland'.
99. Brennan to Under-secretary, 24 March 1900, *Queensland CSO*, no. 4418 of 1900.
1. J. D. Legge, *Britain in Fiji 1858-1880*, p. 268. On the condition generally of Indian indentured labourers in Fiji, see K. L. Gillion, *Fiji's Indian Migrants*.
 2. *QVP*, 1876, II, p. 468.
 3. *Ibid.*, 1885, II, p. 554.
 4. *Annual Report on Polynesian Immigration for the Year 1884*, p. 8.
 5. 'Annual Report of the Agent-General of Immigration . . . for the year 1883', encl. Thurston to C.O., 31 August 1885, *CO* 83/41.
 6. *Ibid.*; *Annual Report on Polynesian Immigration for the Year 1884, passim*.
 7. Anson to Colonial Secretary, 14 September 1882, *Fiji CSO*, no. 2185 of 1882.
 8. *Annual Report on Polynesian Immigration for the Year 1884*, p. 9.
 9. Minute by Corney, 16 February 1892, *Fiji CSO*, no. 194 of 1894. In an accompanying minute, the then Acting Agent-General of Immigration agreed with him.
 10. See, for example, 'Journal of E. Reilly, *Mavis*, No. 46', 14-16 May 1893.
 11. Borron to O'Brien, 20 August 1899, *Fiji CSO*, no. 4088 of 1899; Brennan to Under-secretary, 20 February 1900, *Queensland CSO*, no. 2840 of 1900.
 12. See, for example, Tower to Bramston, 22 August 1873, General Letters to the Governor of Queensland, VI, p. 601 (copy).
 13. 'Journal of T. Hoyt, *Mavis*, No. 40', 17 October 1882.
 14. 'Report of an Enquiry . . . with reference to an attack by the natives of . . . Santo upon the Boat of the schooner "Taviuni"', *RNAS*, XVI.
 15. Robertson to Bridge, 1 November 1882, *RNAS*, XVI; Griffith to Musgrave, 4 January 1884, encl. Musgrave to C.O., 9 January 1884, *CO* 234/44.
 16. *Queensland CSO*, no. 3268 of 1895, papers relating to an inquiry held in February 1883. In all these episodes a leading part was played by the *Ceara's* native boats' crew.
 17. *Argus*, 2 February 1884.
 18. Declaration by James Nairn, n.d., encl. Musgrave to C.O., 18 February 1884, *CO* 234/44.
 19. *Ibid.*; Moore to Erskine, 13 August 1883, *RNAS*, XVI.
 20. *Queensland CSO*, no. 1482 of 1887.
 21. Parnaby, *Britain and the Labor Trade*, pp. 86-7.
 22. A copy of the circular letter of instructions issued to Queensland government agents is at *Queensland CSO*, no. 4842 of 1882. The instructions to Fiji government agents (*Fiji CSO*, no. 788 of 1882) are of a similar character.
 23. Horrocks to Colonial Secretary, 12 November 1875, *Queensland CSO*, no. 3340 of 1875.
 24. Mitchell to Colonial Secretary, 17 January 1881, *Fiji CSO*, no. 94 of 1881; Seed to Colonial Secretary, 14 November 1881, *ibid.*, no. 2083 of 1881; Anson to

Colonial Secretary, 25 January 1882, *ibid.*, no. 316 of 1882; Assistant Colonial Secretary to Acting Agent-General of Immigration, 27 February 1882, *ibid.*, no. 1778 of 1882.

25. *Brisbane Courier*, 13 October 1884, 'Kidnapping and Outrage in the Western Pacific'.

26. See, for example, *Argus*, 26 January 1884, article by 'The Vagabond'.

27. *Ibid.*, de Lautour to Premier, 3 December 1884, *Queensland CSO*, no. 8943 of 1894; *Brisbane Courier*, 13 October 1885.

28. For an instance in which it seems that a government agent was dismissed at the behest of a ship's agents after he had made complaints about her, see *QVP*, 1883, p. 445; *Brisbane Courier*, 25 July 1883, letter from Corser & Co.; *ibid.*, 13 August 1883, letter from C. E. Eastlake.

29. See, for instance, the clash between the Colonial Secretary, John Douglas, and the Immigration Agent, R. W. Gray, over the latter's attempt to dismiss a government agent who had published a criticism of certain aspects of the traffic (*Queensland CSO*, no. 291 of 1878). See also the case of R. B. Sheridan (Parnaby, *Britain and the Labor Trade*, p. 142).

30. See D. K. Dignan, 'Sir Thomas McIlwraith' (B.A. honours thesis, Queensland, n.d.), *passim*.

31. *Brisbane Telegraph*, 17 July 1883.

32. Moore to Erskine, 7 November 1883, *RNAS*, XVI.

33. *Brisbane Telegraph*, 8 September 1883, letter from 'Cognoscenti'; memo. by Mills, 23 May 1884, Queensland Solicitor General's Office, accession 36/3686.

34. *Argus*, 26 January 1884, article by 'The Vagabond'.

35. *Brisbane Courier*, 7 July 1884, letter from 'Ex-Government Agent'; note by Arman, n.d., *Queensland CSO*, no. 3268 of 1895, which shows that this agent was he.

36. Parnaby, *Britain and the Labor Trade*, *passim*.

37. Griffith to Service, 24 April 1884 (cable), *VPP*, 1884, IV, p. 138.

38. See, for example, Thurston to C.O., 11 April 1884, *CO* 83/35.

39. See, for example, Des Voeux to C.O., 23 February 1882, *Fiji, Governor to S of S*.

40. Minute on Des Voeux to C.O., 5 July 1884, *CO* 225/15.

41. Thurston to Baillie Hamilton, 23 October 1895 (private), *CO* 225/49.

42. Thurston to C.O., 22 October 1895, *ibid.*

43. Griffith to Musgrave, 16 June 1884, encl. Musgrave to C.O., 20 June 1884, *CO* 234/44.

44. Depositions by crew, memo. by Thurston, *WPHC Inward Correspondence, General*, no. 174 of 1884.

45. Clarke to Des Voeux, 10 August 1884, *ibid.*, no 177 of 1884.

46. *Fiji Royal Gazette*, No. 30, 12 September 1884.

47. Griffith to Musgrave, 1 October 1884, encl. Musgrave to Des Voeux, 7 November 1884, *WPHC Inward Correspondence, General*, no. 238 of 1884. McMurdo was so flattered that he applied to be appointed a deputy commissioner (McMurdo to Des Voeux, 14 August 1884, *ibid.*, no. 203 of 1884).

48. Griffith to Musgrave, 1 October 1884, *loc. cit.*, with minute by Collet that Clarke's information was inaccurate. But W. T. Wawn also believed that Hemsheims had been paid more than the copra was worth (Wawn, *Queensland Labour Trade*, pp. 331-2).

49. Report by Lilley, C. J., 7 December 1884, encl. Musgrave to C.O., 17 December 1884 (confidential), *CO* 225/45.

50. *Brisbane Courier*, 22 December 1884, report of meeting.

51. Griffith to Musgrave, 4 February 1884, encl. Musgrave to C.O., 18 February 1884, *CO* 234/44. Griffith's minutes frequently appear upon labour trade papers in the Queensland Colonial Secretary's Office; those of his predecessor and political rival, McIlwraith, hardly ever do.

52. Details on the backgrounds of some of them are at *Queensland CSO*, nos. 14474 of 1895, 10864 of 1900, and 2064 of 1905. Several were minor public servants whose previous offices had been abolished.
53. See, for example, the charges against J. E. B. Hammond, *ibid.*, nos. 10780 of 1890, 4635 of 1894; *Guardian* (Bundaberg), 21 March 1894.
54. *Queensland CSO*, nos. 10346 of 1890, 6916 of 1904, 2064 of 1905.
55. *Queensland CSO*, no. 9477 of 1887; *Annual Report of the New Hebrides Presbyterian Mission, 1892*, p. 17.
56. *Brisbane Courier*, 20 April 1884; Hely to Inspector of Pacific Islanders, Maryborough, 1 February 1896, *Queensland CSO*, no. 7487 of 1889.
57. Norman to C.O., 22 November 1894, 24 April 1895, *CO* 234/60, 61. See also the comment of the Chief Judicial Commissioner of the Western Pacific, *WPHC Inward Correspondence, General*, no. 150 of 1895.
58. Quoted Brenan to Under-secretary, 16 January 1896, encl. Norman to C.O., 26 January 1896, *CO* 234/61.
59. Bremer to Senior Officer, Northern Division, 13 August 1895, *Queensland CSO*, no. 13398 of 1895; see also Rason to C. in C., 20 October 1895, *ibid.*, no. 3334 of 1896.
60. Minute on Nelson to Lamington, 19 August 1896, encl. Lamington to C.O., 24 August 1896 (confidential), *CO* 234/63. Nelson, Premier of Queensland, was replying to Thurston's despatch of 1895, attacking the traffic, which had been sent to him for comment.
61. Memorandum by Gordon in refutation of strictures passed by the first Sydney Intercolonial Conference, 26 February 1881, *GBPP*, 1883, XLVII, p. 445; Gordon to Kimberley, 16 June 1882, with encl., *ibid.*, p. 540.
62. Western Pacific Order in Council, 1877, article 24, *Hertslet's Treaties*, XIV, p. 878; Western Pacific Order in Council, 1879, article 7, *ibid.*, p. 1246.
63. Gordon to Gorrie, 3 January 1881, *WPHC Outward Letters, General*; Gordon to C.O., 21 April 1881, *WPHC Despatches to S of S*.
64. Castle to Thurston, 17 September 1890, with encls., *WPHC Inward Correspondence, General*, no. 310 of 1890; Kingsmill to Thurston, 6 November 1890, *ibid.*, no. 311 of 1890; Scott to Thurston, 19 November 1890, *ibid.*, no. 353 of 1890, and 6 August 1891, *ibid.*, no. 169 of 1891; Thurston to C.O., 25 August 1891, *WPHC Despatches to S of S*.
65. Grenfell to Scott, 17 August 1890, encl. Scott to Thurston, n.d., *WPHC Inward Correspondence, General*, no. 278 of 1890; Grenfell to Scott, 21 July 1890, encl. Scott to Thurston, 17 September 1890, *ibid.*, no. 280 of 1890; Grenfell to Scott, 25 October 1890, encl. Scott to Thurston, 4 November 1890, *ibid.*, no. 330 of 1890; Thurston to Scott, 14 and 21 October 1890, *WPHC, Naval Letters, Outward*; Davis to Scott, 22 August 1891, encl. Scott to Thurston, 2 October 1891, *WPHC Inward Correspondence, General*, no. 233 of 1891.
66. Under Colonial Secretary, N.S.W., to Thurston, 4 January 1892, *ibid.*, no. 24 of 1892; Bowden-Smith to Thurston, 2 October 1893, with encl., *ibid.*, no. 248 of 1893; Law Officers to C.O., 15 June 1892, *CO* 225/40; Rason to Bridge, 29 October 1895, encl. Bridge to Thurston, 7 December 1895, *WPHC Inward Correspondence, General*, no. 8 of 1896; Woodford to Thurston, 30 April 1897, *ibid.*, no. 296 of 1897.
67. See *RNAS*, XXIII, 'Solomon Islands', 1891 and 1892, Case 54.
68. Police Magistrate, Brisbane, to Collet, 16 February 1883, *ibid.*, no. 34 of 1883; Erskine to Des Voeux, 29 January 1883, with encl., *ibid.*, no. 36 of 1883; Fielding Clarke to Des Voeux, 2 March 1883, *ibid.*, no. 40 of 1883.
69. Berkeley to Thurston, 22 August 1889, *ibid.*, no. 156A of 1889.
70. O'Brien to C.O., 5 November 1897, with encls., *CO* 225/52.
71. Tryon to Thurston, 16 June 1886, with encls., *WPHC Inward Correspondence, General*, no. 105 of 1886; see also papers in *RNAS*, XXXVIII, especially Tryon to

Douglas, 24 December 1886, protesting against the Special Commissioner's employment of Minister on a government punitive expedition.

72. Tryon to Thurston, 6 January 1886, *WPHC Inward Correspondence, General*, no. 34 of 1886; Wilson to Gordon, 5 February 1880, with encls., *ibid.*, no. 17 of 1880; Chalmers and Lawes to Erskine, 24 August 1882, encl. Erskine to Des Voeux, 28 September 1882, *ibid.*, no. 134 of 1882; Palmer to Erskine, 21 May 1883, encl. Erskine to Des Voeux, 28 June 1883, *ibid.*, no. 89 of 1883.

73. *Argus*, 5 December 1881, letter from Paton; Paton to Gordon, 10 March 1882, *WPHC Inward Correspondence, General*, no. 50 of 1882; the fullest naval report on the stories is King to Erskine, 19 June 1882, *WPHC Inward Correspondence, General*, no. 95 of 1882.

74. Wawn to Immigration Agent, 1 September 1882, encl. Kennedy to Gordon, 22 September 1882, *ibid.*, no. 151 of 1882.

75. *New Zealand Herald*, 16 January 1884, reprinted 'Proceedings of H.M.S. Dart . . . from May to September, 1884', *RNAS*, XVI.

76. Statement of Alexander Russell, 16 January 1884, encl. Hill to Marine Dept., Wellington, 18 January 1884, *ibid.*

77. Premier's memorandum for Governor, 26 January 1884, *ibid.*

78. Deposition of A. J. Lowther, 12 November 1884, *WPHC Inward Correspondence, General*, no. 271 of 1884; see also Woodford to Thurston, 30 June 1884, *ibid.*, no. 173 of 1884.

79. Moore to Erskine, 31 July 1884, 'Proceedings of H.M.S. Dart

80. Thurston to Moore, 6 June 1884, *ibid.*; see also Fielding Clarke's statement of the legal position, *WPHC Inward Correspondence, General*, no. 262 of 1884.

81. Moore to Erskine, 31 July 1884, *loc. cit.*

82. Naval reports, *RNAS*, XVI and XVII.

83. Gordon to Erskine, 16 January 1882, with encls., *RNAS*, XVI.

84. Erskine to Maxwell, sailing orders, *ibid.*; Maxwell to Erskine, 30 March 1882, *ibid.*

85. Anson to Thurston, 4 and 10 November 1882, *WPHC Inward Correspondence, General*, no. 147 of 1882; Bridge to Erskine, 25 July 1882, *RNAS*, XVI. The man killed in the *Cormorant* had been a particular friend of labour recruiters.

86. Erskine to Admiralty, 2 December 1882, *RNAS*, XVI.

87. C.O. minutes on Admiralty to C.O., 28 June 1881, *CO* 225/8; draft bill, *ibid.*; memorandum by Bramston, 20 May 1881, *CO* 225/9.

88. Minute of 22 May 1881 on Bramston's memorandum, 20 May 1881, *ibid.*

89. Printed draft bill, encl. F.O. to C.O., 15 November 1881, *ibid.*

90. Note by Selborne, 30 May 1881, *ibid.*; Admiralty to C.O., 7 September 1881, *CO* 225/8; F.O. minutes on C.O. to F.O., 19 August 1881, *FO* 58/176; Jenkyns to C.O., 4 April 1882, *CO* 225/11; C.O. to Gordon, 2 February 1883 (draft), *ibid.*; 'Report of a Commission . . . into the working of the Western Pacific Orders in Council', p. 806; minute by Bramston, 24 April 1891, on F.O. to C.O., 15 April 1891, *CO* 225/37; Gladstone to Kimberley, 26 January 1882, Kimberley Papers, cited O. W. Parnaby, 'The Policy of the Imperial Government towards the Recruitment and use of Pacific Island Labour with special reference to Queensland, 1863-1901' (D. Phil. thesis, Oxford, 1953), p. 256.

91. Leeft to Gordon, 10 March 1878, *WPHC Inward Correspondence, General*, no. 4 of 1878; Moore to Erskine, 17 September 1883, encl. Erskine to Des Voeux, 22 October 1883, *ibid.*, no. 143 of 1883; Thurston to Tryon, 17 March 1884, with encl., *RNAS*, XXIV; Acland to Tryon, 5 July 1884, *ibid.*; Cross to Tryon, 27 November 1885, *ibid.* Acland thought that the Tomman island kidnapping was actually the work of Satini, not Cullen, but the weight of evidence seems to be against him. See also Rannie, *My Adventures*, pp. 91-3.

92. Tryon to Thurston, 7 January 1886, with encl., *WPHC Inward Correspondence, General*, no. 34 of 1886; minute by Collet, *ibid.*

93. Fairfax to Thurston, 29 January 1889, with encls., *ibid.*, no. 29 of 1889; report by Chief Police Magistrate, Suva, *ibid.*

94. Mann to Fairfax, 18 October 1889, encl. Fairfax to Thurston, 29 January 1889, *ibid.*; Scott to Thurston, 2 November 1891, with encls., *ibid.*, no. 225 of 1891.

95. Erskine to Admiralty, 1 April 1882, *RNAS*, XVI.

96. Moore to Erskine, 13 August 1883, encl. Erskine to Des Voeux, 21 September 1883, *WPHC Inward Correspondence, General*, no. 115 of 1883.

97. Dale to Erskine, 22 September 1883, *RNAS*, XVI. A former government agent of the *Lavinia* believed that the boat was attacked because boats' crew whom she had recruited at the same place earlier in the year had not been adequately paid for their work (Gould to Erskine, 24 September 1883, *ibid.*).

98. Thurston to Tryon, 17 March 1886, *WPHC, Naval Letters, Outward*.

99. Thurston to Fairfax, 18 October 1888, *RNAS*, XXIII.

1. Thurston to Tryon, 17 March 1886, *WPHC, Naval Letters, Outward*; Thurston to Scott, 11 March 1890, *ibid.*

2. Acland to Erskine, 8 September 1884, encl. Erskine to Des Voeux, 23 September 1884, *WPHC Inward Correspondence, General*, no. 206 of 1884.

3. Tryon to Thurston, 3 July 1886, *ibid.*, no. 130 of 1886.

4. Bosanquet to Fairfax, 26 November 1888, *RNAS*, XXIII; Brittain to Mann, 8 October 1888, *ibid.*; Moore to Erskine, 25 September 1883, encl. Erskine to Des Voeux, 22 October 1883, *WPHC Inward Correspondence, General*, no. 143 of 1883.

5. *WPHC*, Log Book of schooner *Narovo*, July 1892 to September 1895. This log came into the High Commissioner's possession after the schooner's master and mate were killed in the Marovo Lagoon in September 1895.

6. See, for example, Hand to Scott, 6 November 1889, encl. Scott to Thurston, 6 December 1889, *WPHC Inward Correspondence, General*, no. 272 of 1889.

7. Davis to Scott, 17 October 1891, *RNAS*, XXIII.

8. See reports in *RNAS*, XXIII, 'New Guinea and Solomon Islands, 1892'.

9. Selwyn to Admiralty, n.d., encl. Admiralty to C.O., 16 January 1894, *CO* 225/46.

7 SETTLEMENT, INTER-ISLAND RECRUITING, AND ANGLO-FRENCH STALEMATE IN THE NEW HEBRIDES, 1877-1906

1. 'Report of Commodore Goodenough and Mr. Consul Layard . . .', *GBPP*, 1874, XLV, p. 834.

2. Efate residents to Gordon, 6 August 1875, *WPHC Inward Correspondence, General*, no. 2 of 1875.

3. Goodenough to Admiralty, 23 July 1875, *RNAS*, XXII.

4. C.O. to F.O., 17 October 1876, drafted on Admiralty to C.O., 10 October 1876, *CO* 83/11; F.O. to C.O., 25 October 1876, *CO* 83/12; C.O. to Admiralty, 28 October 1876 (draft), *ibid.*

5. Gordon to C.O., 2 March 1878, *Fiji, Governor to S of S*.

6. F.O. to C.O., 22 March 1876, *CO* 83/12. (A copy was forwarded to Gordon, encl. C.O. to Gordon, 1 April 1876, *Fiji, S of S to Governor*.)

7. Layard to F.O., 18 September 1876, encl. F.O. to C.O., 16 November 1876, *CO* 83/12.

8. Layard to F.O., 12 February, 8 March 1877, encls. C.O. to Gordon, 28 September 1877, *Fiji, S of S to Governor*; on the *acte de françisation*, see Goodenough to Admiralty, 24 December 1874, encl. Admiralty to C.O., 17 February 1875, *CO* 83/7.

9. F.O. to C.O., 6 March 1878, *CO* 83/18.

10. C.O. to Gordon, 28 September 1877, *Fiji, S of S to Governor*.
11. Gordon to C.O., 28 December 1877, *CO* 83/14.
12. Layard to F.O., 3 December 1877, encl. F.O. to C.O., 26 February 1878, *CO* 83/18; C.O. to Gordon, 2 April 1878 (draft), *ibid*.
13. Gordon to Kimberley, 16 June 1882, *GBPP*, 1883, XLVII, p. 540.
14. For licences issued by the Governor of New South Wales on Layard's recommendation see Archives Office, N.S.W., Miscellaneous Correspondence, March 1874-February 1883.
15. Statement by Nissen, 26 January 1914, External Affairs Records; *Maryborough Chronicle*, 30 April 1874; Julian Thomas, *Cannibals & Convicts*, p. 199.
16. Based on evidence in *RNAS*, XXXIII, External Affairs Records, Joint Court Records.
17. Correspondence in *RNAS*, XXXIII.
18. 'Journal of C. Rudd, *Mary Eliza*, No. 4', 3 November 1876; 'Journal of C. Rudd, *Dauntless*, No. 7', 13 August 1877; 'Journal of J. Gaggin, *Dauntless*, No. 10', 3 April 1878; Nixon to Colonial Secretary, 14 June 1878, *Queensland CSO*, no. 2257 of 1878.
19. Statement of C. S. Morrow, 14 December 1886, *WPHC Land Register, A*; Edfelsen to Sweet-Escott, 5 August 1913, *CO* 225/117; 'Journals of R. S. Swanston', (MS.), 23 September 1878.
20. Wilson to Admiralty, 22 May 1879, *RNAS*, XXIII.
21. A good description of Ford's plantation as it was in 1877 is in 'A Cruise in a Queensland Labour Vessel to the South Seas' (MS.), p. 74.
22. Correspondence in *RNAS*, XXXIII; Goodenough to Admiralty, 23 July 1875, encl. Admiralty to C.O., 18 October 1875, *CO* 83/7.
23. Bridge to High Commissioner, 27 July, 9 August 1882, *WPHC Inward Correspondence, General*, nos. 112 and 136 of 1882.
24. Moore to Erskine, 5 September 1883 (confidential), *RNAS*, XXXII; D'Arbel to Governor of New Caledonia, 20 November 1882, Des Granges Papers.
25. Higginson to R. P. Colomb, 20 March 1884, *ibid*.
26. Bridge to High Commissioner, 9 August 1882, *WPHC Inward Correspondence, General*, no. 136 of 1882.
27. Bridge to High Commissioner, 9 and 16 August 1882, *ibid.*, nos. 136 and 138 of 1882. Des Voeux became Acting High Commissioner in September 1882 when Gordon left New Zealand to return to England and it was he, not Gordon, who received these reports.
28. Erskine to Des Voeux, 6 September 1883, with encls., 'Printed Copy of Correspondence concerning Mr T. Farrell's licence', *ibid.*, no. 22 of 1884.
29. Des Voeux to Erskine, 2 October 1883, 'Printed Copy of Correspondence concerning Mr T. Farrell's licence'.
30. Bridge to Erskine, 24 October 1883, and Erskine to Des Voeux, 22 October 1883, *ibid*.
31. 'Memorandum by His Excellency the Governor of Fiji and Acting High Commissioner of the Western Pacific on the future of New Guinea and Polynesia with reference to the question of Australasian Annexation or Protectorate', *NSWVP*, 1883-4, IX, p. 117.
32. *Ibid.*, pp. 13-14; Des Voeux to C.O., 28 June 1884, *WPHC Despatches to S of S*.
33. *Fiji Royal Gazette*, 4 January 1884.
34. Thurston to C.O., 27 February 1884, *WPHC Despatches to S of S*.
35. Des Voeux to C.O., 5 July 1884, *ibid*.
36. Thurston to C.O., 27 February 1884, with encls., *CO* 225/15; C.O. minutes and C.O. to F.O., 6 June 1884 (draft), *ibid*. (For these and ensuing correspondence, see also *GBPP*, 1887, LVIII, pp. 699ff.); F.O. to C.O., 7 May 1885, with encl., *CO* 225/20; minute by Bramston, *ibid*.

37. F.O. to C.O., 10 December 1885, with encls., *CO* 225/21; C.O. minutes and draft to F.O., 27 December 1885, *ibid.* For German recruiting with firearms, see, for example, Churchward to Thurston, 28 July 1885, encl. Thurston to C.O., 16 August 1885, *CO* 225/18; see also Steubel to De Coetlogon, 1 May 1890, requesting agreement that the D.H.P.G. should be allowed to land 125 Snider rifles and 10,000 rounds of ammunition to be used for recruiting into Samoa (*BCS*, 2, IX).
38. F.O. memorandum, 21 February 1888, *FO* 58/233.
39. C.O. to F.O., 9 January 1888, with encl., drafted on F.O. to C.O., 29 November 1887, *CO* 225/27.
40. Memorandum encl. Wharton to Pauncefote, 25 June 1891, encl. F.O. to C.O., 11 July 1891, *CO* 225/37.
41. Draft declaration, *ibid.*; Foster to Herbert, 11 October 1892, encl. F.O. to C.O., 28 October 1892, *CO* 225/41; C.O. minutes, *ibid.*
42. C.O. minutes on F.O. to C.O., 15 February 1893, *CO* 225/44; F.O. to C.O., 17 November 1894, *CO* 225/46.
43. Layard to Thurston, 20 February 1889, *WPHC Inward Correspondence, General*, no. 64 of 1889.
44. Minute by Mercer on Layard to F.O., 26 February 1889, encl. F.O. to C.O., 3 May 1889, *CO* 225/32.
45. Symonds to Des Voeux, 27 December 1883, *WPHC Inward Correspondence, General*, no. 29 of 1884; Tryon to Thurston, 4 August 1886, *ibid.*, no. 163 of 1886.
46. See, for example, Graves to Gordon, 1 August 1881, *BCS*, 5, XXIII.
47. Tryon to MacGregor, 12 March 1885, *WPHC Inward Correspondence, General*, no. 57 of 1885; *Brisbane Courier*, 23 May 1885, 'Under Which Flag?'; McArthurs to Des Voeux, 3 June 1884, *WPHC Inward Correspondence, General*, no. 89 of 1884; Churchward to MacGregor, 16 February 1885, *ibid.*, no. 44 of 1885; McArthurs to Ashley, 6 and 23 March 1885, *CO* 225/19; McArthurs to MacGregor, 9 March, 29 June 1885, *WPHC Inward Correspondence, General*, no. 51.
48. Layard to F.O., 12 April 1884, encl. F.O. to C.O., 6 June 1884, *CO* 225/17; copy of Boarding-Book, H.M.S. *Dart*, encl. Erskine to Des Voeux, 21 August 1883, *WPHC Inward Correspondence, General*, no. 115 of 1883.
49. Notes by Fiji Agent-General of Immigration, *WPHC Inward Correspondence, General*, no. 257 of 1884.
50. Encl. Mann to Scott, 20 September 1888, *RNAS*, XXXIV.
51. Romilly to Thurston, 15 January 1890, *WPHC Inward Correspondence, General*, no. 30 of 1890.
52. Reprinted in *Le Néo-Hébridais*, 23 December 1909.
53. Docteur to Ministre de la Marine, 10 October 1899, Des Granges Papers.
54. *Queensland CSO*, no. 1660 of 1898. For the general hatred of Vila amongst New Hebrideans, see Bénier to C. in C., Pacific Division, 7 April 1888, Des Granges Papers.
55. Observations by Collet, 9 February 1885, on 'Remarks on the Labour Traffic, etc., by Commander W. Dyke Acland, R.N.', 20 October 1884, *WPHC Inward Correspondence, General*, no. 10 of 1885.
56. Thurston to Tryon, 18 August 1886, *WPHC, Naval Letters, Outward*.
57. Minute by Anson, 12 December 1887, *WPHC Inward Correspondence, General*, no. 73 of 1888.
58. Leo Layard to Tryon, 31 May 1886, *RNAS*, XXXVI; Cross to Tryon, 27 June 1886, *ibid.*; Tryon to Admiralty, 30 July 1886, *ibid.*
59. Gordon to Romilly, 31 March 1881, *WPHC Outward Letters, General*.
60. Admiralty to C.O., 24 September 1881, with encls., *CO* 225/8; minute by Bramston, 4 November 1881, *ibid.*
61. Des Voeux to C.O., 15 February, 16 July 1883, *CO* 225/12.
62. Gordon to C.O., 28 August 1883, *CO* 225/14.

63. C.O. minutes on Gordon to C.O., 28 August 1883, loc. cit.; C.O. to Des Voeux, 24 September 1883, *WPHC Despatches from S of S*.
64. C.O. to Thurston, 4 August 1886, *WPHC Despatches from S of S*.
65. See, for example, the deeds of Robert Glissan to land bought from the people of Siviri village, Undine Bay, in the early 1870s (*WPHC Land Register*, A).
66. Chief Surveyor to Registrar, 26 June 1930, Application No. 43, Efate, Joint Court Records.
67. *Les Nouvelles-Hébrides: mémoire de John Higginson*, p. 24. He was writing, in particular, of Malekula; but he applied this principle to the whole group.
68. 'Remarks . . . by Commander W. Dyke Acland', *WPHC Inward Correspondence, General*, no. 10 of 1885; MS. notes, recording native traditions, on Applications 40 and 101, Santo, External Affairs Records.
69. D'Arbel to Governor of New Caledonia, 20 November 1882, Des Granges Papers. A letter by Gaspard giving his version of this expedition is in *La France Australe*, 22 June 1905; for a comment on this, see Rason to im Thurn, 28 July 1905, *WPHC Inward Correspondence, General*, no. 150 of 1905.
70. Moore to Erskine, 5 September 1883 (confidential), *RNAS*, XXXII.
71. Application No. 233, Northern Islands, Summary of Argument, 20 September 1937, External Affairs Records.
72. 'Remarks . . . by Commander W. Dyke Acland', *WPHC Inward Correspondence, General*, no. 10 of 1885.
73. *WPHC Land Register*, A. For the company, see *Brisbane Courier*, 19 February 1885, 'Diary of a Trip in a Labour Vessel'; 'Note pour Monsieur le Gouverneur de la Nouvelle-Calédonie . . . au sujet des entreprises d'étrangères aux Nouvelles-Hébrides', by V. Dubuisson, 13 April 1885, Des Granges Papers; Application No. 304, Northern Islands, Joint Court Records.
74. *WPHC Land Register*, A, p. 6.
75. Layard to Mitchell, 12 August 1887, *WPHC Inward Correspondence, General*, no. 238 of 1887. This is strongly supported in Gallop to Mrs Lockett, 1 May 1887, Papers of Reginald G. Gallop.
76. Thomas to Mitchell, 20 July 1887, *WPHC Inward Correspondence, General*, no. 219 of 1887.
77. Higginson to Under-secretary of State, 8 June 1890, Des Granges Papers.
78. Thurston to C.O., 19 January 1892, *WPHC Despatches to S of S*.
79. Australasian New Hebrides Co. to Thurston, 29 May 1891, with encl., *WPHC Inward Correspondence, General*, no. 88 of 1891; Laing to Thurston, 7 December 1891, *ibid.*, no. 273 of 1891; *Presbyterian*, 14 March 1891, letter from one of the directors on the company's origins and objects.
80. J. C. Smith & Co. to Thurston, 27 May 1890, with encls., *WPHC Inward Correspondence, General*, no. 149 of 1890. These deeds were bought from the directors of the defunct Sydney firm of Scott, Henderson & Co., Hebblewhite's principals.
81. Australasian New Hebrides Co. to Thurston, 29 May 1891, with encl., *ibid.*, no. 88 of 1891.
82. Governor of New Zealand to Thurston, 12 August 1890, with minute of Mission Synod and remarks by Thurston, *ibid.*, no. 246 of 1890.
83. Munro to Thurston, 16 June 1891, with encl., *ibid.*, no. 129 of 1891.
84. Thurston to Munro, 17 September 1891, *VPP*, 1891, VI, p. 890.
85. Stewart to McDonald, 13 September 1890, encl. *ibid.*; amended minute 3 June 1891, encl. Thurston to Munro, 28 September 1891, *VPP*, 1891, VI, p. 895.
86. Powell to Thurston, 28 September 1891, *WPHC Inward Correspondence, General*, no. 230 of 1891, *ibid.*, nos. 88 and 89 of 1892; Thurston to Scott, 23 April 1892, *WPHC Naval Letters, Outward*; Thurston to Scott, 23 April 1892 (confidential), *WPHC Outward Letters, Confidential*.

87. Laing to Thurston, 7 December 1891, 5 January 1892, *WPHC Inward Correspondence, General*, nos. 273 of 1891 and 20 of 1892; Powell to Thurston, December 1891, *ibid.*, no. 28 of 1892.

88. Powell brothers to Thurston, 1 December 1892, with encl., also 5 April 1893, with encls., *ibid.*, nos. 4 and 139 of 1893.

89. C.O. to Thurston, 18 March 1893, drafted on Thurston to C.O., 23 November 1892, *CO* 225/39; C.O. minutes, *ibid.*

90. Collet to Rendle, 9 April 1890, *WPHC Outward Letters, Confidential*.

91. Harcourt to Derby, 16 January 1878, *GBPP*, 1884, LV, p. 221; Derby to Harcourt, 26 February 1878, *ibid.*

92. Minute, 7 August 1883, on Layard to F.O., 29 May 1883 (confidential), encl. F.O. to C.O., 6 August 1883, *CO* 225/13.

93. Minute, 6 July 1883, on Reuter's cable, 6 July 1883, *CO* 201/559.

94. Minute, 29 October 1884, on Paton to C.O., 11 October 1884, *CO* 225/17.

95. *GBPD*, 3rd Series, CCXCV, 12 March 1885, p. 971; minutes, 24 March 1885 by Ashley and 25 March by Derby, on F.O. to C.O., 18 March 1885, *CO* 225/20.

96. Minute by Herbert, 14 April 1885, on F.O. to C.O., 11 April 1885, with encl., *ibid.*

97. See correspondence in *FOCP* No. 5527; the Joint Declaration of 16 November 1887 and the Regulations of 26 January 1888 are most conveniently consulted in Edward Jacomb, *France and England in the New Hebrides*, Appendix I.

98. See McDonald to Fairfax, 18 August 1887, and ensuing correspondence, *RNAS*, XXXVI.

99. Minute by Bramston, 23 October 1886, and draft to F.O., on F.O. to C.O., 21 October 1886, *CO* 225/23.

1. F.O. minutes, *ibid.*

2. Minute by Herbert, 20 November 1887, after conversation with Dillon Bell, on F.O. to C.O., 18 November 1887, *CO* 225/27; minute by Bramston, 31 October 1887, after similar conversation, *ibid.*; C.O. to F.O., 1 December 1887 (draft), *ibid.*

3. F.O. to Lytton, May 1888 (draft), encl. F.O. to C.O., 2 May 1888, *CO* 225/29.

4. Egerton to F.O., 6 November 1888, encl. F.O. to C.O., 5 January 1889, *CO* 225/32.

5. F.O. to C.O., 30 October 1891, with encl., *CO* 225/37; Dufferin and Ava to F.O., 26 March 1892 (confidential, quoting M. Hanotaux in conversation), encl. F.O. to C.O., 31 March 1892, *CO* 224/41.

6. For Romilly's appointment and withdrawal, see F.O. to C.O., 2 May 1888, with encl., *CO* 225/29; C.O. to F.O., 13 December 1889, drafted on Thurston to C.O., 23 September 1889, *CO* 225/30; minute by Herbert, 11 January 1889, on Thurston to C.O., 22 November 1888, *CO* 225/28; for Romilly's reports, see *WPHC Inward Correspondence, General*, nos. 261 of 1888, 113, 168, 187, 224 of 1889, 22, 30, and 33 of 1890.

7. Scott to Thurston, 29 January 1891, *ibid.*, no. 30 of 1891; C.O. to Thurston, 13 November 1891, *WPHC Despatches from S of S*; minute by Berkeley, 15 July 1897, *WPHC Inward Correspondence, General*, no. 258 of 1897.

8. Roxburgh to Thurston, 27 December 1892, with encls., *ibid.*, no. 3 of 1893; St John to Thurston, 4 January 1893, *ibid.*, no. 6 of 1893.

9. Printed naval reports, proceedings in New Hebrides, of 1890, *RNAS*, XXIII.

10. Lergeau to *Eure's* captain, 27 March 1901, case no. 155, 'Australian Station, New Hebrides, 1901', *WPHC Inward Correspondence, General*, no. 20 of 1908.

11. *Ibid.*, Appendix IX; Fraser to C. in C., 28 February 1900, *ibid.*; see also *Memorial on French Aggression in the New Hebrides from the Presbyterian Synod, with a Narrative of Land Disputes in Epi and Efate* (Melbourne, 1901).

12. Fraser to British Senior Naval Officer, 2 January 1900, Beaulieu to French commander, 5 February 1900, Milliard to French commander, 12 March 1900, 'Australian Station, New Hebrides, 1900'.

13. Fraser to Paton, 27 October 1900, encl. Paton to C.O., 25 April 1901, *CO* 225/62.

14. Pearson to Admiralty, 8 December 1900, encl. Admiralty to C.O., 18 February 1901, *CO* 225/61; Paton to Allardyce, 10 July 1901, encl. Allardyce to C.O., 13 August 1901, *ibid.*

15. Rason to im Thurn, 23 November 1906, *WPHC Inward Correspondence, General*, no. 228 of 1906.

16. For Rason's report and recommendations on the inter-island labour traffic see *ibid.*, no. 181 of 1902, which contains Rason's original report of 17 October 1902, with draft Regulations enclosed, and his later despatches urging action. For an attack by him on High Commission policy towards the New Hebrides, in its failure to take account of foreign competition, see *ibid.*, no. 198 of 1906.

17. High Commission minutes and drafts on Carmichael to O'Brien, 18 November 1897, *ibid.*, no. 32 of 1898, and on Leah to O'Brien, 18 August 1898, *ibid.*, no. 264 of 1898; see also C.O. to O'Brien, 25 August 1897, and O'Brien to C.O., 27 October 1897 (copies *ibid.*, no. 181 of 1902).

18. Minutes on Rason to Jackson, 17 October 1902, *ibid.*, no. 181 of 1902.

19. Im Thurn's minutes, 18 August, 2 November 1904, on C.O. to High Commissioner, 24 June 1904 (confidential), *ibid.*, no. 181 of 1902; minute, 29 October 1905, by Rankine, *ibid.*; cables to and from C.O., October-November 1905, *ibid.*; minutes by Rankine and im Thurn, 16 January 1906, *ibid.*

8 THE NEW HEBRIDES GOVERNED, 1906-1914

1. See *CP* 717, IX.

2. Barton to Governor-General, 13 March 1903, *CP* 717, III.

3. Pearson to Admiralty, 8 December 1900, encl. Admiralty to C.O., 15 February 1901, *CO* 225/61; C.O. to Governor-General, 22 March 1901 (draft), *ibid.*; F.O. to C.O., 8 June 1901, *CO* 225/62.

4. C.O. to Governor-General, 22 March 1901 (draft), *CO* 225/61.

5. Note by Lecuve, 31 May 1899, Des Granges Papers; on the company's poor management of its own affairs, see also Docteur to Ministre de la Marine, 10 October 1899, *ibid.*

6. Le Boucher to Ministre des Colonies, 10 January 1885, *ibid.*

7. 'Annexe à la Note des Colonies du 6 Octobre 1887', *ibid.*

8. *Les Nouvelles-Hébrides: Mémoire de John Higginson publié par le Dr A. Auvray*, p. 58.

9. Memo. by Cambon, 5 June 1901, encl. F.O. to C.O., 8 June 1901, *CO* 225/62.

10. C.O. to F.O., 20 June 1901, *ibid.*

11. F.O. to C.O., 7 September 1901, *ibid.*

12. F.O. to C.O., 3 October 1901, *ibid.*; C.O. to F.O., 16 October 1901, *ibid.*; F.O. to C.O., 14 April 1902, with encl., *CO* 225/64; C.O. to F.O., 6 June 1902 (draft), *ibid.*

13. Memo. by Cambon, 21 March 1904, encl. F.O. to C.O., 14 April 1904, *CO* 225/68.

14. Minutes on memo. by Cambon, 21 March 1904, *loc. cit.*

15. Confidential memo., 30 March 1904, *CO* 225/68; memo. by Cambon, 8 December 1904, encl. F.O. to C.O., 13 December 1904, *ibid.*

16. F.O. to C.O., 8 April 1904 (very confidential), with minutes, *ibid.*

17. Minute by Dale on F.O. to C.O., 21 September 1905, *CO* 225/71.

18. F.O. to C.O., 6 December 1905, *ibid.*

19. 'New Hebrides Commission. Minutes of the Proceedings of the New Hebrides

- Commission, held at the Foreign Office, London, February 1 to 27, 1906' (*FOCP*, No. 8721), p. 2.
20. *Ibid.*, pp. 7-10.
 21. *Ibid.*, pp. 1-2.
 22. *Ibid.*, p. 11.
 23. 'Rapport de M. Saint-Germain, Sénateur, au Ministre des Colonies, sur la Convention Franco-Anglaise, 1906', Des Granges Papers.
 24. 'New Hebrides Commission', p. 11.
 25. *Ibid.*
 26. *Ibid.*, p. 18.
 27. *Ibid.*, p. 22.
 28. *Ibid.*, p. 19; F.O. to C.O., 7 June 1906, with encl., *CO* 225/74.
 29. Convention respecting the New Hebrides, 20 October 1906, Article XXII.
 30. Convention respecting the New Hebrides, 20 October 1906, *passim*.
 31. J. A. La Nauze, *Alfred Deakin*, II, pp. 449-53.
 32. Minutes on Treasury to C.O., 16 March 1911, *CO* 225/101.
 33. See, for example, minute on Musgrave to C.O., 15 June 1886, *CO* 234/47.
 34. 'Colonial Conference, 1907. Minutes of Proceedings', *CPP*, 1907-8, III, pp. 1365-80.
 35. Hunt to King, 8 November 1907, 19 July 1910, Atlee Hunt Papers, 52/638, 52/657.
 36. 'Articles of an Agreement between the Government of the Commonwealth of Australia and Burns, Philp, and Company Limited', 12 March 1902, No. 11, *CPP*, 1901-2, II, p. 1095.
 37. Lucas to Lewis, 20 August 1909, *CP* 717, VIII; External Affairs to Vance, 23 August 1909, *ibid.* The survey team was withdrawn in 1917 but the solicitor stayed on in Vila.
 38. See, for example, minute on C.O. to im Thurn, 6 March 1906 (cable), *WPHC Inward Correspondence, General*, no. 54A of 1906.
 39. Roseby to Hunt, 12 April 1910, Atlee Hunt Papers, 52/920.
 40. Woolcott to Lucas, 10 March 1910, *ibid.*, 52/1642.
 41. 'Rapport de M. Saint-Germain . . .', Des Granges Papers.
 42. Nicholas Politis, *Le Condominium Franco-Anglais des Nouvelles-Hébrides*, p. 12.
 43. 'Rapport de M. Saint-Germain . . .'
 44. *Le Néo-Hébridais*, 23 December 1909.
 45. Seagoe to Mahaffy, 21 February 1913, British Residency Minute Papers, no. 3 of 1913; Mahaffy to Sweet-Escott, 26 February 1913, *ibid.* For conditions on French plantations in general, see Felix Speiser, *Two Years with the Natives in the Western Pacific*, p. 42.
 46. *Ibid.*, p. 41.
 47. 'Rapport de M. Saint-Germain . . .'
 48. Convention respecting the New Hebrides, 20 October 1906, Articles X, XII, VII, XIX.
 49. Mahaffy to Sweet-Escott, 6 December 1912 (confidential), British Residency Minute Papers, no. 84 of 1912. For a report to the same effect by the President of the Joint Court, see Buena Esperanza to C.O., 22 September 1911, *WPHC Inward Correspondence, General*, no. 1732 of 1911.
 50. Convention respecting the New Hebrides, 20 October 1906, Article XX.
 51. 'Proceedings of the New Hebrides Conference . . .', pp. 26-8. *Le Néo-Hébridais* (15 March 1914) claimed that the man Leclerc was supposed to have shot was actually alive and was being kept hidden by a missionary.
 52. See, for example, Mahaffy to Sweet-Escott, 7 October 1912 (confidential), British Residency Minute Papers, no. 91 of 1912; Jacomb to Stuart & Wright, 8 January 1913, *ibid.*, no. 3 of 1913.

53. *Le Néo-Hébridais*, 2 February 1913.
54. *Ibid.*, 20 July 1913.
55. *Ibid.*, 9 January, 2 February, 20 June 1913, 30 January 1914.
56. Repiquet to Mahaffy, 20 February 1913, British Residency Minute Papers, no. 77 of 1913.
57. 'Proceedings of the New Hebrides Conference . . .', p. 52.
58. Hunt to King, 17 January 1911, Atlee Hunt Papers, 52/665.
59. *Messenger*, 2 September, 4 November 1910.
60. *Le Néo-Hébridais*, 27 April 1910.
61. *New Hebrides Magazine*, No. 27, January 1908, article by the Rev. W. Watt; Mahaffy to Sweet-Escott, 30 December 1912, British Residency Minute Papers, no. 115 of 1912.
62. Im Thurn to C.O., 9 August 1906 (confidential), *WPHC Despatches to S of S*.
63. Correspondence at British Residency Minute Papers, no. 104 of 1911, especially King to Jacomb, 21 August 1914; M. R. Allen, 'The Nduindui: A Study in the Social Structure of a New Hebridean Community' (Ph.D. thesis, A.N.U., 1964), pp. 19-20.
64. See, for example, *Le Néo-Hébridais*, 1 April, 27 April, 28 May 1910, 8 November 1913.
65. *Ibid.*, 1 September 1910.
66. *Messenger*, 14 October 1910; see also *ibid.*, 18 August 1911, notes by the Rev. F. H. L. Paton.
67. See, for example, *Record*, July 1901, quoted Jean Guiart, *Espiritu Santo (Nouvelles Hébrides)*, p. 218.
68. Sale Bani to King, 17 March 1912, British Residency Minute Papers, no. 104 of 1911; Waters to King, 19 March 1912, *ibid.*
69. *Le Néo-Hébridais*, 10 November 1912; King to Sweet-Escott, 11 February 1914 (confidential), British Residency Minute Papers, no. 90 of 1913: Lynch (ed.), *Isles of Illusion*, pp. 71-2.
70. *Le Néo-Hébridais*, 19 August 1912.
71. Jacomb to Gaspard, 9 February 1913, British Residency Minute Papers, no. 36 of 1913; King to Sweet-Escott, 30 August 1913, *ibid.*
72. Jacomb to C.O., 24 October 1913, CP 146, no. 3663 of 1914; correspondence at British Residency Minute Papers, no. 90 of 1913, especially Jacomb to C.O., 25 August 1913; *Le Néo-Hébridais*, 6 December 1913.
73. *Ibid.*, 24 May 1913.
74. Wilkes to Mahaffy, 9 November 1912, British Residency Minute Papers, no. 62 of 1912; Waters to King, 17 July 1914, *ibid.*, no. 104 of 1911.
75. French Resident to King, 16 July 1914, *ibid.*
76. *Le Néo-Hébridais*, 30 January 1914.
77. *Ibid.*, 15 March 1914.
78. Correspondence at British Residency Minute Papers, no. 78 of 1913.
79. Gaunt to C. in C., 6 July 1907, *WPHC Inward Correspondence, General*, no. 20 of 1908; Lewes to im Thurn, 27 June 1908, *ibid.*, no. 226 of 1908; minutes and draft despatches, *ibid.*, no. 243 of 1908.
80. Harrowell to May, 12 July 1911, *ibid.*, no. 1315 of 1911.
81. King to Sweet-Escott, 17 and 22 August, 12 September 1913, *ibid.*, nos. 1618, 1721, 1887 of 1913.
82. May to C.O., 8 May 1812 (confidential), *WPHC Despatches to S of S*.
83. Wallace to Paton, 30 March 1914, External Affairs Records.
84. Proceedings and judgment at *WPHC Inward Correspondence, General*, no. 2020 of 1914; see also Jacomb to Society for Protection of Native Races, 2 January 1914, encl. Society to Sweet-Escott, 28 February 1914, *ibid.*, no. 682 of 1914.
85. 'Proceedings of the New Hebrides Conference . . .', p. 9; correspondence at British Residency Minute Papers, no. 49 of 1912.

86. Tana and its relations with the Mission and the administration are studied in depth in Jean Guiart, *Un Siècle et Demi de Contacts Culturels à Tanna, Nouvelles-Hébrides*.

87. John G. Paton, *Missionary to the New Hebrides. An Autobiography*, p. 353.

88. Mahaffy to Sweet-Escott, 30 December 1912, British Residency Minute Papers, no. 115 of 1912.

89. Mahaffy to Sweet-Escott, 12 August 1912, *ibid.*, no. 66 of 1912.

90. See, for example, Nicholson to Wilkes, 17 December 1912, *ibid.*, no. 62 of 1912; King to Sweet-Escott, 24 November 1913, *ibid.*, no. 79 of 1913.

91. Wilkes to King, 30 June 1913, *ibid.*

92. Wilkes to King, 30 September 1913, *ibid.*, no. 106 of 1913.

93. Wilkes to King, 2 March 1914, *ibid.*, no. 106 of 1913.

94. *Ibid.*

95. Wilkes to Mahaffy, 9 October 1912, *ibid.*, no. 115 of 1912.

96. Minute of Mission Synod, 29 June 1914, *ibid.*, no. 106 of 1913.

97. Guiart, *Tanna, passim*.

98. Gunn to King, 14 October 1913, British Residency Minute Papers, no. 79 of 1913; King to Sweet-Escott, 26 June 1914, *ibid.*; Guiart, *Tanna*, p. 126.

99. Mahaffy to Sweet-Escott, 30 December 1912, British Residency Minute Papers, no. 115 of 1912.

1. Wilkes to King, 12 February 1914, *ibid.*, no. 79 of 1913.

2. Wilkes to King, 15 January 1914, *ibid.*, no. 27 of 1913; see also Guiart, *Tanna*, pp. 143-4.

3. Correspondence in External Affairs Records.

4. Wilkes to King, 15 January 1914, British Residency Minute Papers, no. 27 of 1913.

5. Correspondence, *ibid.*, no. 26 of 1913; King to Sweet-Escott, 11 February 1914 (confidential), *ibid.*, no. 79 of 1913.

6. Wilkes to King, 12 November 1913, *ibid.*, no. 79 of 1913; Macmillan to Wallace, 1 December 1913, External Affairs Records.

7. Stanton to Wilkes, 13 January 1914, British Residency Minute Papers, no. 26 of 1913.

8. Wilkes to King, 15 January 1914, *ibid.*, no. 27 of 1913.

9. Macmillan to Wallace, 13 July 1914, External Affairs Records.

10. Nicholson to Wallace, 13 November [1913?], *ibid.*

11. See the correspondence between Wallace and the Rev. F. H. L. Paton, External Affairs Records.

12. Macmillan to King, 3 August 1914, British Residency Minute Papers, no. 79 of 1913.

13. Wallace (for Macmillan) to King, 19 January 1913, External Affairs Records; Macmillan to Wallace, 14 April 1914, *ibid.*

14. King to Sweet-Escott, 26 June 1914, British Residency Minute Papers, no. 79 of 1914. For a denial of this report on Wilkes's behalf, see Truss to Resident Commissioners, 12 August 1914, *ibid.*

15. Correspondence, *ibid.*

16. Guiart, *Tanna*, p. 145.

17. F.O. to Bertie, 9 July 1913, CP 717, XVI.

18. 'Proceedings of the New Hebrides Conference . . .', pp. 23-31, 44-6.

19. *Ibid.*, p. 48; 'The Protocol respecting the New Hebrides signed at London on 6th August 1914', Articles 19, 14, 17, 6, 12, 8.

20. Nottage to Ballard, 11 August 1937, External Affairs Records; Ballard to Nottage, 7 September 1937, *ibid.*

21. Note by Commonwealth Solicitor, 28 February 1940, with Application No. 65, Northern Islands, *ibid.*

9 THE EVENTUAL SOLUTION: PROTECTORATES, 1892-1914

1. Gordon to C.O., 27 May 1879, *CO* 225/4.
2. 'Report of a Commission . . . into the Working of the Western Pacific Orders in Council', *GBPP*, 1884, LV, p. 792.
3. Minute by Knutsford, 2 August 1888, on memorandum by Bramston, 26 July 1888, *CO* 225/28.
4. C.O. to F.O., 30 January 1889, *FO* 58/273; Pacific Order in Council, 1893, article 45, *Hertslet's Treaties*, XIX, p. 586.
5. See, for example, Hand to Fairfax, 6 November 1889, encl. Fairfax to Thurston, 6 December 1889, *WPHC Inward Correspondence, General*, no. 268 of 1889.
6. Thurston to C.O., 3 May 1889 (confidential), *WPHC Confidential Despatches to S of S*.
7. F.O. to C.O., 6 and 18 July, 20 August, 27 October 1891, *CO* 225/37.
8. Minute by Fuller, 10 July 1891, on F.O. to C.O., 6 July 1891, *ibid*.
9. C.O. to Admiralty, 31 January 1892, drafted on Admiralty to C.O., 25 January 1892, *CO* 225/40.
10. Thurston to Knutsford, 11 May 1892 (private), *ibid*.
11. Memorandum by Fuller, 13 May 1892, *ibid*.
12. Minute by Meade, 8 September 1892, in C.O. minute paper discussing the possible annexation of the southern Solomon Islands, *ibid*.
13. Minute by Ripon, 17 December 1892, on F.O. to C.O., 15 November 1892 (confidential), *CO* 225/41.
14. Pacific Order in Council, 1893, *Hertslet's Treaties*, XIX, p. 569.
15. Law Officers to C.O., 17 November 1892 (copy), *FO* 58/273. See also M. F. Lindley, *The Acquisition and Government of Backward Territory in International Law*, p. 300.
16. F.O. to C.O., 26 August 1892 (draft), *FO* 58/273; see also Law Officers to C.O., 17 November 1892, *ibid*.
17. Thurston to C.O., 2 September 1892 and 22 December 1894, *WPHC Despatches to S of S*.
18. Minute by Fuller on Thurston to C.O., 1 October 1892, *CO* 225/39.
19. Extract of minute by Ripon, 24 December 1892, filed with Thurston to C.O., 21 November 1892 (confidential), *CO* 225/39.
20. 'Cruise of H.M.S. Royalist through the Gilbert and Ellice Groups, 1892', encl. Thurston to C.O., 4 October 1892 (confidential), *CO* 225/39.
21. Thurston to C.O., 12 August 1895, *CO* 225/49; Swayne to Thurston, 29 December 1893, 12 August 1894, *WPHC Inward Correspondence, General*, nos. 27 and 202 of 1894; see also H. E. Maude, 'The History of Local Government in the Gilbert Islands' (MS.).
22. Thurston to C.O., 2 September 1892, *WPHC Despatches to S of S*.
23. Swayne to Thurston, 22 December 1893, *WPHC Inward Correspondence, General*, no. 22 of 1894.
24. Swayne to Thurston, 13 March, 7 August 1894, *ibid.*, nos. 105 and 198 of 1894.
25. Swayne to Thurston, 29 December 1893, *WPHC Inward Correspondence, General*, no. 27 of 1894. The *ueas* were deported for disturbing the peace of their islands by pursuing feuds.
26. Swayne to Thurston, 19 January 1895, *ibid.*, no. 41 of 1895.
27. Swayne to Thurston, 26 January 1895, *ibid.*, no. 47 of 1895, on the possible sites for a Residency.
28. Thurston to C.O., 22 December 1894, *CO* 225/45.
29. C.O. minutes on Thurston to C.O., 21 December 1894 (cable), *ibid*.
30. Thurston to C.O., 28 November 1895, *CO* 225/49.

31. Memorandum by Fuller, 13 May 1892, *CO* 225/40.
32. Griffith to Norman, 15 March 1892, encl. Norman to C.O., 4 April 1892, *CO* 422/1.
33. Minute by Anderson, 6 December 1895, on Berkeley to C.O., 10 October 1895, *CO* 225/47.
34. Minute by Anderson, 19 September 1896, on Berkeley to C.O., 21 April 1896, *CO* 225/50.
35. C.O. to Australian governors, 22 March 1897, drafted on Thurston to C.O., 8 December 1896, *ibid.*
36. Berkeley to C.O., 11 June 1897, *CO* 225/52.
37. Memorandum by Collet, 5 July 1897, *CO* 225/54; minute by Anderson, 20 August 1897, *ibid.*
38. *Ibid.*; C.O. to Governors of New South Wales, Queensland and Victoria, 31 August 1897 (draft), *CO* 225/54.
39. Lamington to C.O., 16 February 1898 (cable), *CO* 234/67; also 19 February 1898 (secret), with encls. and C.O. minutes, *ibid.* See also J. D. Legge, *Australian Colonial Policy*, p. 101.
40. C. M. Woodford, *A Naturalist Among the Head-Hunters*, p. 23n.
41. Thurston to C.O., 18 January 1895, *WPHC Despatches to S of S*.
42. Berkeley to C.O., 21 April 1896, *CO* 225/50.
43. Thurston to C.O., 8 December 1896, with encl., *CO* 225/50; minute by Chamberlain, *ibid.*
44. C.O. to Treasury, 6 January 1897, encl. C.O. to Thurston, 23 January 1897, *WPHC Despatches from S of S*; Treasury to C.O., 16 January 1897, *ibid.*
45. Woodford to Collet, 3 May 1897 (private), *WPHC Inward Correspondence, General*, no. 297 of 1897; C.O. to Treasury, 6 January 1897, *loc. cit.*
46. Berkeley to C.O., 3 March 1897, *CO* 225/52; C.O. minutes, *ibid.*
47. C.O. minutes on O'Brien to C.O., 17 December 1898, *CO* 225/55; Treasury to C.O., 22 February 1899, *CO* 225/57.
48. Herbert to Meade, 23 January 1895, *CO* 537/136; Thurston to Herbert, 14 July 1896, Papers of J. T. Arundel; Arundel to Chamberlain, 15 June 1897, *ibid.*
49. Stanmore to Arundel, 11 May 1899, *ibid.*
50. Arundel to Stanmore, 13 October 1910, *ibid.*
51. Stanmore to Arundel, 22 September, 9 December 1899, *ibid.*
52. Woodford to Arundel, 31 January 1898, *WPHC Inward Correspondence, General*, no. 91 of 1898; Woodford to O'Brien, 27 March, 30 April 1898, *ibid.*
53. Stanmore to Arundel, n.d. (received 9 February 1899), Papers of J. T. Arundel.
54. *Ibid.*
55. Stanmore to C.O., 17 April 1899, *CO* 225/58; Stanmore to Anderson, 5 August 1899 (private), with minutes, *ibid.*
56. On these claims, see Woodford to O'Brien, 3 July, 26 September 1900, *WPHC Inward Correspondence, General*, no. 91 of 1896.
57. Quoted Woodford to Stanmore, 1 December 1903, *ibid.*
58. Stanmore to Arundel, 22 December 1904, Papers of J. T. Arundel; see also Stanmore's correspondence with James Edge-Partington, Papers of James Edge-Partington.
59. Historical Records No. 1162/2/1, Unilever Papers.
60. L.P.P. to C.O., 13 July 1906, *CO* 225/71; C.O. to L.P.P., 23 July 1906 (draft), *ibid.*
61. Minute on L.P.P. to C.O., 13 August 1906, *ibid.*
62. Woodford to im Thurn, 23 October 1906, encl. Woodford to C.O., 23 October 1906, *CO* 225/73.
63. Report by Mahaffy on a visit to the British Solomon Islands Protectorate, 1908, *WPHC Inward Correspondence, General*, no. 830 of 1908.

64. Woodford to O'Brien, 27 August 1898, encl. O'Brien to C.O., 11 October 1898, *CO 225/55*.
65. Mahaffy to Woodford, 1 August 1898, encl. Woodford to O'Brien, 27 August 1898, *loc. cit.*
66. Memorandum by Mahaffy on Solomon Islands Police Force, with correspondence ensuing, *WPHC Inward Correspondence, General*, no. 831 of 1908; see also encls., Major to C.O., 9 February 1909, *CO 225/85*.
67. May to C.O., 8 December 1911 (confidential), *CO 225/98*.
68. Murray to Gilbert Murray, 29 April 1916, Murray Papers.
69. Woodford to Major, 27 January 1909, *WPHC Inward Correspondence, General*, no. 206 of 1909.
70. Report by Mahaffy on a visit to the British Solomon Islands Protectorate, 1908, *ibid.*, no. 830 of 1908; Report . . ., 1910, *ibid.*, no. 784 of 1910. For an instance of provocative behaviour by a senior Levers official, which ended in the shooting of a native, see *ibid.*, no. 444 of 1908. For opinions on the type of overseer employed by Levers, see C. in C. to Admiralty, 14 September 1908, encl. Admiralty to C.O., 13 November 1908, *CO 225/85*; see also C.O. minutes on im Thurn to C.O., 1 August 1909, with encls., *CO 225/86*.
71. Report by Mahaffy on a visit to the British Solomon Islands Protectorate, 1908.
72. L.P.P. to Major, 30 March 1909, *WPHC Inward Correspondence, General*, no. 206 of 1909.
73. Report by Mahaffy on a visit to the British Solomon Islands Protectorate, 1908.
74. Woodford to im Thurn, 8 April 1910, encl. im Thurn to C.O., 10 June 1910 (confidential), *CO 225/91*; see also Major to C.O., 26 October 1910 (confidential), *CO 225/92*, and Woodford to May, 2 February 1911, encl. May to C.O., 6 April 1911 (confidential), *CO 225/95*. Levers wanted to exchange some parts of their concessions, whose heavy timbering made them expensive to develop, for areas around trading stations, which were often already well planted with coconut trees. The government refused to permit this.
75. Lever to Meek, 13 November 1916, 19 March 1923, Unilever Papers.
76. Meek to im Thurn, 1 February 1910, *CO 225/91*.
77. 'Diary of A. F. Ellis, Ocean Island, 3 May 1900-27 May 1900' (MS.); Agreement, 3 May 1900, copy encl. im Thurn to C.O., 18 June 1909 (confidential), *CO 225/85*.
78. Stanmore to C.O., 4 January 1900, *CO 225/60*; Stanmore to Anderson, 5 January 1900 (private), *ibid.*
79. O'Brien to C.O., 9 February 1900, *CO 225/59*.
80. Stanmore to C.O., 6 April 1900, *CO 225/60*.
81. Minute on Stanmore to Anderson, 5 January 1900 (private), *ibid.*
82. Stanmore to Selborne, 10 August, 24 August 1900, *ibid.*; Anderson's minute, *ibid.*; C.O. to Admiralty, 30 August 1900 (draft), *ibid.*
83. Lever to Balding, 28 August 1908, Unilever Papers.
84. Stanmore to Lever, 12 February 1910, *ibid.*
85. Stanmore to C.O., 26 January 1904, *CO 225/68*.
86. Mahaffy to im Thurn, 14 April 1909 (confidential), encl. im Thurn to C.O., 18 June (confidential), *CO 225/85*.
87. Quayle Dickson to im Thurn, 10 December 1909 (confidential), encl. im Thurn to C.O., 24 December 1909 (confidential), *CO 225/87*.
88. P.P.C. to C.O., March 1910 (draft), Unilever Papers. In the copy of this letter that went to the Colonial Office the company made it clear that it regarded eventual removal of the Banabans as a condition of its contributing to a trust fund.
89. 'Notes of an Interview at the Colonial Office with Sir Charles Lucas, on Friday, March 10th [1910], by Lord Balfour of Burleigh', *ibid.*

90. Memo. by im Thurn, 13 March 1911, *CO* 225/101; see also Quayle Dickson to High Commissioner, 11 August 1911 (confidential), *CO* 225/98.
91. Minutes on P.P.C. to C.O., 11 March 1910, *CO* 225/94.
92. Major to C.O., 26 November 1910 (confidential), with minutes, *CO* 225/92; C.O. to P.P.C., 24 January 1911 (draft), *ibid.*
93. Stanmore to Lever, 27 January 1911, Unilever Papers.
94. Lever to Dickinson, 30 January 1911, *ibid.*
95. Minutes on P.P.C. to C.O., 6 April 1910, *CO* 225/94.
96. 'Notes of an Interview at the Colonial Office with Sir Charles Lucas, on Friday, March 10th [1910], by Lord Balfour of Burleigh', Unilever Papers.
97. C.O. to P.P.C., 5 April 1911 (draft), *CO* 225/101.
98. Minutes on May to C.O., 16 May 1911 (cable), with draft telegram, *CO* 225/95; for recognition of the mistake, see minutes on Quayle Dickson to High Commissioner, 13 September 1911, *CO* 225/98.
99. Minute by Harcourt, 15 October 1911, on Quayle Dickson to C.O., 12 October 1911 (cable), *CO* 225/99.
1. May to C.O., 31 August 1911 (confidential), *CO* 225/96.
 2. Quayle Dickson to High Commissioner, 24 November 1911, *CO* 225/99; H. E. Maude, 'Memorandum on the Future of the Banaban Population of Ocean Island; with special relation to their lands and funds' (*WPHC*, 1946), pp. 4-5.
 3. E. C. Eliot, *Broken Atoms*, pp. 179-80.
 4. For these men generally, see, for example, Campbell to Berkeley, 29 June 1897, *WPHC Inward Correspondence, General*, no. 404 of 1897; Campbell to im Thurn, 28 October 1904, with encls., *ibid.*, no. 16 of 1895; see also Mahaffy's report on a visit to the Gilbert and Ellice Islands Protectorate in 1909 (encl. Major to C.O., 10 July 1909, *CO* 225/86).
 5. Campbell to Berkeley, 3 May 1897, *WPHC Inward Correspondence, General*, no. 266 of 1897.
 6. Campbell to Berkeley, 12 October 1897, *ibid.*, no. 470 of 1897.
 7. For Lodge, see *ibid.*, no. 20 of 1899; see also C.O. to O'Brien, 7 September, 7 November 1900, with encls., *WPHC Despatches from S of S*; C.O. to Allardyce, 1 January 1902, with encl., *ibid.*; im Thurn to Johnson, 28 January 1908 (private), *CO* 225/80.
 8. Campbell to Thurston, 9 and 29 January, 7 May 1896, *WPHC Inward Correspondence, General*, nos. 79, 85 and 212 of 1896; Cooper (L.M.S.) to O'Brien, 14 August 1899, with comments by Campbell, *ibid.*, no. 185 of 1899.
 9. Campbell to O'Brien, 3 August 1899, *ibid.*, no. 192 of 1898; Campbell to Allardyce, 12 October 1901, with encls., *ibid.* For the Mission's viewpoint, see Ernest Sabatier, *Sous l'Equateur du Pacifique*, pp. 257-8.
 10. R.-p. Philippe to Resident Commissioner, 16 July 1900, 15 October 1901, *WPHC Inward Correspondence, General*, no. 192 of 1898; R.-p. Philippe to Lodge, 14 January 1901, *ibid.*
 11. Campbell to Jackson, 2 July 1903, *ibid.* The letters of R.-p. Philippe, cited above, fully substantiate the assertion that the priests were insubordinate and disrespectful towards their Bishop.
 12. Schedule of complaints and memorandum by Bishop Leray, encls. R.-p. Merg to Jackson, 15 December 1903, *ibid.*
 13. Campbell to im Thurn, 29 May 1907, *ibid.*
 14. Minute by Hart-Davis, on Leray to Sweet-Escott, 15 January 1913, *ibid.*, no. 406 of 1913; see also report by Mahaffy on a visit to the Gilbert and Ellice Islands Protectorate, 1909, encl. Major to C.O., 10 July 1909, *CO* 225/86.
 15. Campbell to im Thurn, 16 September 1905, *WPHC Inward Correspondence, General*, no. 192 of 1898.
 16. Campbell to Thurston, n.d., *ibid.*, no. 214 of 1896.

17. Campbell to Thurston, 3 September, 3 October, 1896, *ibid.*, nos. 388 and 319 of 1896.
18. Campbell to Thurston, 15 December 1896, 2 January 1897, *ibid.*, nos. 68 and 76 of 1897.
19. Campbell to Berkeley, 9 June 1897, *ibid.*, no. 403 of 1897.
20. Report by Mahaffy on a visit to the Gilbert and Ellice Islands Protectorate, 1909, encl. Major to C.O., 10 July 1909, *CO* 225/86.
21. Im Thurn to C.O., 17 May 1907, *CO* 225/72.
22. Campbell to im Thurn, 16 November 1906, *WPHC Inward Correspondence, General*, no. 102 of 1901.
23. Des Voeux to C.O., 3 July 1883, *WPHC Despatches to S of S*.
24. Jackson's minutes and draft letters to R.-p. Merg and Campbell, July 1903-March 1904, *WPHC Inward Correspondence, General*, no. 192 of 1898. From ensuing correspondence in this minute paper, it seems clear that Campbell took advantage of Jackson's brief tenure of office, and of the habitual inefficiency of the High Commissioner's Office under King, to avoid acting on Jackson's instructions.
25. Woodford to O'Brien, 10 September 1901, *ibid.*, no. 82 of 1898 (III); Woodford to Jackson, 30 June 1903, with encl., *ibid.* (II); see also his many other despatches and copies of his increasingly acrimonious correspondence with the Queensland authorities, *ibid.* (I-III).
26. Woodford to C.O., 16 April, 14 September 1903, *CO* 225/65; Woodford to Chermiside, 28 March 1904, encl. Woodford to Jackson, 28 March 1904, *WPHC Inward Correspondence, General*, no. 82 of 1898 (II).
27. Jackson to Woodford, 4 November 1903, *ibid.*
28. Memorandum by Woodford, n.d., *ibid.*, no. 45 of 1903; Queensland Immigration Agent to Chief Secretary, 15 September 1905, encl. Lieut.-Governor to im Thurn, 31 October 1905, *ibid.*, no. 82 of 1898 (II); High Commission minutes and im Thurn to C.O., 9 December 1905, *ibid.*
29. King to im Thurn, 16 and 30 September 1906 (private), *ibid.* (III).
30. *Sydney Morning Herald*, 14 September 1906; Hunt to King, 22 December 1906, with encls., *WPHC Inward Correspondence, General*, no. 82 of 1898 (I); Hunt to im Thurn, 24 January 1907, *ibid.*; Woodford to im Thurn, 13 April 1906, *ibid.*
31. Memorandum by Woodford, n.d., *ibid.*, no. 45 of 1903.
32. Woodford to C.O., 9 August 1905, *CO* 225/71.
33. See, for example, Woodford to im Thurn, 2 March 1908, *WPHC Inward Correspondence, General*, no. 60 of 1907.
34. Im Thurn to C.O., 21 December 1906, *CO* 225/73; im Thurn to Johnson, 28 October 1909 (private), *CO* 225/87.
35. See, for example, Woodford to Stanmore, 1 December 1903, *WPHC Inward Correspondence, General*, no. 91 of 1898.
36. Woodford to im Thurn, 6 May 1907, *WPHC Inward Correspondence, General*, no. 59 of 1907.
37. Woodford to im Thurn, 13 April 1907, *ibid.*, no. 82 of 1898 (I).
38. Woodford to im Thurn, 22 December 1909, encl. Woodford to C.O., 22 December 1909, *CO* 225/87.
39. Im Thurn to C.O., 31 December 1906 (secret), *WPHC Despatches to S of S*.
40. Gordon to C.O., 29 October 1883, *CO* 225/14.
41. C.O. memorandum on im Thurn to C.O., 12 February 1907, *CO* 225/76; minutes recording private conversations during the Conference, *ibid.*
42. Minute by Cox, *ibid.*
43. Im Thurn to C.O., 12 February 1907, *CO* 225/76.
44. Woodford to C.O., 4 March 1907, *CO* 225/78.
45. Minutes on im Thurn to C.O., 12 February 1907, *CO* 225/76.
46. Im Thurn to C.O., 2 October 1909 (confidential), *ibid.*
47. C.O. to im Thurn, n.d., drafted on im Thurn to C.O., 12 February 1907, *ibid.*

48. Im Thurn to C.O., 25 May 1908 (secret), *CO* 225/81; im Thurn to Lucas, 20 December 1909 (private), *CO* 225/87.
49. Memorandum by Mahaffy, 6 August 1908, *WPHC Inward Correspondence, General*, no. 1275 of 1913.
50. Report by Mahaffy on a visit to the British Solomon Islands Protectorate, 1908, *ibid.*, no. 830 of 1908.
51. See *ibid.*, no. 72 of 1905, for correspondence between High Commissioner, Commander-in-Chief, and Colonial Office on this subject.
52. Memorandum by Mahaffy, 18 August 1909, *ibid.*, no. 1110 of 1909; im Thurn to C.O., 29 October 1909 (confidential), *ibid.*; Admiralty to C.O., 6 February 1911, *ibid.*
53. Memorandum by R. Vernon, *ibid.*, no. 63 of 1913.
54. May to C.O., 6 December 1911, *WPHC Despatches to S of S*; Sweet-Escott to C.O., 6 and 16 January 1913 (confidential), with encls., Fiji, Government House, Confidential Minute Papers, C2-3 of 1913.

10 A POSTSCRIPT TO TRUSTEESHIP

1. C.O. to im Thurn, 22 September 1910 (confidential), printed copy, *CO* 225/87.
2. Colin H. Allan, *Customary Land Tenure in the British Solomon Islands Protectorate*, pp. 36-44.
3. *Report of Commission of Enquiry appointed to enquire into the decrease of the native population* (Suva, 1896), *passim*.
4. Woodford to im Thurn, 21 February 1908, *WPHC Inward Correspondence, General*, no. 82 of 1898 (I).
5. Report by Mahaffy on a visit to the British Solomon Islands Protectorate, 1910, *ibid.*, no. 784 of 1910.
6. Im Thurn to Lucas, 20 December 1910 (private), *CO* 225/87.
7. Mahaffy to im Thurn, 27 December 1909, encl. im Thurn to C.O., 1 March 1910 (confidential), *CO* 225/90.
8. Im Thurn to C.O., 24 January 1910 (confidential), *ibid.*
9. Woodford to im Thurn, 26 December 1909, encl. im Thurn to C.O., 24 January 1910 (confidential), *ibid.*
10. Woodford to Johnson, 12 September 1900 (private), *CO* 225/89. For Woodford's later positive suggestions for arresting the decline of the Solomon Islanders, see W. H. R. Rivers (ed.), *Essays on the Depopulation of Melanesia*, pp. 68-77.
11. May to C.O., 8 December 1911 (confidential), *CO* 225/98.
12. May to C.O., 30 November 1911 (secret), *CO* 225/97.
13. L.P.P. to C.O., 31 August, 21 September, 15 October 1909, with minutes on conversation with Woodford, *CO* 225/89; C.O. to im Thurn, 27 October 1909 (cable), *ibid.*
14. For correspondence hereon, see im Thurn to C.O., 26 November 1909, *CO* 225/87, with minutes and drafts; also, *CP* 78, Series 2, no. 1707 of 1909.
15. Hunt to im Thurn, 31 December 1909, Atlee Hunt Papers, 52/1347.
16. Deakin to Governor-General, 9 December 1909, *CP* 78, Series 2, no. 1707 of 1909.
17. Francis West, 'Sir Hubert Murray: The Australian Pro-Consul', *Journal of Commonwealth Political Studies*, I, iv, 1963, pp. 287-8.
18. Murray to Minister for External Affairs, 14 March 1910, *CP* 146, no. 485 of 1910.

19. C.O. to Governor-General, 3 December 1909 (draft), *CO 225/87*.
20. C.O. to High Commissioner, 22 September 1910 (confidential), printed copy, *ibid*.
21. L.P.P. to C.O., 3 January 1911, with minutes, *CO 225/101*; C.O. to L.P.P., 3 February 1911 (draft), *ibid*.
22. L.P.P. to C.O., 23 October 1911, with minutes, *CO 225/102*; C.O. to India Office, 20 November 1911, *ibid*; India Office to C.O., 12 December 1911, *CO 225/101*.
23. H. Britton, *Fiji in 1870*, p. 32.

Bibliography

I

OFFICIAL—MANUSCRIPT

A Central Archives of Fiji and the Western Pacific High Commission

i *High Commissioner and Consul-General for the Western Pacific.* These records are in the Central Archives of Fiji and the Western Pacific High Commission, Suva, Fiji. Of transcendent value for the study of Pacific history from 1875 onward, they are of some complexity and no inventory has yet been issued. Therefore, although the present writer was, through the kindness of the Archivist, enabled to see everything available, the following is not a definitive list of the High Commissioner's records; it covers, however, the main series and the most important of the lesser ones.

WESTERN PACIFIC HIGH COMMISSION

Inward Correspondence, General, 1875 onward
Despatches to High Commissioner from Secretary of State, 1877 onward
Despatches from High Commissioner to Secretary of State, 1878 onward
Confidential Despatches from High Commissioner to Secretary of State, 1887-94
Outward Letters, General, 1878-1919
Naval Letters, Outward, 1876-1909
Despatches from High Commissioner to Resident Commissioner, British Solomon Islands Protectorate, 1898-1919
Despatches from High Commissioner to Resident Commissioner, Gilbert and Ellice Islands Protectorate, 1898-1919
Despatches from High Commissioner to Resident Commissioner, New Hebrides, 1902-19
Despatches from High Commissioner to Agent and Consul, Tonga, 1898 onward
Inward Letters of the High Commissioner and Assistant High Commissioner, 1881-2
Original Despatches from High Commissioner to Assistant High Commissioner, December 1880-June 1882

SAMOA—RECORDS OF THE DEPUTY COMMISSIONER AT APIA, RETURNED TO THE WESTERN PACIFIC HIGH COMMISSION OFFICE

Despatches from Deputy Commissioner to High Commissioner, 1882-92
Despatches from High Commissioner to Deputy Commissioner Graves, January-October 1881
Despatches from High Commissioner and Judicial Commissioner to Deputy Commissioner, January-December 1882
Despatches from Acting and Assistant High Commissioners to Deputy Commissioner, January-December 1885
Despatches from High Commissioner to Deputy Commissioner, January-November 1886
Despatches from High Commissioner to Deputy Commissioner, December 1886-November 1887
Despatches from High Commissioner to Deputy Commissioner, December 1887-December 1888
Despatches from High Commissioner to Deputy Commissioner, January-December 1889

Despatches from High Commissioner to Deputy Commissioner, January-December 1890
 Despatches from High Commissioner to Deputy Commissioner, December 1895-December 1896
 Deputy Commissioner, Outward Despatches, 1900
 Tokelau Islands Correspondence, 1896-1900
 Copies of letters relating to the High Commission, and enclosures to Foreign Office, etc., 1886-8

BRITISH RESIDENT COMMISSIONER, NEW HEBRIDES

Inward Correspondence, General, of the British Resident Commissioner, New Hebrides (transferred from Vila)

JUDICIAL PAPERS

H.B.M. High Commissioner's Court for the Western Pacific at Apia, Samoa, at Levuka, Fiji, at Nasova, Fiji, at Suva, Fiji, on S.S. *Ocean Queen* at Rotumah, at Nuku'alofa, Tonga, at Tulagi, B.S.I.P. 1878-1921. Minutes of Proceedings
 Various papers relating to cases heard in the High Commissioner's Court

LAND REGISTRATION

Register of Land Claims, Books A, B, C

MISCELLANEOUS

Printed Papers on Pacific Affairs, c. 1880
 Miscellaneous Papers relating to Affairs of Tonga, Bundles I-IV
 Report of Proceedings of Captain C. Stevens, commanding the *Barracouta*
 Correspondence between Steinberger and various persons in America

CONSUL-GENERAL

Inward Correspondence, General, 1880-9
 Despatches to Foreign Office, 1878-96
 Despatches from Foreign Office relating to Samoa, 1886
 Despatches to Consul-General from Consul, Samoa, 1878-89 (with copies of the consul's despatches to the Foreign Office as enclosures)
 Outward Correspondence, General, 1879-96
 Consul, Samoa to Consul-General, 1885-90
 Consul-General to Consul Graves, 1881
 Consul-General to Consul, Samoa, January-November 1886
 Consul-General to Consul, Samoa, December 1886-November 1887
 Consul-General to Consul, Samoa, December 1887-September 1890

ii *Governor of Fiji*. Matters connected with the Western Pacific High Commission were sometimes—especially in the early years—dealt with in the correspondence of the Governor of Fiji, as follows:

Secretary of State to Governor, 1875-80
 Governor to Secretary of State, 1874-9
 Governor's Letter-book, 1876-83
 Naval Letters, Outward, 1875-1901
 Confidential Despatches, Outward, 1908-11
 Secret and Confidential Despatches to the Secretary of State, 1913-15
 Government House, Confidential Minute Papers
 Supreme Court Papers

iii *Agent and Consul, Tonga*. These records—comprising, in reality, all those of the British Consulate in Tonga—are in the Central Archives of Fiji and the Western Pacific High Commission and are fully listed in the archives' publication, *Preliminary Inventory, No. 3*. The following items, in particular, were used:

- Set 2 Inward Correspondence, General, 1878 onward
- Set 5 Outward Correspondence, General, 1878 onward
- Set 10 Despatches from Consul-General to Vice-Consul, 1879; 1881-2; 1884-1900
- Set 12 Despatches from Vice-Consul to Consul-General, 1879-1901
- Set 18 High Commissioner to Deputy Commissioner, or Agent, 1879 onward
- Set 43 Miscellaneous

iv *Cakobau Government*. Of major importance to the first chapter were the records of the Cakobau government, 1871-4, in the Central Archives of Fiji and the Western Pacific High Commission. They are described and numbered in the archives' guide, *Preliminary Inventory, No. 1*; since, however, this is at present under revision, reference is not made to it below. The following items were of particular value:

- Chief Secretary—Outward Correspondence, General, of the Chief Secretary and Minister for Foreign Relations, 1871-4
- Chief Secretary—Outward Correspondence, General, September-November 1872
- Chief Secretary—Outward Correspondence, General, July-December 1873
- Chief Secretary—Naval and Consular Correspondence, Inward
- Chief Secretary—Correspondence between Consul March and Government Officials
- Ministry of Native Affairs—Inward Correspondence, General
- Ministry of Native Affairs—Outward Correspondence, General
- Executive Council—Inward Correspondence, General, January-December 1873
- Executive Council—Outward Correspondence, General, January 1872-August 1874
- Minutes of Cabinet and of Executive Council, 1872-4
- Despatches from King's Private Secretary to Premier and Chief Secretary, March 1873-February 1874
- Miscellaneous Papers

v *British Consul, Fiji*. Of this collection of papers, the following series were useful:

- Despatches to Foreign Office, July 1872-April 1876
- Inward Correspondence, General, July 1861-January 1874
- Outward Correspondence, General, March 1872-March 1874

They were collated with a miscellaneous collection of documents extracted from the consular archives by Sir Everard im Thurn and now known as the Im Thurn Papers. Of these, the documents in Bundle IV, which bear on Cession, are particularly important.

vi *Fiji Immigration Department: Government Agents' Journals*. Most of the records of this department, which would have been invaluable for a study of the labour traffic, have been destroyed. There survive in the Central Archives, however, the following sixty-seven journals, or fragments of journals, kept by government agents in labour ships between 1876 and 1914, as listed by the Archivist:

- 'Journal of W. Robertson, *Alarm*, No. 1, 1 May-22 August 1876', Solomon Islands.
- 'Journal of M. Murray, *Daphne*, No. 2, 16 April-3 September 1876', New Hebrides, Banks and Solomon Islands.
- 'Journal of T. Andrews, *Jessie Henderson*, No. 3, 5 June-4 October 1876', New Hebrides.
- 'Journal of C. Rudd, *Mary Eliza*, No. 4, 17 August-30 November 1876', New Hebrides.
- 'Journal of T. Andrews, *Rosamond*, No. 5, 17 October-13 December 1876', Line Islands.

- 'Journal of C. Rudd, *Dauntless*, No. 6, 10 January-23 June 1877', New Hebrides and Solomon Islands.
- 'Journal of C. Rudd, *Dauntless*, No. 7, 21 July-11 October 1877', New Hebrides.
- 'Journal of R. Haddock, *Marion Rennie*, No. 8, 24 June-28 December 1877', Solomon Islands and New Hebrides.
- 'Journal of W. H. Meader, *Patience*, No. 9, 11 December-4 February 1878', Line Islands.
- 'Journal of J. Gaggin, *Dauntless*, No. 10, 7 February-17 April 1878', New Hebrides.
- 'Journal of ?, *Patience*, No. 11, ? -4 May 1878', covers only.
- 'Journal of W. H. Meader, *Patience*, No. 12, 12 May-20 July 1878', Line Islands.
- 'Journal of F. Marshall, *Winifred*, No. 13, 2 April-10 June 1879', New Hebrides.
- 'Journal of F. Nicholls, *Agnes Donald*, No. 14, 18 August-27 October 1879', New Hebrides.
- 'Journal of ? No. 15, ? 1879.' Fragment, entries from 15 October to 10 December 1879, relating to New Hebrides.
- 'Journal of J. W. Taylor, *Patience*, No. 16, 5 October-10 December 1879', New Hebrides.
- 'Journal of J. Gaggin, *Marion Rennie*, No. 17, ? October 1879-17 January 1880', New Hebrides.
- 'Journal of C. Rebman, *Dauntless*, No. 18, 16 November 1879-19 February 1880', New Hebrides, Banks and Solomon Islands.
- 'Journal of F. Nicholls, *Dauntless*, No. 19, 4 April-6 July 1880', New Hebrides and Solomon Islands.
- 'Journal of F. Nicholls, *Dauntless*, No. 20, 4 April-6 July 1880', New Hebrides and Solomon Islands.
- 'Journal of J. Gaggin, *Stanley*, No. 21, 19 April-26 July 1880', New Hebrides.
- 'Journal of E. Wecker, *Winifred*, No. 22, 29 May-8 August 1880', New Hebrides.
- 'Journal of ?, *Flirt*, No. 23, ? -10 August 1880', front cover only. Pasted to the back of the cover is a list of employers by whom labourers recruited on the voyage were indentured.
- 'Journal of C. Rudd, *Au Revoir*, No. 24, 16 May-6 September 1880', New Hebrides.
- 'Journal of R. Whittard, *Rose*, No. 25, 10 August-14 October 1880', Line Islands.
- 'Journal of ?, *Tubal Cain*, No. 26, ? -25 November 1880', Solomon Islands and New Hebrides. Fragments only of the agent's journal of the voyage from 7 October 1880 to end.
- 'Journal of H. A. Mair, *Flirt*, No. 27, 24 August-26 December 1880', Solomon Islands and New Hebrides.
- 'Journal of J. T. Clay, *Winifred*, No. 28, 29 March-3 June 1881', New Hebrides.
- 'Journal of G. L'Estrange, *Windward Ho*, No. 29, 8 March-27 June 1881', New Hebrides.
- 'Journal of J. Day, *Sea Breeze*, No. 30, 8 April-19 July 1881', New Hebrides and Solomon Islands.
- 'Journal of ?, *Gael*, No. 31, ? -27 August 1881', front cover only.
- 'Journal of J. Gaggin, *Jessie Kelly*, No. 32, 9 July-13 November 1881', New Hebrides and Solomon Islands. Portion from 22 October to 13 November missing.
- 'Journal of ?, *Surprise*, No. 33, 16 October-26 December 1881', front cover only.
- 'Journal of A. Coates, ?, No. 34, ? -6 June 1882', Line Islands. Fragments only from 3 May to 6 May and 27 May to 6 June.
- 'Journal of J. Callaghan, *Loftus*, No. 35, 20 March-25 June 1880', New Hebrides.
- 'Journal of ?, *Winifred*, No. 36, ? -18 August 1882', front cover only.

- 'Journal of F. P. Bevan, *Surprise*, No. 37, 9 December 1881-19 July 1882, 27 July- ? 1882 (?)', New Hebrides and Solomon Islands. Agent's medical journals kept on two successive voyages. Last pages of second journal missing.
- 'Journal of R. J. C. Ferguson, *Jessie Kelly*, No. 38, 1 April-20 August 1882', New Hebrides.
- 'Journal of E. Reilly, *Oamaru*, No. 39, 1 July-6 December 1882', New Hebrides and Solomon Islands.
- 'Journal of T. Hoyt, *Mavis*, No. 40, 30 July-7 December 1882', New Hebrides, Banks and Solomon Islands.
- 'Journal of J. Croaker, *Albatross*, No. 41, 3 October 1882-1 January 1883', New Hebrides.
- 'Journal of F. P. Bevan, *Minnie Hare*, No. 42, 4 April-28 May 1883', Line Islands.
- 'Journal of G. Pilkington, *Midge*, No. 43, 6 April-21 June 1883', Line Islands.
- 'Journal of T. Fitzpatrick, *Windward Ho*, No. 44, ? -26 June 1883', New Hebrides. Fragment, from 1 May onward.
- 'Journal of J. J. Fletcher, *Hally Bayley*, No. 45, 11 April-9 August 1883', Solomon Islands, New Britain and New Ireland.
- 'Journal of E. Reilly, *Mavis*, No. 46, 11 April-19 August 1883', New Hebrides and Solomon Islands.
- 'Journal of J. Wood, *Midge*, No. 47, 29 June-25 August 1883', Line Islands.
- 'Journal of T. Fitzpatrick, *Windward Ho*, No. 48, 5 July-3 October 1883', New Hebrides.
- 'Journal of C. P. Croft, *Minnie Hare*, No. 49, 19 September-22 December 1883', Line Islands.
- 'Journal of ?, No. 50, ? 1883-January 1884', New Hebrides and Solomon Islands.
- 'Journal of F. P. Bevan, *Winifred*, No. 51, 10 October 1883-13 January 1884', Solomon Islands.
- 'Journal of T. Fitzpatrick, *Windward Ho*, No. 52, 11 October 1883-17 January 1884', Solomon Islands.
- 'Journal of J. J. Fletcher, *Winifred*, No. 53, 21 July-12 November 1884', Solomon Islands and New Hebrides.
- 'Journal of A. Coates, *Sea Breeze*, No. 54, 3 October 1884-30 January 1885', New Hebrides and Solomon Islands.
- 'Journal of A. Coates, *Albatross*, No. 55, 25 February-31 August 1885', New Hebrides and Solomon Islands.
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- 'Journal of T. Lockhart, *Elizabeth*, No. 59, 27 March-17 June 1886', New Hebrides.
- 'Journal of F. P. Bevan, *Albatross*, No. 60, 24 June-15 July 1886', New Hebrides.
- 'Journal of T. Lockhart, *Elizabeth*, No. 61, 26 October-8 December 1886; 21 January-25 March 1887', Line Islands.
- 'Journal of J. Stephens, *Eastward Ho*, No. 62, 10 November 1890-11 February 1891', New Hebrides and Line Islands.
- 'Journal of F. Otway, *Sydney Belle*, No. 63, 7 September 1895-24 February 1896', New Hebrides and Solomon Islands. Pages containing entries for 31 January to 5 February missing.

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 'Journal of W. R. Bell, *Clansman*, No. 65, 25 October 1908-17 February 1909', New Hebrides and Solomon Islands.
 'Journal of W. R. Bell, *Clansman*, No. 66, 14 February-3 August 1910', New Hebrides and Solomon Islands.
 'Journal of ?, S.S. *Moonta*, No. 67, 23 August-? 1914', New Hebrides and Solomon Islands. Fragment.

vii *Fiji—Colonial Secretary's Office*. The files of this department are fairly complete and they help to make up for the absence of immigration department files, since much correspondence was forwarded to the Colonial Secretary by the Agent-General of Immigration.

B Public Records Office, London

Colonial and Foreign Office Correspondence. The sources listed above were supplemented by reference to official minutes and interdepartmental correspondence in the Colonial and Foreign Office files of the Public Records Office, London. The following series were used (on microfilm):

- CO 83 Original Correspondence, Fiji
- CO 201 Original Correspondence, New South Wales
- CO 209 Original Correspondence, New Zealand
- CO 225 Original Correspondence, Western Pacific
- CO 234 Original Correspondence, Queensland
- CO 309 Original Correspondence, Victoria
- CO 422 Original Correspondence, New Guinea
- CO 537 Western Pacific Supplementary Correspondence, 1876-1897
- FO 58 Consular and Associated Correspondence, Pacific Islands

C National Archives, Wellington

i *Great Britain, Royal Navy—Australian Station, Records of the Commander-in-Chief*. These records, which constitute a major source, came to light in 1961 in the National Archives, Wellington, New Zealand, where the writer consulted them. Microfilm copies are now available at the Mitchell Library, Sydney, and the Australian National Library, Canberra. The following volumes were relevant to the present study:

- III-IX General Service, 1890-1909
- XIII Pacific Islands, 1857-76
- XIV Pacific Islands, 1877-9
- XV Pacific Islands, 1879-81
- XVI Pacific Islands, 1881-4
- XVII Pacific Islands, 1881-92
- XVIII Pacific Islands, 1890-4
- XIX Pacific Islands, 1896-1900
- XX High Commissioner, 1877-84
- XXI Kidnapping, 1869-75
- XXII Labour-traffic and Pearl-fisheries, 1873-80
- XXIII Printed Reports of Island Cases, 1888-92
- XXVIII Fiji, 1865-78
- XXIX Fiji, 1879-84
- XXX Fiji, 1862-72 (printed papers)

- XXXI Fiji, 1873-5 (printed papers)
- XXXII New Caledonia, 1870-83
- XXXIII New Hebrides, 1873-9
- XXXIV New Hebrides, 1885-8
- XXXV New Hebrides, 1887-91
- XXXVI French in New Hebrides, 1886-8
- XXXVII New Guinea, 1884-8
- XXXVIII New Guinea and Solomon Islands, 1886-92
- XXXIX Samoa, 1898-1900, i
 - XL Samoa, 1898-1900, ii
- XLI Samoa, 1892-4
- XLII Tonga, 1874-84

Files of correspondence: Northern Division Box; North Eastern Division Box

ii *Correspondence of the British Consul, Samoa.* Correspondence between the High Commissioner and the British Consul and Deputy Commissioner in Samoa which is to be found in the High Commission archives was supplemented by reference to the records of the British Consulate, Samoa, preserved in the Dominion Archives. The following series, in particular, were used:

- Series 1 Despatches from Foreign Office, Vols. I-VII, 1851-1902
- Series 2 Inward Correspondence, General, Vols. I-XXIII, 1847-99
- Series 3 Despatches to Foreign Office, Vols. I-X, 1848-98
- Series 5 Outward Correspondence, General, Vols. I-XVI, 1859-1901; Vols. XXII-XXIV, Deputy Commissioner to High Commissioner, 1877-84; 1893-6
- Series 7 Miscellaneous papers, Vol. III—H.M.S. *Barracouta*; Vol. IV—Consul to High Commissioner, 1876-83 (originals, returned to Apia from Suva)
- Series 9 Records of the High Commissioner's Court held at Apia

D Queensland State Archives, Brisbane

Labour Trade Material and Government Agents' Journals. These archives were searched, in particular, for material relating to the labour trade. The records of the Queensland Immigration Department have been lost, like those of Fiji, but, again, the files of the Colonial Secretary's Office, or—after June 1898—of the Chief Secretary and Premier's Office—contain much material on the labour trade. The records of the Crown Solicitor's Office also contain valuable papers thereon, especially:

- Accession 36/3656: Regina v. Barnard Williams and others re murder and kidnapping of Pacific Islanders by crew of the *Hopeful*
- Accession 36/3686: Regina v. Mills, Loutit and Burton re kidnapping by the *Ethel*, 1884

From these three sources nine government agents' journals have also emerged. In the Colonial Secretary's Inward Correspondence, General, series, at no. 291 of 1878:

'Journal of A. Nixon, *Bobtail Nag*, 11 April-13 August 1877'

In the records of the Solicitor General's Office, Accession 36/3654:

- 'Journal of J. A. Burrowes, *Ceara*, 31 December 1883-16 February 1884'
- 'Journal of C. Mills, *Ethel*, 21 January-15 August 1884'
- 'Journal of J. Lane, *Ceara*, 13 March-29 April, 1884'
- 'Journal of J. Lane, *Lizzie*, 22 December 1883-12 February 1884'
- 'Journal of J. A. Burrowes, *Lizzie*, 3 March-16 June 1884'
- 'Journal of T. A. G. Thomson, *Heath*, 18 July-21 December [1884]'

In the records of the Premier's Department, at no. 2840 of 1900:

'Journal of F. Gooding, *Roderick Dhu*, 2 September-28 November 1898'

In the records of the Chief Secretary and Premier's Office, Accession 44/9:

'Journal of J. K. Craig, *Clansman*, 3 June-11 October 1904'

Six journals kept by Government Agent John Renton between May 1877 and October 1878, when he was killed on Omba, are published in J. G. Marwick, *The Adventures of John Renton* (Kirkwall, 1935).

Some labour traffic material appears in Queensland, Letters to Governor.

The Queensland State Archives hold, also, some records kept by Polynesian Inspectors at Queensland ports. For Maryborough comparatively full records have survived; they consist of partially complete registers of arriving islanders, their agreements, transfers between employers, payment, their deposits in the savings bank, and return home. Some local correspondence also survives.

E Commonwealth Archives Office, Canberra

Material on Australian interest in the Pacific Islands. Valuable material on the subject of Australia's interest in the Pacific Islands before and, especially, after, federation was found in the following series:

Correspondence Files, Annual Single Number Series, 1903-1938

Correspondence relating to the New Hebrides, collected by the Department of External Affairs

Governor-General's Office, Miscellaneous Correspondence, 1900-1911

General Correspondence of the Department of External Affairs

Prime Minister's Department. Collected Papers relating to the Pacific Islands, 1897-1902 (Vols. 1-13, 33-36, 56-66)

Papers of the Department of External Affairs relating to the New Hebrides

II

OFFICIAL—PRINTED

A Confidential Prints

Foreign and Colonial Office Confidential Prints were, as a general principle, used only where originals in the manuscript sources were unavailable or had been destroyed. The following have been cited:

i *Foreign Office*

No. 2489 Proceedings of H.M.S. *Barracouta* at Samoa

No. 2591 Labour Traffic, 1875

No. 3372 Correspondence respecting Affairs at the Navigators' Islands 1876-7

No. 3846 Further Correspondence respecting Affairs at the Navigators' Islands

No. 4127 Further Correspondence respecting Affairs at the Navigators' Islands

No. 4285 Correspondence relating to Tongan Affairs

No. 5150 Pacific Islands, Further Correspondence, 1885

No. 5159 Pacific Islands, Further Correspondence, 1885

No. 5199 Pacific Islands, Further Correspondence, 1885

No. 5341 Pacific Islands, Further Correspondence, 1886

No. 5417X Extract of Report on the Condition of the Samoan Islands by Mr. J. B. Thurston, C.M.G., 1 October 1886

No. 5421 Pacific Islands, Further Correspondence, 1886

- No. 5527 Pacific Islands, Further Correspondence, 1887
 No. 5607 Secret Correspondence respecting Samoa and Tonga, 1886-7
 No. 5830 Pacific Islands, Further Correspondence, 1889
 No. 6311 Pacific Islands, Further Correspondence, 1892
 No. 8721 New Hebrides Commission, Minutes of the Proceedings of the New Hebrides Commission, held at the Foreign Office, London.

ii *Colonial Office*

- Australian No. 84. Labour Trade in the Western Pacific, by Commodore Wilson, R.N.
 Western Pacific. Australian No. 182. Correspondence [27 June 1902 to 26 May 1906] relating to Affairs in Tonga

B Parliamentary Papers

These were not often used, since instances occur when large extracts were omitted from papers, which are known in manuscript to the present writer, when—without any indication of editing—they were printed in the Blue Books. The following have been cited:

i *Australian Commonwealth*

- Steam Service to the New Hebrides etc. (Articles of Agreement between the Government of the Commonwealth of Australia and Messrs Burns, Philp and Co. Ltd), 1901-2, II, 1093.
 Colonial Conference, 1907. Minutes of Proceedings. 1907-8, III, 1365.

ii *Great Britain*

- Reports of Commodore Goodenough and Mr Consul Layard, on the Offer of the Cession of the Fiji Islands to the British Crown. 1874, XLV, 323.
 Papers relating to the Execution of a Native of Tanna on Board H.M.S. *Beagle*. 1878, XLIX, 517. Further Papers. 1878, XLIX, 529.
 Further correspondence respecting New Guinea. 1883, XLVII, 187.
 Correspondence respecting the Natives of the Western Pacific and the Labour Traffic. 1883, XLVII, 411.
 Report of a Commission appointed to inquire into the Working of the Western Pacific Orders in Council and the nature of the measures requisite to secure the attainment of the objects for which those Orders in Council were issued. 1884, LV, 781.
 Report by Sir C. Mitchell, High Commissioner for the Western Pacific, in connection with the recent Disturbances in, and the Affairs of Tonga. 1887, LVIII, 491.
 Appendix to Report by Sir C. Mitchell, High Commissioner for the Western Pacific, in connection with the recent Disturbances in, and the Affairs of Tonga, containing the further Inclosures to that Report. 1887, LVIII, 507.
 Correspondence relating to proposals for an International Agreement regulating the Supply of Arms, Ammunition, Alcohol, and Dynamite to Natives of the Western Pacific. 1887, LVIII, 663.
 Correspondence relating to the Convention with France, dated 20th October 1906, respecting the New Hebrides. 1907, LVI, 649.
 Further Correspondence. 1907. VI, 737.

iii *New South Wales*

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

- Report of the Intercolonial Convention held in Sydney in November and December, 1883. 1883-4, IX, 1.

- New Guinea and New Hebrides—Proposed Annexation of—Correspondence. 1883-4, IX, 141.
- New Guinea and New Hebrides—Proposed Annexation of—Further Correspondence. 1883-4, IX, 169.
- New Guinea and New Hebrides—Proposed Annexation of—Further Correspondence. 1883-4, IX, 171.
- New Guinea and the Unappropriated Islands of the Pacific—Correspondence. 1883-4, IX, 175.
- New Guinea and the Unappropriated Islands of the Pacific—Further Correspondence. 1883-4, IX, 183.
- iv *New Zealand*
- APPENDIX TO THE JOURNALS OF THE HOUSE OF REPRESENTATIVES
- Crimes committed in Islands of the Pacific—Papers relating to the Charge of Murder against Thomas Rennell, and to the Question of Jurisdiction in like Cases. 1879, Session I, A-3.
- v *Queensland*
- VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
- Recruiting Agents, and Introduction of Polynesians, 1878, II, 47.
- JOURNALS OF THE LEGISLATIVE COUNCIL
- Correspondence respecting Commodore Wilson's Report on the Labour Traffic in the Western Pacific. 1882, XXXI, Part 2, 449.
- vi *Victoria*
- PAPERS PRESENTED BY PARLIAMENT
- Correspondence respecting Affairs in the New Hebrides. 1891, VI, 879.

III

PRIVATE—MANUSCRIPT

- Auckland Public Library*
The Sir George Grey MSS. Collection
- Australian National Library, Canberra*
Atlee Hunt Papers
Murray Papers
Papers of John Slade, relating to the rescue of John Renton [W. E. Giles]: 'A Cruise in a Queensland Labour Vessel to the South Seas'
Despatches from the U.S. Consul in Apia, 1843-1906 (microfilm)
- Australian National University, Department of Pacific History*
Journals and Papers of J. T. Arundel
Des Granges Papers (microfilm)
- British Museum, London*
Stanmore Papers
- Department of External Affairs, Canberra*
Correspondence of the Commonwealth Solicitor, Vila
- Dixson Library, Sydney*
Letterbooks of Commodore J. G. Goodenough, 1873-1875
Correspondence of the Rev. Shirley W. Baker
Correspondence of the Rev. F. Langham
Correspondence of the Rev. L. Fison

Fiji Museum, Suva

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 Diary of R. S. Swanston, 1857-1866, 1874-1885
 Papers of R. S. Swanston

French Residency, Vila

- Papers relating to the history of French colonisation in the New Hebrides

London Missionary Society Archives, London

- South Seas Letters, 1865-1895

Mitchell Library, Sydney

- Diary of G. H. W. Markham, 1869-1874
 Diary of Commodore J. G. Goodenough, 1873-1875
 Diary of the Rev. A. Penny, 1876-1886
 Private Logs of W. T. Wawn, 1888-1900
 Diary of C. D. Whitcombe, 1890
 Journals, Letters and Papers of the Rev. George Brown, 1858-1917
 Shirley Baker Papers
 Papers of Colonel A. B. Steinberger (microfilm of originals in Samoa)
 W. L. Rees Samoan Papers
 Papers of Reginald G. Gallop

Registry of the Joint Court of the New Hebrides Condominium, Vila

- Applications, supporting papers and judgments of the Joint Court in land cases

Turnbull Library, Wellington

- Letter-Journals of Captain C. W. Hope, R.N.
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 Stout Papers, 1870-1929
 Papers of George Egerton Leigh Westbrook
 Papers of James Edge-Partington

Unilever House, London

- Papers relating to the Pacific Islands Company, the Pacific Phosphate Company,
 and Levers' Pacific Plantations Ltd

University of Delaware

- The George Handy Bates Samoan Collection

IV

PRIVATE—PRINTED

Annual Report of the Melanesian Mission

The Island Voyage (Melanesian Mission)

The Dayspring Reports (New Hebrides Presbyterian Mission)

Annales de la Propagation de la Foi (Lyons)

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