

R E P O R TON A CRUISE THROUGH THE WESTERN PACIFICon board H.M.S. 'Espiegle',18.5.83 - 3.10.83

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J. R. Le Hunte,Judicial Commissioner for the Western Pacific.Dated: Sydney, 10th October, 1883.From the Western Pacific High Commission Archives.

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island. The "numerous dead cocconut trees" mentioned in the Western Pacific Habicht's" cruise are not palms but large High Commission There are no food plants H.M.S. "Espiegle" except such as have been planted by the Sydney and this is but little. There is no water supply 10th October 1883, which from the appearance of the soil and vegetation, is probably

General Proceedings

No.1. 83

Sir,

I have the honour to report that in accordance with Your Excellency's instructions conveyed to me in Your letter dated 18th May 1883, I embarked that night in HMS "Espiegle" commanded by Captain C.A.G. Bridge, R.N. (a Deputy Commissioner for the Western Pacific) and left suva on the 19th, bound for a cruise in the Western Pacific Islands.

Rotumah

We arrived at Rotumah on 22nd May, and were visited by Mr. W.M. Gordon the Resident Commissioner. We sailed from there the next day, but the Chief Engineer (Mr. E. Lucas) dying on board that night, from bronchitis, we returned, and he was buried with the usual Naval honours the following day at Oinafa. We sailed again for the Ellice Islands the same day, 24th.

Ellice Is.

We anchored off Sophia Island (Nuirakita) on the 26th Captain Bridge and I went ashore in a small canoe (the only one on the island) which came off to us: there is no landing place for boats, and that for canoes is by no means a safe one in anything but the calmest weather. No man-of-war has, as far as is known visited the place before. The German man-of-war "Habicht" passed here in May 1881, but did not communicate. The only people at present on the island were a native minister, and a man from Waitupu Island, with their respective families: amounting in all to ten persons. The Waitupuan represented the "Company" which had been started by a Mr. Williams, at one time resident at Waitupu, for the purpose of trading; one of their operations being the cultivation of this small island which seems to have been unoccupied. We were informed that some of the Waitupu natives had been at work here but had returned to their island, and that some more were expected shortly in a small schooner called the "Waitupu Lemery" which belonged to the Company. Their representation here seemed to have great confidence in Williams, how well founded may be guessed from what I shall mention when I come to a peak of Waitupu. He showed us with some pride a flag which Williams had hoisted, and which had to us the appearance of being some relic of Masonic paraphernalia. This island is low and flat, at the most about one mile long by three fourths of a mile wide oval in shape, with an abrupt shore reef, broad steep sandy beach, and a thick belt of scrub surrounding the interior bush; the whole area, inclusive of the beach and scrub, may be roughly estimated at five hundred acres - only a very small portion of which is at present planted with some young cocoanuts and a few bananas. The only full grown cocconut tree we could discover was one very tall one, which is the most conspicuous object in the

Case of Mr. Williams Company of Waitupu.

Report of cruise by HMS. "Espiegle"

island. The "numerous dead cocoanut trees" mentioned in the report of the "Habicht's" cruise are not palms but large branching trees. There are no food producing trees or plants except such as have been planted by the "Company" and this is but little. There is no water supply except the rain fall, which from the appearance of the soil and vegetation, is probably not great. Great numbers of sea birds breed here, and the people we saw were curing their flesh (as well as that of turtle and fish) by drying it in the sun and smoking it, which may indicate that there are seasons when fresh food is not procurable. The difficulties of communication which, sufficiently great in themselves, must be largely increased in the case of shipment of produce, must be most serious obstacles to the success of the speculation as a business venture; while the additional facts of there being no permanent supply of fresh water or food, raised a considerable doubt in my mind as to the propriety of employing native labourers there at all - in fact as will be seen further on it is probable that no more will come, and were there not reason to believe that the London Mission Society are likely to send a vessel to visit their teachers there, I should say that the chance of the present residents there ever getting away again are extremely small. It is however possible that the Waitupuans may eventually colonise it and occupy it permanently.

Nukulailai
Mitchell
Is.

4. We arrived on Sunday 27th May at Nukulailai - the first of the atolls - comprising several narrow, cocoanut covered islands forming a circular figure more or less regular, enclosing a deep water lagoon several miles in length with a proportionate breadth. There being no passages, the ship anchored on a bank off the Northern end of the island. The Captain and I were taken on shore in a canoe by the "King's" son Timothy Tiu, a very intelligent young man, who though he had never been away from the island spoke English very fairly. Landing on the outer reef we carried our canoe across to the lagoon and proceeded to the village some few miles distant. We visited the resident Minister a Samoan, and the "King", as the Chief is generally called amongst these islands. His title is however the only attribute of power he possesses, his actual authority not being as great as that of the Chief of a village in any district in Fiji. The execution Government is vested in a body called the "Kau-Puli", which elects its own members, and makes and enforces laws for the Government of the whole community, penalties being fines of articles of native produce or manufacture. The population of this island is now only 140, it being one of those depopulated by the Peruvian vessels which kidnapped the greater portion of the inhabitants of the Ellice Group in 1865. As many as 250 were stated to us to have been taken from this island alone, none of whom - as we found to be the case elsewhere, had ever returned. There is reason to believe from other accounts, that owing to the mortality on board the ships very few arrived at the country where they were destined to be enslaved. The numbers of the population are now however increasing and the proportion of children we saw gives hope that, if they be spared the infliction of an epidemic disease,

3.

Report of cruise by HMS "Espiegle".

these islands may become as thickly populated as before. The Ellice islanders may be described as perfectly quiet and inoffensive - their religious authorities appear to me to be excessively strict in the ordinances which they impose on them. They are related to the Samoans and speak the same language. The exports of all these Atolls is naturally mainly copra, with a little sharks fins, tortoiseshell &c. Almost the only trees besides the cocoanuts being pandanus, of which there are several kinds, and either bread fruit, or jack fruit, pandanus fruit forms their principle food, they have various methods of preparing it and also of preserving it for use on their voyages, they cultivate sometimes with great labour, various kinds of taro - the water supply is, as a rule, bad and their ordinary drink is cocoanut "Toddy" is not so often drunk fermented as formerly, the Kau-Phili at the instigation of the Missionaries having wisely prohibited its use. There seem to be few diseases, the climate being dry and healthy. "The Tokelau-ringworm" is universal. There were no British subjects residing at Nukulailai: but a German trader (Schwanke) has a station at the south end of the largest island which was leased to him for a term of years, and is now the subject of a dispute with the natives who claim that the lease has expired. We sailed the same evening for Funafuti.

Funafuti
Ellice Is.

5. We anchored inside the lagoon at Funafuti - another large atoll - on 28th May. The population of this island is at present 174 (of whom a large proportion were children). 300 were stated to have been kidnapped from here by the Peruvian ships. The population reside in one village under the same form of Government as at Nukulailai. There is a remarkably fine Church here, and a resident Samoan Minister - as usual the most important person on the island - there is one native member of the Roman Catholic religion who complains that he is subjected to penalties, which threaten to extend to the seizure of his land - for not attending the Protestant Church. There were two or three traders whose names will be found in the tabulated statement attached, for which I am indebted to the courtesy of Capt. Bridge who is sending in a separate report to the Commodore. We found the traders for a large Auckland firm on several islands completely destitute of stores, and even the necessaries of life; the vessels that should have supplied them being many months over due. Captain Bridge relieved them to the best of his ability, but owing to the great length of the cruise in front of us, that was necessarily but a small assistance to them. One result of their being left in this distress is sometimes, that they are obliged to part with the produce they have collected for their own firm, to a rival one, in order to procure necessary supplies, thereby obtaining a character for fraudulent practices which is not always deserved. A matter was brought to my notice which may not improbably be the cause of difficulty in the future. Many of the traders are living with and some are married to - native women of the islands thereby obtaining the usufruct of lands belonging to her as a member of the tribe. Being subject to the local regulations of the Government of the island, fines have in some cases been imposed on these traders for breaches of the laws, and confiscation

Case of
destitute
traders.

Case of
lands be-
longing to
native
wives of
foreign
residents.

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of the woman's lands have been threatened. In other cases the traders having got into the debt of his employers they have sought to take these lands in satisfaction, and in one case a foreign firm has seized those of the wife of a bankrupt trader the seizure being strongly resented by the tribe to which they belong. In order to avoid this event, the trader has, in one case at any rate to my knowledge, had the lands conveyed by so called "deed" to the children of the intercourse, or marriage: and considers them now permanently secured to his family. It was admitted that in no case does the power to alienate land from the tribe exist in these islands. Having my instructions from Your Excellency in view, I refrained from giving my opinion or making any special inquiries into these matters when brought to my notice by the parties interested; but I think it may be useful to report them, in case questions may arise in the future, when they may help in arriving at a solution of the manner in which these purchases originally came about. We found the traders, generally throughout these islands, on good terms with the natives, but in many cases, for various reasons, on bad ones with the Missionary teachers.

Waitupu
(Tracy Is)

Case of Mr.
Williams &
the Waitupu
Co.

6. We anchored at Waitupu on 30th May, landing in a canoe through the surf. There is only one village, a large one with another very large Church. We visited the "King" and the resident Minister (of the London Mission) - a very dignified intelligent Samoan. An elderly man with courteous address. From information we received the case of the "Waitupu Company" and Williams seems to be this. Williams the son of the late British Consul in Samoa, was trading in 1880 at Waitupu as Agent for the German Samoan firm of Messrs. Ruge & Co. from whom he received a large amount of trade goods to be used in purchasing copra &c. for them. He then induced one hundred natives of Waitupu to form themselves into a trading company, and distributed a large quantity of goods amongst them. One of the arrangements was that the number of one hundred should be maintained and if one member died his place was filled by a new one. Thirty members at one time expressed their desire to withdraw but Williams though at first acquiescing, subsequently informed them that having once entered into the Company, they could not divest themselves of the responsibility thereby incurred. He then induced the Company to order from Messrs. Ruge & Co. the schooner of which I have spoken, of 21 tons, which was to cruise about and collect copra amongst the islands. In due course the schooner arrived and was named the "Waitupu Le Mele" (the meaning of which I did not discover). He further brought about the acquisition of Sophia Island, and condition being that one half of it was to be reserved for him. Having asserted that he was the English Consul, he presented the Company with a flag (a blue cross on a white ground with a dove in one corner) which he declared to be the English flag, and which would entitle them to recognition, and therefore I presume to protection as a British Company. In spite of advice they hoisted this and continued under the impression that what had been represented to them was true, until the Captain of the Mission Vessel "John Williams" (named after their promoter's grandfather), shewed them an English ensign, and they then discovered

Report of cruise in HMS. "Espiegle".

that they had been duped. Messrs. Ruge then appear to have pressed Williams, who had moved to Funafuti, (where we found his house, a good one, and comparatively speaking expensively furnished now in the hands of his creditors) for the money which he should have accounted for as the value of the trade he had disposed of, and the price of the vessel. There does not seem to have been any actual rebellious opposition to the King of Waitupu but when he tried to dissuade some of his Kau-puli, who had joined the Company, from rushing blindly into debt, they were prevailed to listen to Williams and not to him. It is not clear to me what part the resident Samoan Minister took - but having regard to the fact that they are practically omnipotent, I think that there can be little doubt that if they did not support Williams, they did not discountenance his proceedings at this time, although he subsequently appears to have quarrelled with them. Williams then appears to have induced eight of them to sign an agreement by which, the Company has undertaken to pay Messrs. Ruge the whole amount of their claims between \$13,000 and \$14,000 within three years: a task which, from what we could learn, is impossible for them to accomplish; eight years being the shortest time within which it was estimated it would be feasible. In default of payment their creditors threaten to seize their lands, which it is not by any means improbable to think Williams gave Messrs. Ruge & Co. to look to as their ultimate security. He himself appears to have become a bankrupt, and having handed everything including the Company over to Messrs. Ruge & Co. left the islands, and is now said to be in the New Hebrides or Solomon Islands in charge of some property belonging to some of his relations. We were informed that he had attempted to get up similar "Companies" in other islands of the Group; but the natives being fore-warned, his attempt was foiled. He is described as of very persuasive address. I cannot say whether he acted in this manner on his own account, or throughout as the Agent of Messrs. Ruge & Co. The only use the Company have had of the schooner, which they say they were never anxious to buy and which is utterly useless to them, is having sent her three times to Sophia Isld. with twenty or thirty of their number to commence cultivation there. She remains at present in the hands of Messrs. Ruge and Co. pending the completion of her purchase, the Company having already paid \$3,000 on her account, are debited with \$6,900 more for the balance of her price and the cost of her maintenance (although she is employed by Messrs. Ruge & Co. collecting copra amongst the neighbouring islands for their own benefit) Messrs. Ruge & Co. have offered to take her off the Company's hands and strike off the amount of \$3,000 from their claim which also includes a sum of \$6,000 for the goods which Williams distributed amongst them, for which they seem to have thought they would not be called upon to pay. In the event of the schooner being taken back the balance of the debt still remaining claimed will be about \$6,000, representing an amount of some 223 tons of copra calculated at the average rate of 2 cents per lb. The whole annual export of the island is estimated at less than 45 tons and the whole population at 430, of whom a large proportion are children. The natives seemed to be apprehensive as ~~the~~ to the seizure of their lands, but as the matter concerned a foreign firm,

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we could give them no counsel. I have reported this at length, as Your Excellency has already received information as to the existence of the company, and of Williams connection with Sophia Isld. I have stated the whole matter as we received it, and I have added nothing to that.

Two labour vessels from Fiji - the "Patience" Captain Plaice, and a schooner sailed by a Mr. Moore (of the firm Peats Bros. & Moore) called here this year but obtained no labour.

Gilbert Is.
Arorai

7. We arrived at Arorai on the morning of the 3rd June. Not finding any anchorage Capt. Bridge kept the ship under weigh while he and I went ashore, landing not without some difficulty on the outer reef, there being no lagoon or boat passage. Being Sunday, the strict rules as to Sabbath keeping did not permit any canoes to come off to us, but we were met on landing by two old men who conducted us to the village - there are three on the island containing a total population of 1,200. They were remarkably well kept, a fine broad road connecting them planted the whole way along with young jackfruit and other useful trees. This, as well as several other important improvements, is due to the energetic influence of the resident Samoan Minister (Samuela) a pleasant intelligent man. We found amongst other things at his place a good saw-pit and workshops where he is training some of the natives in practical carpentering and housebuilding: an example which one cannot help wishing was followed generally elsewhere.

Case of
Mr. McKenzie

8. We found the trader Mr. McKenzie, of respectable Scotch family, on very good terms with both the Minister and the natives. He made two complaints to Capt. Bridge, one, to the effect that the Kau-Puli (there being no "King" of this island, each village has a separate and independant Kau-Puli, these confederated enact the laws of General application to the whole Community) subjected him to their Sabbath keeping regulations, and would not permit him the use of a canoe to go on board any vessel that might call there on Sunday. The second complaint was not so much on his own account as on that of a former trader here - this was to the effect that the Kau-Puli had made a law regulating the price of copra, and had prescribed penalties for the sale of any below the "statutory" price. He requested the Captain's assistance, and quoted similar cases where the intervention of the Officer Commanding a man-of-war had been successfully obtained. Capt. Bridge replied that so long as there was no damage wrongfully done to the persons or property of British subjects, who of their own accord resided in these islands, he did not see that there were grounds for interference on his part, with the internal laws of a community, who possessed a body competent to legislate for their welfare and capable of carrying their laws into effect: and secondly that in no case would he feel justified, without grave cause, in taking action where a trade transaction formed the subject matter of dispute. He however recommended the Kau-Puli to use a certain amount of discrimination as to vessels which might call on a Sunday, for these might be in want of necessaries of many kinds, and without the assistance of the natives might be unable even to land. In order to shew them that Sunday was as much respected at seas as on shore he invited them to

Peru
(Francis J)

Case of the
"Orwell"
wreck (Hen-
ryson &
Macfarlane)

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come on board his ship which the Minister at once, and the Kau-Puli eventually accepted.

Case of
Mr. Moore
(Fiji)

9. Before re-embarking the Kau-Puli requested us to visit their Council House again for the purpose of hearing a complaint which they wished to make respecting the taking away to Fiji of a married woman about a year ago by Mr. Moore, whom I have mentioned then sailing a cutter the "Rose". The statement of Jiringa - alias "Bob" - who had been 4½ years in Fiji is attached. This was corroborated by others. They spoke badly of Moore and very well of Capt. Plaice - both had called here this year the former in the "Minnie Hare"; the latter in the "Patience" which obtained ten recruits. I informed them that their complaint should be reported to Your Excellency.

Nukunau
(Byron Is)

10. We landed at Nukunau Island on the 4th June but did not anchor. The natives were more numerous and rougher than those in the Southern islands. Their villages and houses are very inferior to those. The traces of Samoan origin or admixture disappear rapidly as we get further North. One of the resident teachers was, like many others throughout the Gilbert Group, a native of the Ellice Islands educated in Samoa. There are six villages forming a confederation, the population is 1,618 of whom about 1,000 are Christians. About 20 had gone to Fiji this year in two labour vessels (? "Minnie Hare" and "Patience"). We found an American schooner "Annie Briggs" (Kestel & Co. of Samoa) lying at anchor off the Southern end of the island and the trader who resided there came on board. He was a Mr. Meader, at one time residing with a partner Mr. Fox at Koroto, near the mouth of the Sigatoka river in Viti Levu, where they acquired an unenviable reputation. He had a similar complaint to make about the Sunday observance law but the Captain informed him, for the same reasons he had given to Mr. McKenzie, that he could not interfere, and moreover as he was not a British subject he could not properly entertain his case.

Case of
Mr. Meader

Peru
(Francis I)

11. We anchored off Peru Island on the morning of the 5th June. This is an atoll island comprising three confederated districts - Population 2,675 all Christian living in eight villages. About 250 were away at work in Hawai, Tahiti and Fiji. Three Fiji vessels had called here this year. The "Midge" recruited 38. The "Minnie Hare" 7. "Patience" none. Fiji appears to bear a good and increasingly better name amongst these islands, the ameliorated condition of the labourers there in recent years being specially mentioned. The average wages earned by the natives of Peru at Hawai I was informed is \$6 per month, at Tahiti \$8, and as local labour making copra at the station of the traders, two shillings per diem. The average annual export of copra is about 80 tons.

Case of the
"Orwell"
wreck (Henderson &
MacFarlane)

12. The principal object in calling here was, (in accordance with Captain Bridge's instructions) to make enquiry into the case of the plundering of the wreck of the "Orwell" schooner belonging to Messrs. Henderson and MacFarlane of Auckland, to obtain the restitution of whatever missing property could be discovered in the possession of the islanders, and to inflict on them a fine or such other punishment as might on enquiry appear expedient. Messrs.

Report of cruise by HMB "Espiegle".

Henderson and MacFarlane were represented here by a Mr. Volleiro, an Austrian, formerly trading at Bega and Na Vua in Viti Levu, and a Mr. Prout an Englishman, formerly resident in Tahiti and New Zealand. At Captain Bridge's invitation I accompanied him to the village where the wreck was plundered, and I was glad to be of any use to him on this as on any other occasion. After a short time the Kau-Puli of the district being assembled in their Council House we proceeded there, and by means of the interpretation of Mr. Volleiro and the resident teacher - a young intelligent man from Nui in the Ellice Group, the Captain investigated the circumstances attending the wreck and her subsequent pillages. As this forms the subject of a special report from him to the Commodore I have not deemed it necessary to detail the proceedings; it will be sufficient to say that the result of the investigations were -

(1) That the master and crew were to some extent to blame for having virtually abandoned their vessel and cargo in the way they did, although it appeared that they did not intend to do so actually;

(2) That the natives were offered a reward if they would save the cargo and were cautioned against plundering, but that nevertheless they did pillage her, and that the other districts in the island shared equally with this one in the transaction, and must consequently be held equally responsible.

(3) That the original claim made by Messrs. Henderson and MacFarlane £1,587:11:0 was excessive - comprising as it did the full value of the cargo much of which was destroyed by the sea when the vessel was wrecked and therefore should not have been charged against the natives. Further that much had never been stolen at all, but was saved from the wreck; and lastly that a considerable portion of what had been taken by the natives had subsequently been restored. Captain Bridge finally decided that all the districts should pay to the British Government a fine which, while sufficient to act as a punishment for the present, and a deterrent for the future, would not be excessive or impoverish their trade. The amount was fixed at 600 bags of copra, equivalent to 30 tons, to be paid within three years. The value of this amount calculated at a price of £15 per ton in New Zealand may be taken as the equivalent of the amount of compensation Messrs. Henderson and MacFarlane claim (when reduced by inspection) was in our opinion equitably entitled to receive. The Kau-Puli were at first inclined to reject the decision on the ground that the loss of the vessel was no act of theirs, and that her pillage was only in accordance with their own usages and custom in the case of abandoned vessels. They eventually however decided not to risk the consequences of a refusal - which they were left to imagine no threat or intimation of what might happen being given to them on the one hand or any promise being made on the other of any mitigation, though it is our hope that should they faithfully perform the greater part of their undertaking, Her Majesty's Government may think fit to remit the remainder. An agreement was accordingly then made out in English and their own language, by which they bound themselves and the other districts to pay the above amount, which Capt. Bridge directed

Taputonea
(Drummond
Is.)

Case of
Mr. Garstang

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(in default of any other possible means) to be received by Messrs. Henderson and MacFarlane who were to account for it to the Commodore of the station - the question of their receiving any compensation being left for future decision by the proper authorities. I may state that our opinions coincided as to it being preferable to impose a fine to be paid to the British Government instead of an indemnity or compensation to be paid to the claimant in such cases. On this point I shall have occasion to speak more fully further on.

Taputonea
(Drummond
Is.)

13. We anchored outside the lagoon on the 6th June. This is a very long and very remarkable chain of islets running for a distance of nearly 30 miles in a Northwesterly line with a long lagoon on the West or lee sides. There are eight principal villages with a total population of between four and five thousand, having independent confederated Governments such as I have described. I may remark here that in the Ellice Islands, the Kau-Puli are mostly taken from the younger men of the tribe - they are the "ovisa-nikero" or the village "police", and the fines which they impose are distributed amongst them. I am led to doubt whether this was their original or natural form of Government and to think that it was an introduction of the Native Missionaries who found that the young men were more ready to enforce new laws on the community than the older ones - especially as they reaped the direct benefit of the penalties. This view is not inconsistent with the fact that at Arorai, the Kau-Puli was composed entirely of old men, no young person being admitted as a member of it; that at Peru island the present "Police" Government, to borrow the term by which it is commonly called, had but recently supplanted the old Government which was composed of a body of elders who were landholders - this is called the "Maniap"; and lastly that at Taputonea, the "Police" system was only introduced a short time ago after the arrival of the Hawaiian Missionaries; and, after one trial, as soon as these teachers had departed, had been rejected by the entire community, who dismissing the Young "Police", resorted to their older "Maniap" Governments. The Northern and Southern portions of the island were formerly at enmity - a fact of which the two Hawaiian Missionaries Larlimi, and his less culpable brother Kapun, took most iniquitous advantage, leading the North on a religious crusade against the South, massacring, in some cases with gross atrocities, a number of both sexes, estimated in all at 1,500 persons. A journal which was kept at the time was placed in my hands giving an account of what took place and I found no reason to doubt the facts there stated - Your Excellency will doubtless recollect the account of this outrage having been published in a London daily paper, in July 1881, as having taken place in Fiji. The society (The American board of missions) withdrew these two men, and have not yet replaced them. I believe however that they intend to send others there this year.

Case of
Mr. Garstang

14. On account of the seizure, at the time of this crusade, by the natives at the instigation of Llalime of some "arms" (which turned out on enquiry to be one revolver), and injury to some other property, belonging to a British subject, Mr. Garstang, a trader

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Case of Mitchell killed at Pleasant I.

here - (the arms of another trader, a German, having also been forcibly taken from him at the same time) Captain Maxwell, R.N., who visited this island in HMS "Emerald" in May 1881, imposed a penalty of 5,000 coconuts - somewhat less than a ton of copra - to be paid as compensation to Mr. Garstang, by the whole island. Mr. Garstang having however received only one payment of 500 nuts from the village where he resides now applied to Captain Bridge to enforce Captain Maxwell's decision. I will not here again detail our proceedings, it is enough to say that we interviewed the "Maniap's" of the two principal villages and after considerable difficulty, the negotiations occupying two days, they paid the remainder of the indemnity. It is only fair to Mr. Garstang to say that he was as anxious as the Captain was to avoid the use of any force - which fortunately was unnecessary. I say most fortunately, for it cannot be doubted that many of the natives regarded the original order as an unfair one, as being of General application it confounded the innocent with those who had taken part in the affair - the districts and tribes being as I have said distinct; and in their case especially, those who were not concerned would feel the order to contribute the more grievous, as the acts for which they were being punished were those of their enemies. Captain Bridge's action was necessarily limited to enforcing the payment of the indemnity in accordance with the original decision, and it was only the considerate measures he adopted in the performance of this duty that avoided a result which must have been deplored. I do not presume to convey any reflection on the decision of Captain Maxwell, (whom I have the honour to know - and therefore the more to respect); and I have no doubt that he acted in the only way he could on the information he obtained; but I feel that the greatest care should be taken in making investigations (the difficulties of which are I am aware enhanced by want of reliable interpretation - shortness of time, and impossibility of delay) to discover the actual parties concerned in such a case and in imposing a general penalty, to see that those punished have shared in the responsibility for the commission of the offence.

ARABIAN (Hopper I)

15. A few of the Taputonia natives go to labour in Fiji and speak well of it. They were said to dislike Hawaii as so many of them have died there. Nor do they speak well of Samoa. The Hawaiian labour vessel "Julia" called here in February last but obtained no labourers. The natives and traders informed me that in November 1879, the French labour vessel "Buffon" took away several natives, who recruited as they were led to believe to go to Tahiti, to New Caledonia from which none have yet returned. I was only informed of this just before returning to the ship so I was only able to obtain the names of a few from the place I was then at. I informed them that I would report the case to Your Excellency but could give them no promise of what could be done for them in the matter. Another French vessel the "Venus", Captain Champion, called here in January 1880 without getting any labour.

Case of the "Buffon" French labour vessel.

16. I was informed here of the recent murder by the natives of Pleasant Island (lying about 460 miles West of Taputonia) of an Englishman called Mitchell, who had at one time served in the Royal

Report of cruise of HMS "Espiegle".Report of cruise by HMS "Espiegle".

with whom they had some internal dispute. They were expecting to Navy. From inquiries I learnt that this man bore a bad character, and that he had met his death when taking part in a native fight, being then under the influence of liquor. He had been resident, and there for many years and is said to have in possession at the time of his death of a considerable amount of gold, which is supposed to have been appropriated by another trader there - not a British subject - who has since left the islands. Our time being limited the nature of these circumstances did not call specially for a change in the route which the Captain had laid out, and which did not pass anywhere near Pleasant Island. The Pleasant Islanders, and more especially the women, were described to us as the finest in this part of the Pacific, and their island as exceptionally rich in native food and produce. These attractions have made it a favourite place of call, and draw there men of various nationalities of the worst character. The natives freely indulged in liquor and encouraged in every vice, and said to be fast decreasing. A Solomon islander, if I remember right, whom I met subsequently, and who had been a servant of Mitchell's at the time he was killed, stated that the place had become "too hot for Englishman to go there now" from which its condition may be inferred to be bad indeed. We sailed on the 7th for Apamama.

Makini
(Pitt I)

Marshall Is. Mills at the Southern end of the atoll, which is of very large size. We called off Apamama Island on the morning of the 8th June and were boarded by the resident Minister, a native of Makini Island. The population is about 3,000 - all Christian, Governed by a King, Pinoka, who is by no means a nonentity. He does not allow a trader to reside on Apamama, retaining the trade of the island in his own hands. He possesses a schooner and a well furnished house. A few years ago he successfully put down a rebellion and executed several of the ringleaders, he was described to me as of enormous size being too unweildy to walk. Finding that he was away at another island (Kuria) which as well as that of Aranuka - both in the vicinity of Apamama forms part of his dominion, and that there was no European residing here, we did not land; the distance to the shore across the lagoon being too great, and our time being too short to admit of unnecessary delay. Some of the natives here are at work in Fiji. Three labour vessels from Fiji and one from Hawai, were stated to have called here this year, but no labour was obtained.

Marshall
Is.

Mills
Apamama
(Hopper I)

ARBO

18. We arrived at Maraki on the afternoon of the 9th June, and finding no anchorage landed for a short time. This island is a small and probably the most perfect atoll existing - the interior lagoon, a beautiful piece of water some three miles long by one and half wide, being enclosed by a wooded belt unbroken save for a small boat passage. The natives were on the whole the finest and best looking people we saw on our cruise. The Government is vested in a tribune of elders, but a young lad was pointed out to us as the Chief personage on the island, and we were informed that his father, although not King, had occupied that position before him. The population is about 1,900 of whom 228 are Christians. They were at war with those of the neighbouring large island of Apaiang, and from what we could make out it seemed that some of their own people had gone over to Apaiang to bring an armed party against the others

Maraki
(Matthew Is.)

Sale of
arms &c.

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with whom they had some internal dispute. They were expecting to be attacked at any moment and had their canoes carefully housed on shore.

Case of
Mr. Byron

We visited the resident Missionary, a pleasant mannered Hawaiian, and the only Englishman on the island, a Mr. Byron, who has resided here for a great number of years. He had some complaint to make to the Captain about the wreck of the "Welcome Home" lost in these islands in June 1877; but he was, to speak plainly, so drunk, that Captain Bridge was unable to find out from him what the particulars of his grievance were. There were two other traders on the island whom we did not see. Several of the natives were at work in Hawaii, Tahiti, Samoa and Fiji. Nine had gone this year. A considerable amount of debt to the German firms for the purchase of arms &c. Messrs.

Makini
(Pitt I)

19. We arrived at Makini on the 10th June, and again failed to find an anchorage. On landing we found that the "King" and most of the people had just left for Butari-tari, to which this island is tributary. We found a Chinese trader here who had been in Fiji and possessed a certificate of naturalization in that Colony, his name is Ah Tai. We did not find out the population.

Marshall
Is.

20. We anchored at Port Rhin at the North end of Mulgram Is. on 13th June. The chief village where the "King" resides is at Mille at the Southern end of the atoll, which is of very large

Mille
(Mulgram I)

extent, it was too far off for us to visit. We visited a Mr. Giles Williams (American) who trades for a German firm. The population is about 1,300, all Christian, they are peaceable and have no firearms or if they did possess them they have discontinued using them and they do not evince any desire to purchase them. None are away now, though some have been at work in Fiji.

Arno

21. We anchored on the 14th June in Arno Atoll, opposite the trading station of Messrs. Henderson and MacFarlane where an old man-of-war's man, Douglas, resides. The population is estimated at between two and three thousand. The Chiefs of the island were at war with one another - this had been going on for about four years and although Capt. Maxwell R.N. had given his good offices towards bringing about a peace, it was still being carried on. The

Majuro
(Arrow-
smith I)

English traders were anxious that Capt. Bridge should, if possible, put a stop to it: as apart from a desire on their part for a feeling of greater security from injury, or from any sentimental wish for the welfare of the native population, these wars, though carried on in a very desultory way, are often very prolonged; and the continual raids and destruction of property, with the total stoppage of local labour, result in a considerable diminution of the production of copra and a consequent loss to merchants, traders and natives alike. It is the opinion of several of those we saw that the temporary gain on the sale of arms and ammunition at a high price - is more

Sale of
arms &c.

than counterbalanced by the ultimate damage to the copra trade. I am inclined to think that the traders for the German firms are not generally of this opinion, preferring to make large profits from the demand for arms at the time. I obtained the following list of prices for arms here :-

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Snider Rifles	£4
Remington	£15
Martini Henry	£20
Winchester	£20
Cartridges 10	\$ 1
Caps 100	\$ 1

The amount of copra which the above prices represent to the natives may be calculated at from 1 to 1½ cents per lb., the trader receiving from 2 to 3 cents per lb. from his principal. The average sale of rifles during the war was stated to be in this island about thirty per annum. The island is involved in a considerable amount of debt to the German firms for the purchase of arms &c. Messrs. Henderson and MacFarlane's agent for this part of the Pacific - Mr. Carr, who resides at Májuro Island and who appeared to be a very respectable and well educated young Englishman, requested that if any definite order was made by Her Majesty's Government as to the sale of arms in the islands he might be notified of it through his principals, for though he was personally anxious to see it stopped he could not fairly prevent his traders dealing in them for their own benefit as long as those of rival firms continued to do so, unless the order of prohibition was issued. It is needless to say that Captain Bridge was only too glad to try to bring about a reconciliation and with that object formerly interviewed their "King" "David", who however at first declined to make peace; but subsequently, after being strongly advised to do so for the sake of himself and his people, and being warned by the Captain that if in the prosecution of this war, damage should be done to British persons or property he would be held responsible for his refusal, he retracted and expressed his willingness to meet the Chiefs of the opposite party on board the ship. Accordingly the next morning Captain Bridge and I visited the latter, the head of whom is Lajim and succeeded in getting them together on board, where friendship was made between them, which if not permanent it is to be hoped may last for some time.

22. Hearing from the traders at Arno that a similar war was going on at Májuro Island, which they believed could be stopped in same way, Captain Bridge decided to go there instead of to Wotje - further North, and we anchored in the Southern end of the lagoon opposite Messrs. Henderson and MacFarlane's head station on the afternoon of the 16th June. This is their principal station, and the firm employ here some Europeans, and native labourers from various parts of the Pacific. The latter seemed well taken care of and contented. Two Fijians, natives of Ovalau have been in their employ for several years and have married native wives of the island they were both away in the "Mazeppa" which had gone to Auckland for supplies. I could not find out their native names as they are only known by the usual soubriquets "Bob", "Tono" &c. The population is about 1,500 of whom but a few are Christians.

The war here had been going on for several years in a desultory way; activity taking the form of raids upon the lands of the opposite party, and the "King" Iiberik had only recently started on an expedition from this end to the Northern part where he was

Report of cruise of HMS. "Espiegle".

now beseiging his enemies in their camp, and in the meantime living upon their land. The average annual export of copra had fallen from 350 tons to 200 tons, or nearly 50 per cent. Mr. Carr gave us every hope of success attending an attempt, and accordingly on the following morning accompanied by him and Mr. Reid, one of his traders who acted as interpreter, we proceeded in the steam cutter to the scene of action between 20 and 30 miles off. We first visited the attacking party and interviewed the "King" who at first did not seem to relish any interference in his own affairs, but eventually expressed his willingness to make peace if the other party were of the same mind. The fact of our having effected peace at Arno, with whose Chiefs he has relations, seemed to impress him considerably. We then proceeded to the camp of the beseiged about a mile distant which was found strongly fortified with a fleet of canoes - (indeed they should be called with greater truth vessels, they are so superior to any other canoes I have seen), drawn up in very striking array. The Chief Liliwa, at once expressed his desire to make peace, and it was arranged that both sides should meet half way between their camps. The captain remained with Liliwa while I returned to the King. Time and space will not allow me to enter further into the details of this most interesting day or to attempt a description of the touching scenes which occurred at the meeting of the long estranged relations and friends. We met with unexpected success, the two younger Chiefs of the opposite parties accompanied us to the ship, the elder ones remaining to talk matters over together. All seemed to think that the peace would be permanent - the Majuro Chiefs further consented readily to use their influence with their Arno friends, to maintain peace there also. The Majuro people are a dignified race and when dressed in a war array are a fine sight. We were gratified the next day on our way Westward, to Jaluit to meet the Kings war canoes returning at homewards.

Jaluit
(Bonham Is)

23. We arrived at Jaluit on the 19th June. This headquarters of the two German firms HERNSHEIM & Co. and CAPILLE & Co. (now or practically absorbed by the German SUDSU Co. of Samoa). The stations of both firms are large and good. There are two public houses, one kept by a German, SAUNDERS, the other by a negro, THOMAS TILTON, both are well supported by the trading vessels which constantly run here, and also I regret to say to a large extent by the natives. We visited Mr. WEIMAN, the acting German Consular Agent, the partner of Captain HERNSHEIM the Consular Agent who was at MATUPI (New Britain) and Mr. CAPELLE, the American Consular Agent, with whom Mr. PFEFFER the manager of the SUDSU Co. at Samoa was then staying. The only official business that occupied me here was a civil case CAPELLE v. TILTON which I have reported separately in the "Report of Judicial Proceedings".

Namerik
(Baring I)

24. We remained at Jaluit for four days coaling, cleaning &c. and proceeded on the 23rd June to the Carolines passing close to the island of Namerik on the 24th. Messrs. HENDERSON and MACFARLANE have a trader here, and we saw an English Ensign flying; but it being too late in the evening to send a boat on shore and there being no sign of any canoe or boat coming off to us, we were unable to communicate.

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Caroline Islands.
Kusai or Ualau.
(Strong I)

25. We arrived at Kusai on the 28th June. The population of this island is about 400. The Chief village being on the small island of Lili in Chabrol Harbour where we anchored. The King resides however at Coquille or Lee Harbour, on the other side of Ualau, the main island, where there is also a station of the American Mission. The island is the first high one we have seen since leaving Rotumah, it is picturesque in form and covered with bush. We were visited by the Rev. D. Pease and the Rev. Mr. Walkup, American Missionaries, and by the "King" a pleasant and intelligent man who had evidently received a considerable amount of education. He was interested about Fiji of which he had heard and asked me about the late Vunivalu. Fiji seemed to be known about these islands as a "Cannibal" country, even as far as Yap and Pelew. None of the people we saw except those in New Britain and the adjacent islands appear ever to have been cannibals. There are some very interesting stone ruins here, which however are not to be compared with those at Ponapi. We found here some canoes which had been driven with their crews by stress of weather from Mille in the Marshalls. It is only the superior character of these craft, which I have noticed before, that enable them to make these long voyages - by the straightest course Mille is more than 500 sea miles distant. They had however lost one and broken up a second for fuel on the way. They had been six weeks before sighting land, and five of their number had succumbed to want of water and exposure. Their charts which they make themselves and which are peculiar to a few of the Marshall Islands are very remarkable.

Ponapi
(Ascension Is)

26. We anchored in Metalanim Harbour at Ponapi on 4th July. As will be seen from the tabulated statement there are a considerable number of foreign residents there. The island is a fine densely wooded one, about 3,000 feet high. The population is estimated at between five and six thousand - in 1852 when the American Missionaries arrived the number was estimated at 12,000, the destruction was due to the introduction of small-pox. They live in small and not good houses built on stone foundations in detached groups of two or three, in a continuous line round the shore - never at any distance from, and generally close to the water, consequently the greater part of the island may be said to be unoccupied or unused. The island is divided into five principal districts, each ruled by a King, who is elected by an assembly, which includes in its body all the persons who may be eligible for election. The succession is somewhat irregular, it being possible for the person first entitled to be passed over, either on account of personal unfitness, or by the artful diplomacy of a rival. In accordance with a very generally prevailing custom, obtaining in all these islands, the King's son can never be king himself, the succession always passing to the nephew, or other relation, but his son (i.e. the King's grandson) may succeed. In this island all the Kings belong to a Royal Family from which the succession never passes. I gathered that a considerable amount of land is claimed here by foreign residents. A British subject, Mr. Knight, has started erecting a sugar mill in the hope that that industry may be supported by a San Francisco firm. For several causes such as the nature of the climate which is very humid - the character of the bush which covers the whole

Report of cruise of HMS. "Espiegle".

Greenwich
Is.
(Kapingam-
avangi)

Your Excellency, I enclose a copy of my letter to Mr. Romilly. This work occupied me during the greater part of our stay here, but I was fortunate in being able to visit the great stone ruins here, which are most interesting. A scientific account of them, by Mr. I. Kubary will be found in the Journal of the Gadefroy Museum, Hamburg 1874.

Nuknor
(Monte-
verde I)

29. Owing to the unfavourable weather prevailing at this season of the year in the Caroline Group, and to the uncertainty of obtaining coal at Yap, Capt. Bridge decided to strike South to Matupi (Blanche Bay, New Britain), coal there, and run up with the Southerly winds to Pelew. In consequence of the information we received of the Greenwich Island murders, we visited both Nuknor and that island on our way. We left Ponapi on the 7th July and arrived at Nuknor on the 10th. There being no anchorage for the ship, we lay off and on, while Capt. Bridge and I landed in the boat. This island is another of the atolls the passage into the lagoon is very narrow and deep, the ebb tide running strongly caused a dangerous tide-rip outside the mouth. The population is between 100 and 150: none are Christians. They are a very large race of man, (a great contrast to the generally small wiry natives of the Carolines and Marshalls who belong to the Micronesian rather than the Polynesian types). They are believed to have emigrated with the general move Westward from Samoa, with King Vave, the date of whose expedition serentipi[?] research has fixed at about five hundred years ago: and it is probable that they formed part of the large bodied race that colonised Maraki, thence Westward to Pleasant and Ocean Islands, and with a slight northerly deflection to Nuknor and Greenwich Island. It is remarkable however that while the language of Nuknor is that of Samoa it is not spoken by the Greenwich Islanders. We found a very intelligent trader here called Savai, a native of Nukufetau, (Ellice Group) who spoke English well. We went with him to the village where we visited the Queen, an old lady of enormous size, who had a fine family of children and grandchildren round her. The houses are similar to those of the Ellice Islanders.

St. John's
Island

Case of
John Rees
Greenwich
I. murders.
(contind)
Duke of
York Is.
(Meokb)

30. We succeeded in getting Seu and Nuli to accompany us on board, and from them I obtained detailed statements fully corroborating that made by Elaisa. Some of Barrows property is now in the possession of Seu. Seu made his statement perfectly voluntarily, describing in detail the murders of the two Nonouti natives by Rees and himself. He is I should say a dangerous man of very large size and bad aspect - though of very quiet demeanour towards us and perfectly self-possessed. Since his return from Greenwich Island he has taken the lives of two of his fellow islanders and being well armed is much feared if not respected, Savai was very apprehensive lest, as soon as we had gone, seu should kill him for having given us any information about these last cases. I therefore avoided making inquiries of Seu about them, and in fact as these had nothing to do with the matters that occurred at Greenwich Island they were therefore outside my inquiry. Both Seu and Nuli expressed themselves perfectly ready to give evidence at any time, and I informed them that it was not impossible they might be called upon to do so.

Report of cruise of HMS. "Espiegele".

Greenwich Is.
(Kapingam-avangi)

31. We arrived at Greenwich Island - another atoll formed by a circle of low coconut bearing islets separated by narrow intervals of tide washed reef. This explains the description given by Elaisa of the islands separated by a passage where Rees and Barrows respectively lived. There being again no anchorage Capt. Bridge and I entered the lagoon by the passage which is wide and deep enough for small craft, and sailed towards the village, lying about four miles across the water. On the way we met a canoe in which were five or six large muscular men, two of whom embarked in our boat. On inquiry their names turned out to be Alukalai, the second Chief in the island and Ueke - two of the names given by Elaisa as those of the persons who actually seized Barrows and held him under water until he was drowned. Rees (according to seu) having suggested the artifice by which he was enticed from his house to the beach to look at some fish which were in a canoe. It was much to be regretted that no one spoke any English - the only instance during the whole of our cruise - and it required a great deal of patience to get the natives to understand the simplest question. Beyond ascertaining the facts that they knew Rees (Jack) and Barrows (George) and that Seu had killed two Nonouti men, we learnt nothing. They pointed out the place where Rees and Barrows had lived. A woman, Moivaka, had been mentioned to us by Seu as being able to understand some English: but whether from uneasiness at our visit, or whether he spoke the truth, Ueke informed me that she could not speak any at all, and we did not succeed in seeing her. We visited the village, or rather two, separated only by a few yards of tidal reef; the houses are similar to those at Maraki. The native name for the island is "Kapinga-marangi", which may be a combination of the same word "Maraki". The population we estimated to be about 150 under a "King" whom we saw.

St. John's Island

33. On the 15th July we passed St. John's Island, off the South East coast of New Ireland. We stopped and made signals, but no canoe came off to us, and we kept on our way. The island is fine and well wooded - it has a very similar appearance from the South to that of Ovalau from the West. We met, near here, a steamer the "Hoihou" bound from Foochow to Wellington, and sent letters on board her. I was unable however to send Your Excellency any official report by her.

Duke of York Is.
(Meokō)

34. We arrived at Meoko, Duke of York Is. on the morning of 16th July; but finding that there was no coal there at present, we proceeded to Matupi, a small island in Blanche Bay on the New Britain side of the straits about 20 miles distant, where we found Captain HERNSHEIM, the German Consul, who has a large station here as well as at Jaluit. We were visited by Mr. Parkinson a German naturalist, formerly one of Messrs. Godefroy & Co's agents in Samoa, who is now residing near Matupi cultivating cotton, &c. As Your Excellency has doubtless received information from other and better sources, of these fine countries, for compared to the islands we have visited they may be so called, I will not occupy time now. Their population is very dense but with the exception of a few places on the coast they are entirely unknown to any one but perhaps one or at most two scientific travellers. They are the only people we saw who may be truly called "savages" - both sexes alike being

Report of cruise of HMS. "Espiegle".

innocent of clothing and in nearly every case carrying arms (which is not the custom in any other place we have visited). They are however good tempered, though easily excited. Many talk enough English to act as interpreters; and I was much struck by the intelligent way in which they grasped the meaning of a question and the terse lucid reply they returned.

The Wesleyan Mission have a station at Port Hunter in Duke of York Is. and teachers at several places on the neighbouring coasts. I visited the resident teacher at Matupi, a Fijian Ratu Livai a native of Toko Toko in Rewa.

Case of
the "Fanny"
off
New Ire-
land.

Case of
the "Fanny"
Labour
vessel
(Queensld)
at Nodup.

35. Capt. Bridge had received a letter at Meoko from a Capt. Wawn, Master of the Queensland labour vessel "Fanny", reporting an attack made upon him and some of his crew by the natives of Nodup, a few miles from Matupi. We received information at the latter place which made it doubtful whether the facts were really as represented by Capt. Wawn; and the next day Capt. Bridge, Mr. Parkinson and I went round by boat to Nodup. We had very little difficulty in getting the natives there to tell their version of the affair, which Your Excellency will see from the papers attached is not an improbable one. Both Capt. Bridge and I were satisfied that the main facts of the case were as follows. Two natives of Nodup, Tobaripa and Tokalulu, were induced by Capt. Wawn to go in his vessel as "interpreters" to recruit labourers in various places on the New Britain coast, that they were taken, against their inclination, to Man island, some twelve miles distant from Matupi - with the natives of which place they were at enmity - that they left the ship in two boats, and that on landing one of them (Tokalulu) was immediately killed by the Man Islanders, that his body was recovered by the second boat (the story told by Tobaripa differing materially from that of the Captain's official log as to the recovery of the body) and that in spite of the protestations of the survivor the Captain insisted on throwing the corpse into the sea. We do not believe Captain Wawn's statement that Tobaripa concurred in this, as there was every reason why he could not have done so. The act was abhorrent to their customs of burial and to their natural desire to be satisfied as to the cause of the death of their fellow tribesman. There was moreover no necessity for this act for the vessel reached Nodup at four o'clock on the same afternoon, the attack having occurred in the middle of the day; and therefore the body could well have been landed. All parties we saw, Traders, teachers, natives, alike agreed in this conviction that if Capt. Wawn had brought the deceased to his village and told the people how the accident had occurred, payment for the life (which is invariably required) would have been accepted and nothing further would have been done. As it was the natives of Nodup on learning what had occurred and how the body had been disposed of, became irritated, then excited, and finally the enraged brother of the deceased threw a spear which wounded the Captain. The boats' crew (Tanna men) at once opened fire and the affair became general, fortunately no lives were lost, but Captain Wawn and the Government Agent, Mr. Fowler, were severely wounded. If the Captain had shewn the least consideration for the man who had lost his life, performing an unwilling duty, for him, or had shewed the least discretion in dealing with his relatives, he would not, in all probability, have

Case of
the
"Stanley"
Laughlan
Islands.

Report of cruise of HMS "Espiegle".

incurred this unfortunate result; and Captain Bridge decided, I need not say I concurred, that the case was not one in which he felt himself called upon to chastise the natives. I do not think however that his advice and caution to them will be thrown away.

Case of
the "Fanny"
off
New Ire-
land.

36. Talitua, the Chief of Nodup, made a statement respecting certain acts of the "Fanny" in the earlier part of the year when off the Western coast of New Ireland. His statement and that of another native are enclosed. I fear there is but too much reason to believe that the lives of those left to perish in the sea, were needlessly and ruthlessly sacrificed. I feel sure Your Excellency will agree with me in saying that the practice of sending away an armed boats' crew of such natives as Solomon or New Hebrides men - (usually picked up for the recruiting trip from their villages and returned by the vessel on her way home) in this case, or in any case, without a responsible European to restrain them cannot be too strongly condemned. The acts of these irresponsible savages, which are the natural consequences of such a step, are in many cases the cause of trouble between the islanders and the labour vessels. I am also confident that Your Excellency will further agree with me in condemning the practice, which seems to be very frequently adopted, of firing at, over, or near recruits, who are trying to desert (to use the term given to their escaping from the ship when they find that they do not like the reality as much as they did the idea of engaging). I need not quote cases where lives have been lost, whether purely accidentally or otherwise, by this dangerous act. The excuse seems to be taken as sufficient that the killing or wounding was not intended. The firing was only to frighten them, and the very probable consequences attending it are accepted as accidental. Until Captains of labour ships are forbidden to send away such crews, and until they are made really responsible for the acts of all the persons employed in their vessels or in the work of recruiting for them, these troubles will recur. It is within the power of every Captain to restrain his crew and prevent them from committing offences of this nature - if he cannot do so he should not be entrusted by any Government with the command of a labour vessel.

Case of
the
"Stanley"
Laughlan
Islands.

37. A complaint was made by Captain HERNSHEIM about the doings of another Queensland labour vessel, the "Stanley", Captain DAVIES, at the Laughlan Islands, lying between the Solomon Group and New Guinea. I enclose a copy of Captain HERNSHEIM'S letter to Captain BRIDGE - disclosing a tale startling even in the annals of the Pacific labour trade. As Mr. ROMILLY has reported this specially to Your Excellency, I need not dwell on the details here. The case is the more serious as it involves a question of direct damage to a foreign merchant, who is moreover a Consular Officer. As appears from the statement of the crew which was received subsequently from the Rev. Mr. ROONEY, the "Stanley" appears to have been wrecked amongst the Solomon Islands. We have had no means of finding out what became of her recruits, a matter apt to be overlooked. Mr. ROMILLY informed me (I do not think it appears in his report) that the Laughlan Islanders were reduced to such distress after the visit

Report of cruise of HMS. "Espiegle".

of the "Stanley", that more than one vessel calling there took numbers of them away, who would have starved for want of sustenance if they had not gone as recruits.

Pelew Is.
Koror
Harbour.

38. There have been, as far as I am aware, no actual troubles with the Fiji labour vessels here this season. But the residents, and those who have been in a position to know, concur in saying that none of the New Britain or New Ireland natives have any idea that the length of service is three or more years; and it is feared that mischief may occur when the relations of those that have gone, discover that they are not likely to return as soon as they expect them. This season recruits appear to have been procured freely in these parts; and I regret to say that not content with this, there is evidence of underhand dealing on the part of some English Captains; for example in one case, procuring men under the notice that they were going to labour, for a few months with a German resident in the neighbouring parts; in another attempting to take away men who had been recruited by the Agent of a German firm, on whose premises they were living awaiting a vessel to convey them elsewhere, neither of which acts are calculated to promote the goodwill of foreigners towards us. They are however but the natural result of the great demand for labour, and the employment of any means to obtain it. A carefully veiled side of the picture so often portrayed to readers and audiences, the prosperity of England's tropical Colonies, and the extension of her influence in the South Seas.

(Korror)

Case of the
"Lilly"
HMS "Comus"
& "Lilly"

39. We left Matupi for the Pelew Islands on the 18th July. Having to husband our coals, and the winds being very light, we took a considerable time running up to with a safe steaming distance of the Group. We sighted the Admiralty Islands on 26th and passed close to the Hermit Islands. The German man-of-war "Carola" and "Hyæ" visited this place in the end of last year and inflicted a severe and somewhat indiscriminate punishment upon the natives for the murders of the Captain of the S.S. "Freya" (Hernsheim & Co) which got on shore here for a short time in 1881 and was fired upon by the islanders; and of a trader for that firm, an American called Southwell, whom the natives buried alive. From what I heard of his character, I can believe that his death was the result of his own conduct towards the natives. The number of persons killed by the ships was not accurately known, but there is a definite account of seven men and three women having been shot. Hermit Island is about the same size as Bega Is. near Suva. A trader who resided there a few years ago informed me that he had counted the whole population and that they amounted in all to 75. Since my arrival in Sydney I have been informed by Baron Maclay, who visited this place after the German ships had been there, that the remaining adults are 26 men and 21 women. 67 houses were burnt, 54 canoes destroyed as well as plantations of yams and taro, and great many cocoanut trees cut down. (The South Pacific Directory [1874] gives the number at between four and five hundred living on two principal Islands, Loof or Lub and Geloon). We also passed close to the Ezhiquier Group, a large cluster of islets - 53 are known - within a reef. The population is given in the South Pacific Directory (1872) at 800. They are enemies of the Hermit and Anchorites

Report of cruise of HMS. "Espiegle".

Islanders. We saw a canoe inside the lagoon, but there being no sign of any coming off to us, we left on our way.

Pelew Is.
Kowor
Harbour.

40. We anchored in Kowor Harbour in the Pelew Group on the 7th August - a century since the first English ship, the "Antelope" East India man-of-war, Capt. Wilson, was lost on the reefs on the Eastern side (9th August 1783). The two principal Chiefs of the Group are Abba - Thule of Kowor, superior Chief of the South and centre, and Arraklyo of Malegojok in the Northern part of the main island of Babelthaob. Malegojok being the older but now the weaker of the two. Ever since the time of the "Antelope" being here until now, war has been going on between the two Kings - successive Abba - Thules one after the other - that being the titular name of the King of Kowor - seeking for the sovereignty or rather suzerainty - of the whole Group, and Malegojak endeavouring to maintain itself against its rapidly increasing rival. Kowor with its harbour is able to monopolise the trade, and as it is the place ships naturally visit first the views which are impressed upon visitors there are apt to be adopted by them. Want of time and space exclude me from describing these beautiful islands which interesting to the most casual observer were doubly so to me from the many similarities they possessed to the primitive condition of the heathen parts of the interior of Viti Levu when I first went there. The total population is estimated at 3,000 all heathen, many have been to Singapore, Hong Kong, Manilla &c. and Spanish is spoken fluently by the older ones. They are however decreasing fast I fear, their social customs being most antagonistic to an increase.

(Korror)

Case of the
"Lilla"
HMS "Comus"
& "Lily"

41. The principal object of our visit here was to make enquiries into the affairs of the wreck of the "Lilla" a schooner belonging to O'Keefe & Co. of Yap, which was lost on the Northern reefs on 28th July, 1880 and plundered by the natives of Arrakalong - an adjoining dependency or ally of Malegojok. On account of this the Admiral in Command of the China Station despatched HMS "Lily" Capt. Grove, who after enquiry imposed on the Northern division - holding Arraklyo responsible for all - a payment of various amounts of produce, in all of the value of \$4661, to be received by O'Keefe & Co. as compensation. This sum which was no less than £1 per head of the total population of the punished districts, and, taking a very liberal estimate of the proportion of able bodied men, exceeded £3 per head of those, seems to have been severe; and still more so, when a calculation is carefully made of the value of the schooner's cargo - of what was subsequently recovered by the owners, and of the effects of the passengers and crew, the latter items in the claim appearing to be certainly excessive. This was followed by the despatch of HMS "Comus", Capt. East, and HM. Gunboat "Lily", Capt. Evans, in the early part of 1882. Delay having been made in the payment - nine months having been specified by Capt. Grove - and some want of attention to Capt. East's demands having apparently been shewn, it was deemed necessary to employ forcible measures. Accordingly an armed party from both ships together with several Kowor "allies", were landed and occupied the villages of Aukashar and Malegojok. In pursuance of the

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same mode of action it was further deemed necessary to blow up with gun cotton several of the large Council or Club houses. Most remarkable buildings of solid timber - of great size and superior workmanship, many of them of great antiquity were ornamented with most curious coloured representations and carved figures, a loss which apart from any sentimental value attached to what never can be replaced, was a severe one from their purely intrinsic value, that of the fourteen which were destroyed were estimated at a low value to be equivalent to \$4,900, on the spot. Malegojok suffered the most for besides all its "public buildings" the private houses were destroyed, I believe by the Kowor "allies" against the orders of Capt. East. Not the slightest opposition was shewn by the natives and the parties returned to their ships without having encountered an enemy. The history of our relations with Kowor after the wreck of the "Antelope" is very instructive as shewing how the Abba - Thules have ever made use of English Captains to further their attempt against Malegojok, and there is reason to think that the case of the "Lilla" afforded another instance of this. Capt. East's agent throughout the negotiations was a Mr. Gibbons, a West Indian of colour, who has lived many years at Kowor and has married a native of the place, and may be looked upon as by no means independant of Abba - Thule. Mr. Gibbons was entrusted with the duty of receiving the produce and delivering it to O'Keefe & Co., but in reality, the stuff remained on the hands of the natives until such time as O'Keefe & Co. might send a vessel to collect it, and complaints had been made by one party that the quality was not in some cases sufficiently good, by the other that it had been left so long waiting for collection that it had naturally deteriorated. It seemed to us remarkable that Arrakalong, which was the district really to blame, had not been visited at all by the men-of-war, and while possessing much greater natural resources, was allotted a smaller proportion of the fine than the others, for an application on their part that they should be allowed to pay a sum of \$1,000, independently of Malegojok, had been favourably entertained by Captain East. The population of Arrakalong may be estimated at 250 of whom at least 1/5th may be said to be able bodied. That of Malegojok may be said to be 450 of whom taking 1/3rd instead of 1/5th as in the other case in order to be beyond doubt, are able bodied: so that Arrakalong with 50 and rich productions, paid less than $\frac{1}{4}$ while Malegojok with much poorer resources, and certainly no proportionally larger number of men, had to pay the balance. This ceased to surprise us when we learnt that a secret message had gone from Kowor to Arrakalong promising the latter that if they would throw off their allegiance to Malegojok and become allies of Kowor, they should be treated leniently in this case: and accordingly once more is the Capt. of man-of-war made the unconscious means of strengthening the strong against the weak by the diplomatic Abba - Thule. I have no intention of criticizing Captain East's action; it would be improper and officious of me to do so - but I am of opinion that if Officers commanding Her Majesty's ships are to be employed in enforcing indemnities and compensatory fines from natives, there is the more need, from the weight their position carries, of their being most careful about accepting the opinions and views of any person, native or foreigner - who is interested in

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one side against another. There is moreover a grave objection to my mind, and I am not alone in this view - to the practice of giving compensation in these cases, in other words imposing an indemnity or demanding the payment of an amount the collection of which is left in the hands of the party to be indemnified. If it is, as must sometimes be the case, considered necessary to impose payments of produce by way of punishment, they should be "fines" payable to Her Majesty's Government, leaving the question of "compensation" to be granted to the party injured, to the decision of some proper authority. The person in question should not be allowed to have any voice whatever in the imposition, if possible in the collection, and certainly none in the disposition, of the penalty. It is easy to conceive the danger of real injustice being suffered by the natives at the hands of an unscrupulous person empowered by the force of man-of-war to collect a penalty for his own benefit. He and not the power which imposes the punishment, becomes the judge of the sufficiency of the people's effort to satisfy his demand and thereby fulfil their obligation.

Mr. Gibbons gave Capt. Bridge every assistance that was in his power and was, as far as I know, perfectly straight forward. But I do not think the whole of the facts would have been so clearly disclosed to us if we had not fortunately found Mr. Kubary (the celebrated naturalist, now working here for the Dutch University of Leyden) who was at this time residing at Malegojok, with the people of which place he has had for some years very friendly relations. I think it a matter of great regret that he happened to be away, on a visit to Iapau, when the ships came here - in all probability if he had been at hand and Capt. East had had the benefit of his services as well as those of Mr. Gibbons in this matter, he would have found it unnecessary to land a man or destroy a house. Since Mr. Kubary's return he had been helping his friends to pay off their fine as quickly as they could, advising them as to the allotment of the various shares of contribution amongst their different villages or sub-districts according to their capabilities. He complained on behalf of Arraklye of the unfairly light share allotted to Arrakalong as a separate and independent contribution, which was not in accordance with the duty which that district owed to him as their seignor Chief: and also, with very great reason, of the treatment his people received from those of Kowor, some of them having been a short time ago attacked and killed while occupied in the collection of produce on their reefs for the payment of this indemnity. Capt. Bridge, even before he met Mr. Kubary, had after a careful examination of the case, decided that as soon as the people had completed the payment of a certain amount of the fine the native money which they had deposited with Capt. East as a pledge and which Gibbons held and for which they would pay anything to redeem (a fact which might without difficulty be turned to advantage by a person in whose favour the security was pledged and who had voice in its redemption) should be returned to them; and that if Messrs. O'Keefe & Co. did not take delivery of the produce within a specified time, Mr. Gibbons was to dispose of it to the best advantage and retain the proceeds until further instructed by the proper authority. With this decision, which took into consideration the severe punishment already inflicted upon Malegojok and Ankashar, I entirely concurred.

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The native money of Pelew consists of small curious pieces of jasper and antique glass and china, they possess an extraordinary value in the eyes of the natives similar to that of jewels and precious stones to us, and for the same reason, their rarity, there being but a limited number of them on the island. It is probable that they were brought here many years ago by the first traders from the Chinese and Indian boasts. Equally remarkable, but from a very different point of view, is the native money of Yap which is all procured from the neighbourhood of Kowor. (Abba-Thule for political reasons retaining a monopoly of the supply). These pieces of money are disks of aragonite, a stone in appearance, like large crystals of quartz. I am not exaggerating the truth, or trespassing on the bounds of humour proper to an official report, when I say that an average sized Grindstone is smaller than an average sized piece of Yap money (called a "dollar") and that a millstone is not an extravagant comparison. We found no less than a hundred Yap natives at Pelew occupied in cutting these stones and preparing them for transport to Yap. Many exceeded 6 feet in diameter and were proportionally thick, having a large hole in the centre through which a log of wood is passed and this when laid across two canoes is sufficient to support the stone in transit. We had information of one piece, which was carried to Yap, being 9 feet 4 inches in diameter and weighed $4\frac{1}{2}$ tons. These extraordinary stones are set up in front of the owners house - his importance and wealth being betokened by the number of "dollars" he can set up.

Case of 42. In view of the object of our visit to Yap, I made enquiries D.D.O'Keefe. at Pelew as to the character which O'Keefe himself bore: and was somewhat surprised to hear him spoken of in terms of eulogy by the Pelew and Yap natives alike, and even by Mr. Gibbons with whom he is by no means on terms of friendship. Mr. Kubary also corroborated this, and expressed his opinion that whatever cause rival traders might have to complain of O'Keefe's sharp practice in business his present relations with the natives were creditable to him. This, in the face of the grave charges made by Mr. Guinness' statutory declaration, was as I have said a surprise to us: but I was not prepared to find these fall to the ground so completely as they did when we investigated them closely during our stay at Yap, as I shall mention further on.

43. King Abba-Thule made a complaint to me about the action of a Capt. Benjamin Gall, a British subject, now resident it is believed in Iapau, which occurred at Pelew several years ago. I append the statements made to me, but I could of course afford him no assistance in the matter.

44. Capt. Bridge was anxious if possible to put a stop to the destruction of life which is continually going on here owing to the intertribal wars, the invariable practice being to instantly decapitate a captured enemy and of this we saw visible proof while we were there. It was arranged that Mr. Kubary, Mr. Gibbons and Abba-Thule should accompany us in the ship to Malegojok to meet King Arraklye and the Northern Chiefs and if possible we would get them to enter into a formal treaty of peace.

Visit to
Malegojok.

Treaty
of Pelew.

Yap.

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Even here Abba-Thule's readiness to turn the slightest chance to his own advantage was shewn by the ingenious distortion of the message sent by the Captain to Arraklye, by one of the Kowor heralds (an office very similar to that of the "Matanivanna" of Fiji), which as we subsequently learnt was delivered in Abba-Thule's name to the effect that he was coming down in the man-of-war to make Malegojok stop fighting.

Visit to
Malegojok.

45. We anchored off Ankashar on 11th August and on the following day we had a very interesting walk with Mr. Kubary over to Malegojok where we saw most palpable evidence of the complete destruction of that village. We visited Mr. Kubary's house - where he kindly shewed us many proofs of his energetic scientific work. The fact of his residing at Malegojok had given offence to Abba-Thule, who made a formal complaint to Capt. Bridge to the effect that he had paid Mr. Kubary not to live there, but that the latter had broken faith with him. Mr. Kubary denied ever having made any such promise and stated that the payment to him, which was in the Pelew native money, and therefore of value to him as a collector, was made to obtain a promise that he would not supply Malegojok with more than a certain number of guns, some two or three which he gave them in payment for services rendered to him, and he declared that he had kept faith strictly. Both Capt. Bridge and I declined to entertain the case beyond receiving their respective statements, and the subject then dropped. Mr. Kubary is by nationality a Pole but resided in England for some time until he entered the employment of Messrs. Godefroy & Co. as a scientific collector for their museum in Hamburg. He possesses certificates of naturalization in the British Colonies of the Straits Settlements and New South Wales. On learning from me that they were not of any force outside those Colonies, he very strongly expressed his desire of obtaining a certificate of naturalization as a British subject in the Western Pacific. I recommended him to apply to Your Excellency, in case anything could be done for him, and also to make application to the proper authorities in England. At Mr. Kubary's request and on the production of his marriage certificate (his wife being the daughter of a half-caste native of Ponapi, her father being a European), Capt. Bridge gave him a certificate of the birth of his child in which his Colonial naturalization above referred to was stated, it being impossible to certify that the child was born of British subjects.

Trade
D.D.
O'Keefe
& Fr.
Davids

Treaty
of Pelew.

46. On our return to the ship the Chiefs were assembled on board and a short form of treaty which I drew up at Capt. Bridge's request was signed in English and Pelew (being translated into that language by Mr. Kubary and Mr. Gibbons), - by Kings Abba-Thule and Arraklye on behalf of their respective Chiefs and peoples. Captain Bridge strongly urged them, if ever wars were necessary, to give up the practice of taking the lives of their captives.

Yap.

47. We arrived at Yap or (Guap) on the 15th August and anchored in Toncil Bay - being the first English man-of-war that has ever visited these islands. Two German men-of-war have been here, the "Huertha" (Capt. Knorr) in 1876 and the "Habicht" (Capt. Kuhno) in 1881. The Russian man-of-war "Skobeloff" (Admiral N. de Kopitoff)

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visited the Pelew Islands in May last but did not come to Yap. This is a group of islands somewhat similar in shape to, but on a smaller scale than, the Pelew group. The latter is however poor in cocoanuts while these are covered with them. The annual export of copra averaging about 550 tons. The climate of both groups was spoken of as extremely healthy by the white residents and although at this particular time of year we found it intensely hot it was dry and pleasant a great contrast to the heat of Ponapi and Kusai which was damp and oppressive.

The population is estimated at between eight and nine thousand, these are four principal divisions the Chiefs of which are Liro and Fitting of Tomil, Garakok and Arungbe of Rül (both on the East coast or opposite side of Tomil Bay), Fornak of the North, a great warrior: and Fornaway of the West. The villages of Tomil and Rül are most picturesque; and both here and at Pelew large stone piers and causeways have been built by former generations. The natives of Yap have as I have already mentioned trading and political relations with those of Pelew and it is not impossible that they will eventually colonise Pelew: their own population increasing while those are as I have said fast diminishing. All are heathen, and here also we found active enmity between the rival tribes. Two natives living in the district of Rül were decapitated while we were there - one of them a boy surprised in his sleep. Once more Capt. Bridge who was readily and efficiently aided by Mr. O'Keefe, was successful in promoting peace between the Chiefs who assembled on board and agreed to discontinue their wars: and it was satisfactory evidence of their real intention to do so, to find that the killing of the two persons just mentioned, instead of being avenged by retaliation, was to form the subject of an inquiry by the Chiefs who were then going to determine on peaceable grounds what satisfaction should be made for the lives.

48. There are several foreign residents in the group representing the three trading firms. Hemsheim & Co, Capelle & Co, and O'Keefe & Co, their principal stations being on small islets in Tomil Bay. At that of O'Keefe & Co (Terang) there was ample evidence of energy and prosperity and in fact almost the whole trade of Yap and Pelew is in the hands of O'Keefe. He also has a monopoly for a nominal rental of the produce of St. David's Islands (claimed by the Dutch Government) from which he exports about 220 tons of copra per annum. There being no local labour at that place, the inhabitants having been almost killed off by the natives of Ternate and New Guinea, O'Keefe employs in making copra there natives of Yap and also of Sensoval or Pulo Anna (small islands which from the account of the natives are very poor and over-populated). They spoke well of St. David's, which they liked as there is abundance of food, and of their work there. No complaints were made about the old man, Terry, there, the charge made by Mr. Guinness, on enquiry, exculpated Terry entirely from causing or taking part in the death of the New Hebrides natives. The arrangement between the Yap natives and O'Keefe is that he conveys the money cutters to Pelew and with their cargoes back to Yap in consideration for which he obtains a proportionate number of labourers to go to St. David's for the term of six months. Both the Chiefs and the common people we

Case of Mr.
Parish
Thomas
Wylie.

Trade
D.D.
O'Keefe
& Sr.
Davids

Judicial
Proceed-
ings
(Civil)
Estate of
R.I. Abbott

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examined expressed themselves perfectly satisfied with this arrangement which had been faithfully carried out by both sides for a considerable time and is likely to continue as long as O'Keefe's interest in St. Davids, and this demand for Pelew stone-money in Yap, exists.

Case of Mr. 49. When at Pelew we had found a young man a native of Parish Scotland named Wylie, of by no means prepossessing appearance, who had deserted from an English barque, the "Fluellin", at Yap and had subsequently entered O'Keefe & Co's service as a sailor on board the junk or torcha "Wrecker", sailed by an American, Henderson, who if not actually a partner has some interest in the firm. Disliking this Wylie had left the "Wrecker" and was living on the hospitality of the natives and Mr. Gibbons, who did not give him a good character. Capt. Bridge offered to give him a passage to Australia, as a distressed British subject, which he accepted and was employed on board. When being questioned by me, Wylie made a statement to the effect that while the "Fluellin" was loading at Yap, the super cargo a Mr. Parish, who was superintending the weighing of the copra on shore, struck a native for some act of neglect or tardiness and was assaulted by the man's brother, that on hailing O'Keefe who was on board the barque he hastened ashore and with Parish and others commenced firing upon the natives. I at once informed Capt. Bridge of this in order that as Deputy Commissioner he might hold a preliminary enquiry and if necessary commit the case for trial before me. The case was heard the day following our arrival at Yap. O'Keefe being formally charged with the offence of shooting with intent to kill. The evidence given by the Europeans and natives proved that not only O'Keefe not fired on the people - had not even a weapon in his hand - and had taken no part in the firing, but that Wylie in all probability could not have seen the occurrence himself at all. Parish certainly did fire, but with a revolver and at such a distance that no one was struck - the natives in question were from a distant part of the islands, and on seeing the assault on Parish take place they were alarmed lest the Tomil natives, with whom they were not friendly, would join in retaliating upon them; and at once made for the main land across the shore reef, and had got to a safe distance before Parish had procured the weapon with which he fired. It is possible therefore that he acted in the usual foolish way of frightening them, without having any intention of killing or wounding any one. As however he had left in the Barque for England, his real intention could not be ascertained. Nothing further occurred in consequence of this firing, until this investigation, which resulted in the charge against O'Keefe being dismissed.

Case of D.D. O'Keefe. 50. I was occupied the whole of the next day in hearing an application made by a Capt. Holcomb, an American citizen, for the administration of the estate of a deceased British subject R.I. Abbott. O'Keefe & Co. being ordered to pay a sum of £103:17:0 into court. This is reported in the Judicial Proceedings. An action arising out of a trading transaction which was commenced by Holcomb against O'Keefe was by my advice settled out of Court. An application for a writ had been made to me at Jaliut by Messrs. Capelle & Co. & by their agent at Ponapi, Dr. Ingalls, to commence an action

Judicial
Proceedings
(Criminal)
Case of
Amery &
Shaw.

Case of
D.D.
O'Keefe.

Judicial
Proceedings
(Civil)
Estate of
R.I. Abbott

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against O'Keefe & Co. respecting a trading transaction at Sr. Davids and they had by my advice sent instructions to their representative at Yap, Mr. Swanston, (formerly in the Civil Service of Fiji and in the service of the Western Pacific High Commission) - to bring the action to trial at Yap. But in consequence of the delay on Mr. Swanston's part in making application to me, I was unable to give him any hope of my being able to hear the case to judgement, and he preferred not to take out the writ. Without in the least prejudging the case (and of course I have taken no evidence in it) I am inclined to think that there exists very small, if any, grounds of action, against O'Keefe whatever there might have been against one of Messrs. Capelle's agents - (a German) - who is now dead.

Judicial
Proceedings
(Criminal)
Case of
Amery &
Shaw.

51. On the 18th Captain Bridge as Deputy Commissioner held a preliminary investigation into a charge against two British subjects, Walter Amery a young man formerly in the Hawaiian labour trade - a dangerous school - and now trading for Capelle & Co. and Thomas Shaw, an old sailor trading for HERNSHEIM & Co. for having in conjunction with certain other whites, not being British subjects, and certain natives of Yap, levied war against the natives of Fal, in the Northern district, and having wilfully destroyed certain of their houses by fire. The case which will be more fully reported in the Judicial Proceedings, Report, was tried by me on the 20th (Sunday intervening) sitting with two assessors. The facts were shortly these, that Amery in consequence of a trade dispute with the natives of Fal had been violently assaulted and thrown into the water by certain of them; that an armed expedition (which included a "Gatling" or other machine gun) was made by all the whites (except O'Keefe who not only refused to join in it, but successfully exerted his influence to stop the Tomil natives from going) - and certain of the natives hostile to Fal; that they refused to accept the overtures of peace and satisfaction which the Fal people made to them; that they burned certain houses, and that then they fired into the bush, without inflicting any loss of life or wounding the Fal natives. The two accused persons were found guilty, but in consideration of the very exceptional conditions under which men live in these unvisited islands, and for other reasons which influenced the Court in its judgement in this particular case, they were treated leniently, and were fined and bound over to keep the peace for certain periods, instead of being sentenced to imprisonment.

Case of
D.D.
O'Keefe.

52. During our stay Capt. Bridge and I (sometimes together, but generally as we had opportunities irrespective of one another) collected statements from Europeans, natives of Yap, of Sonsoval, of Hermit Islands and others respecting the charges made against O'Keefe by Mr. Guinness: and I also afforded Mr. O'Keefe an opportunity of replying to the several matters stated in Mr. Guinness's declaration. All these papers are enclosed. The result of our joint enquiries satisfied us both - (1) that neither were the individual charges of cruelty and fraudulent conduct towards natives found. (2) That where offences had been committed at all, as in the shooting from HERNSHEIM'S vessel in Tomil Harbour, or the flogging of the Hermit Islander at Terang by Henderson, they had

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been wrongfully charged to O'Keefe.

(3) That there was evidence to show that the whole was the outcome of jealousy against the success of O'Keefe's relations with the natives. I would more especially direct Your-Excellency's attention to the concluding part of the statement made by one of his bitterest enemies, Amery, to Capt. Bridge, in which it is stated of him as if of a criminal, "During the last year O'Keefe has done more copra trade than any other firm in Yap, owing to his having the stone money mainly in his hands, and his being kind to the natives. O'Keefe has done his best to ingratiate himself with the Yap people principally the Chiefs. He used to bring at one time supplies, liquor &c. from Hong Kong to the white men at Yap. There is now not a white man on the island who speaks to O'Keefe". What Mr. Guinness's own character is may be gathered from the judgement given in Hong Kong in the action of Mr. Guinness v. O'Keefe, (of which I obtained the newspaper report, attached to these enclosures), from the affidavit of O'Keefe, and from the complaint of the natives of Guam. The New Hebrides natives now on board this ship speak of Mr. Guinness as a "very bad man" and of O'Keefe as having been "good" to them. The decision we arrived at was that there was no proof of O'Keefe having been guilty of ill-conduct towards the natives, or of his being dangerous to the peace and good order of the Western Pacific. While I say this much in justice to a man against whom such grave charges have so falsely and maliciously been made, I must not be understood, by any means, to have approved unreservedly of all O'Keefe's actions, nor to say that he has never given cause for charges being made against him; but it is certain that if at any time he was guilty of mis-conduct towards natives, of which we had no proof - he has, for some reasons best known to himself, wisely altered his behaviour in that respect completely. I censured him and warned him seriously about ever using, towards natives especially, the threat of appeal to a man-of-war; such as that which is evidently contained in the letter addressed by him to King Abba Thule and Gibbons Directing them to deliver his trader, whom he had ordered them to detain on the island, to one of his vessels, informing them that a man-of-war was about to visit Pelew, and that they had therefore better be careful. I also warned him that he would be held responsible for the good conduct towards natives and others of anyone connected with, or employed by him, and that such an act as firing in front of a canoe to stop it would be treated in future by the authorities as anything but the very slight matter it seemed to be looked upon by residents in this part of the Pacific. I further cautioned him strongly as to his relations with the Dutch Government at St. Davids, for I saw that he felt inclined to defy them to interfere with him, for in such an event he would obtain no moral or actual support from his own Government. I recommended him, if he thought it worth his while, to continue his trade there, which must be very remunerative to him, to come to a proper arrangement with the Sultan of Temati, the authority through whom the Dutch Government carry out their measures there. With regard to his disputes with rival trading firms, I said that apart from my not feeling competent to offer advice in such matters, it was entirely outside my functions, but that with the advantage he

32. 31.
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held he ought to be able to avoid them; and that in any case honesty with all alike would eventually repay him best.

Case of
New Heb-
rides lab-
ourers -
O'Keefe.

53. On our visiting his station we found some of the New Hebrides men referred to in Mr. Guinness's declaration. Your Excellency will see from their own statements and that of Gibbons how they entered O'Keefe's employ. They made no complaint against him and appeared to be well cared for and healthy. As however they had not the slightest chance of ever returning to their homes from Yap, Capt. Bridge offered to give them a passage in his ship to Sydney, where it is hoped that arrangements may be made with the Mission Societies to return them in their vessel. With the exception of one (Charlie) who expressed his desire to stay with O'Keefe (having probably a native wife of the island) they embarked and were employed on board. The Hermit Island native had voluntarily stayed behind for a similar reason on the occasion of the return of his companions, but as O'Keefe had taken, originally, him from his island Capt. Bridge, acting on my advice, required him to enter into a bond to return him within a stated period. I drew Mr. O'Keefe's attention carefully to the Provisions of the Pacific Islanders Protection Acts respecting the conveyance or employment of native labourers. I had no reason to think him guilty of any offence against these laws, but thought it well to impress upon him the fact of the responsibility which is incurred by persons concerned in this. I think I may leave his case here, merely saying that his industry and energy and are doing good to the natives and their island as well as to himself.

Case of
John Rees
Green-
wich Is.
murders

New
Britain.
Natupi

54. A fine German barque arrived from Hong Kong for O'Keefe & Co.'s copra while we were at Yap, by which we were able to send letters to England; but it was not of any use for forwarding letters to Fikji, via Hong Kong and Sydney by her as in all probability we should arrive at Sydney as quickly ourselves. Before concluding this report on Yap I may suggest that in view of the possible further extension of the effective powers of the High Commission it might be worthy of consideration whether a Deputy Commissioner should not visit the "Carolines", Yap, Pelew &c. at reasonable intervals, say every two or three years. Owing to the prevailing Easterly and North Easterly winds through the Carolines from October to April the most feasible way would be to start from Jaluit (where stores of all kinds, and coal if necessary, can be procured), which is in communication with Samoa and could be reached from there if by no other means. From Jaluit arrangements could be made with one of the trading vessels to touch at all the most important places in the Carolines on their copra collecting voyages through that group - there being traders on almost every island - finally arriving at Yap, where again stores & if pre-arranged coal, can be procured (we fortunately obtained a small supply of excellent English coal here - its advantages as a coaling station are considerable). From Yap O'Keefe's & Co's vessels trade to the Admiralty, Hermit & St. Davids & Pelew groups and from Yap communication with Hong Kong is direct. This would occupy of course several months. I have not reckoned here on the help of a

Duke of
York Is.
Meoko.

recruiting in New Britain and New Hebrides, and of which either Natupi or Meoko or both I think it might be desirable that a

Report on cruise of HMS. "Espiegle".

man-of-war; in that case of course, the undertaking would be a matter of comparative ease, and if the Officer commanding was a Deputy Commissioner it would relieve the High Commissioner from the necessity of supplying another for the same duty from its effective numbers, which as it is are but too scanty for the work to be done. This is merely offered as a suggestion which is capable of development into practical shape, if it is ever thought worth while to give these islands the attention they deserve.

Treasury
Is.
Case of
John Rees
Green-
wich Is.
murders

55. We received information here of the loss of the schooner "Caroline" (before mentioned) on the island of Farrilap about 400 miles to the Eastward of Yap near the larger island of Ouleay or Wolie: and that Capt. Becker and his crew were making their way back to Ponapi in their boat, but that Rees had remained behind at Farrilap where there are white traders. It was most unfortunate that owing to the ship's stores becoming short and the supply of coal very small, without the certainty of getting more at Meoko or Matupi, we were unable to go there. I can only trust that some fortunate accident may lead to Rees being brought to justice for the great crimes that it seems undoubtedly he has committed.

New
Britain.
Natupi

56. We sailed from Yap on 21st August and arrived on 3rd September at Matupi where I was very glad to unexpectedly meet Mr. Romilly, who had arrived about a month before in the Fiji labour schooner "Meg-Merrillies" and was waiting for an opportunity to proceed to New Guinea. In the meantime he was visiting the neighbouring coasts and contemplated going across to New Ireland. As he hoped to visit the Carolines this year I handed over to him all the papers in the Rees case so that he should be put in full possession of the facts.

Duke of
York Is.
Meoko.

57. Finding that there was now an ample supply of coal at Meoko and that mails were awaiting the ship there we proceeded without anchoring to that place, with Mr. Romilly on board, and arrived there the same afternoon. There were two French priests and a lay brother here, one of whom had been sent out to the Marquis-de-Ray's ill-fated settlement in New Ireland. They were in great distress, two of them having lost all their effects in their house which had been burnt (by the New Britain natives they said) and all of them being in a state of ill health. They were at present subsisting on the generosity of the resident Europeans at Meoko. They applied to Capt. Bridge to assist them to get back to Australia, and he eventually decided to afford them a passage to Sydney. There were no less than 170 recruited labourers engaged by the Suda Co. of Samoa awaiting a vessel to take them there. She fortunately arrived while we were crossing to Meoko, that day bringing English mails via Sydney and Cooktown as late as the end of June. I may mention that I found a letter which I had addressed to Your Excellency and left at Matupi on our way to Pelew - still waiting a chance of being forwarded to Fiji. In view of the large increase in the number of labour vessels recruiting in New Britain and New Ireland, all of which call at either Matupi or Meoko or both I think it might be desirable that a

333.

Report on cruise of HMS. "Espiegle".

Deputy Commissioner should be stationed here during the recruiting season, or that their action should be supervised by the presence of a man-of-war in these parts during that time - but of course on this point I can only very deferentially offer my opinion.

Treasury Is.

58. In accordance with his instructions, Capt. Bridge next proceeded to Treasury Island in the neighbourhood of the Solomon Islands. In order to communicate with H.M.S. "Lark" surveying in those waters. We sailed from Meoko on 5th September and anchored in Blanche Harbour, Treasury Is. on the 7th, but found that the "Lark" had gone on to Shortland Islands, about 45 miles nearer the main island of Bourgainville. The inhabitants of Treasury Island, who are not numerous, are under a King, Nube; many of them have been and some are now at work in Fiji and Queensland (25 had gone this year to the former and a few to the latter). Although described on a chart of 1872 as "treacherous" we found them perfectly friendly.

Shortland Island

59. We left Treasury Isld. on 10th and anchored the same afternoon alongside HMS "Lark" in Alu Bay, Shortland Island. We left the next day towing her as far as Treasury Is. On our way we passed a three-masted schooner, the "Lochiel", two months out from Queensland and last from New Ireland. She had a great number of recruits on board, and as she was on her way to the Solomons she was probably going there to land her boats crews and return to Queensland.

Sydney.

60. After a somewhat lengthy passage owing to strong head winds, we arrived in Sydney on the morning of the 3rd October; and my official connection with this ship terminated.

Your Excellency's most obedient humble servant

I would respectfully request Your Excellency to convey through the Commodore of the Station my grateful thanks for the courtesy and kindness I experienced from all on board, and for the ready and most efficient help I received from those who were in anyway connected with my duties. To Capt. Bridge I am under deep obligations for most valuable advice and assistance on all occasions, as well as for the kind hospitality which made so long a cruise at sea, in for the most part a very trying climate, so pleasant an experience. I might venture, I trust I may venture to bear witness to the ability and care with which the ship was navigated (by Lieut. R.N. Ommann) amongst the atolls, and islands, many of which were either unsurveyed altogether; or of which only partial, and often very erroneous, surveys exist. A track chart of our voyage will be found attached to this report.

61. In concluding what I fear is a most tedious and uninteresting report, I must express my consciousness that it contains little that can be of any value. It is however a faithful account of all our proceedings. I have not attempted to give a description of the many people and things of interest we saw: in the first place Scientific persons and others more competent to, have already done so; and in the next place the time we spent amongst them was necessarily so brief that I should hesitate to offer the results of so cursory a glance as reliable or useful information. The journals I

Report on cruise of HMS. "Espiegle".

I have kept contain accounts, such as they are, of all we saw or learnt; and I should be glad if I could be of use to any one intending to visit those places hereafter. I do not however believe that the time there spent has been wasted. The experience, however slight, which is gained by visiting these different races and islands cannot but be of value. It is certain that in the future any one who may hear of, or deal with, any matter concerning those we visited will, from this slight knowledge of the nature of the localities - of the people - of the forms of Government - of the foreign residents, or casual visitors, have a clearer apprehension of the facts, than if he had never been there at all; and will be less likely to confound the independant fighting Chief of the Marshalls, with the submissive nonentity of the Mission ruled Ellice Islands; or the savage of New Britain, with the diplomatist of Pelew. And I would venture to suggest that if ever there be any idea of establishing a permanent staff of subordinate executive officers of the High Commissioners service, advantage should be taken of every opportunity which may offer itself of sending them on cruises amongst the islands to gather their experience. I could wish them no better fortune than to be under the same advantages as I have been on this voyage - It will the more encourage them to enter into the work, which is not a common one, with an earnest desire to see right and justice done to natives and foreigners alike, and a ready endeavour to profit by whatever knowledge may be thrown within their reach.

I have the honour to be

sir

Your Excellency's most obedient humble servant

J. Ruthven Le Hunte

Judicial Commissioner for the Western Pacific.

Sydney
12th October, 1883

High Commission
Western Pacific
Judicial Proceedings.

Sir,

I have the honour to forward to Your Excellency the following report of cases heard by me as the Judicial Commissioner appointed to accompany HMS "Espégle" on her recent cruise through the Western Pacific.

Capelle
v.
Tilton
(Civil)

2. The first Court I held was at Jaluit in the Marshall Group for the hearing of a very peculiar case. Capelle v. Tilton an action for trespass nominally, but in reality to determine the claim of the Defendant to be regarded as a British Subject. The facts were briefly these. Mr. Capelle, the Plaintiff is a German Merchant and has resided at Jaluit since 1873. The Defendant, Thomas Tilton, a West Indian or American negro, arrived there in 1875 and there was every proof that at that time, and before that, he was regarded as an American citizen and flew the United States flag. Tilton erected a public house on land which Mr. Capelle claimed to have purchased from the natives and hence the cause of the dispute between them. In July 1881 Mr. Capelle was appointed to act as Consular Agent for the United States, but did not receive the Seal of Office until June 1882, when he hoisted his Consular flag. Hereupon Tilton hoisted the English flag and defied the Plaintiff to interfere with him as he now claimed to be a British subject. Though it was not a matter of evidence, there is no doubt that Tilton was encouraged in his action by the rival Merchants Messrs. Harnsheim and Co. who have succeeded in getting most of the island trade into their hands. Capt. Harnsheim, the principal partner holding the office of German Consular Agent.

On our arrival at Jaluit, Mr. Capelle applied to me for a writ against Tilton for wrongful occupation of his land and stated that he wished to challenge the Defendant's claim to be regarded as a British subject. I informed him that if he procured the necessary certificate of consent from his own Consular Officer (German) I would issue a writ, and that if he gave the Defendant notice of his intention to challenge the claim of nationality, I would entertain an application to have that issue determined before hearing the case on its merits. Mr. Capelle complied with these directions, and the parties appeared before me in Court held on board HMS "Espégle" on 22nd June. Evidence was then taken as to the nationality of the Defendant which showed that beyond the statement that he was born in Barbados (he left there according to his own account more than fifty years ago) he had spent the whole of his life under the American flag and that it was only on the occasion of Mr. Capelle being appointed Consular Agent for that Government he claimed to be a British subject. I therefore found that his claim was not sustainable, and the case being then reduced to an action for trespass between two parties, neither of whom were British subjects, I declined to entertain it further, ordering the Defendant however to pay the cost of the Plaintiff and of the Court as he had forced the Plaintiff to seek redress from a Court which he had no right to set in motion. I think it quite possible that exception may be taken to my action in the case from a technical point of view, but having no precedent to

Regina v
Agar &
(Crim)

to guide me in such a peculiar combination of circumstances, I decided as I believe the justice of the case required. At the Plaintiffs request I gave him a copy of the judgment enclosed.

Re est.
of R.J.
Abbott
(decd.)
(Probate)

3. The next case was an application made by Capt. P.C. Holcomb an American citizen residing in Yap for the administration of the estate of a British subject Robert James Abbott (late of Tasmania) who had been in the employ of D.D.O'Keefe & Co of Yap, and who had died in Holcomb's house on 4th June 1880 leaving him instructions in writing to collect certain moneys due to him by O'Keefe & Co. and with certain small exceptions to transmit the proceeds to his relatives in Tasmania. Mr. O'Keefe paid to Holcomb a certain part of this claim but disputed the liability of his firm in respect to a considerable portion of the remainder, and it was in order that this might be settled that application was made to the Court.

I went into the whole case carefully on 17th August, and adjudged D.D.O'Keefe & Co. to pay into Court the sum of £103:17:0 to be transmitted to the representatives of the deceased, in such way as Your Excellency should direct. As, not unnaturally, it was difficult to produce such a large sum of money at a moments notice in Yap, I accepted an order on O'Keefe & Co's Agents in Hong Kong (Messrs. Blackhead & Co.) the amount to be paid in full in Sydney. This order I handed to the Bank of New Zealand in Sydney for collection. When they receive the money they will notify Your Excellency of the fact and hold it pending further instructions respecting it. Capt. Holcomb, who has acted most creditably in this case, has voluntarily surrendered his claim to such portion of the money as under the instructions of the deceased he might be entitled to, and also handed into Court a sum of Four Pounds six shillings (£4:6:0) for the benefit of the Estate. I directed that the cost of Court (£1:15:0) were to be paid by the Estate, and the balance (£2:11:0) will be handed to the Registrar of the Chief Judicial Commissioner's Court pending Your Excellency's further instructions. I presume that if Mrs. Abbott should be found to be alive (Bridge Inn, Lower Macquarie Street, Hobart, Tasmania), the money will be paid to her, or her representatives. The documents and judgment given in the above case are enclosed.

(Regina v.
Amery &
Shaw
(Crim.
initial)

4. The only Criminal trial which was held before me was at Yap. Two British subjects, Walter Amery - a young man, and Thomas Shaw - an old one, were committed for trial by Capt. Bridge R.N. Deputy Commissioner on the charge of having levied war against the natives of the village of Fal in Yap and of having then wilfully destroyed certain of their houses with fire.

The trial took place before me sitting with two Assessors (Lieut. R.N. Ommanney, R.N., and Surgeon I. Dow. R.N.) on 20th August, 1883, and lasted till late that night. The evidence of all the witnesses and the statements of the accused are much too voluminous to detail here but as there was no discrepancy as to the facts or indeed as to the motives a Brief summary will I trust be sufficient. The case was shortly as follows.

Some time before the expedition against Fal was made Amery who is a trader for the German firm of Capelle & Co. agreed with the natives of Fal to sell them a rifle for a certain number of baskets of copra, whether the parties to this agreement clearly understood each other is doubtful but at anyrate when the Fal people had delivered what they said had been the price agreed, but which Amery declared was far short of the amount, they applied to Amery's native boy, who was in charge of the store during the absence of his master, for delivery of the rifle to them and on their representations gave it to them. Amery on learning this was much angered and applied to the Head Chief of Tomil to assist him to recover it. The Tomil Chiefs are the strongest in the Northern portion of the Yap group and had not long before that asserted their superiority by harassing and burning the villages in the North of which Fal is one. It will therefore be remembered that applying to the stronger Chief of Tomil is not at all the same thing as applying to the Head Chief of a tribe, district or Province in Fiji. With the help of the Tomil Chiefs Amery recovered the rifle and in reply to the natural demand of the Fal people that if he would not sell the weapon he should return the copra which they had delivered to him on its account, he referred them to the Chiefs of Tomil who would decide what payment they were to get - the cost of their intervention, (by no means an insignificant commission) being deducted from the amount. It was no matter of surprise to me to learn that the Fal people had never from that day to this received any return for their copra, and in consequence ill feeling towards Amery was aroused. This culminated in their seizing him when he visited the place in his boat in the latter part of February in the present year. While occupied in purchasing copra from them he was thrown into the water, and held under the surface by three or four of the natives until he was almost suffocated - whether they intended to drown him I doubt, for there was nothing to prevent them if that was their object, but there is no doubt he was severely handled by them. Returning along the coast the same day he met another young trader, a German, Carl Blechart, and they proceeded together to Capt. Holcomb an American resident a respectable man who being a great deal older than either of them had naturally considerable influence over them. It was then agreed that the white residents in Yap and such of the native Chiefs as they could get should make an armed expedition against Fal and demand the surrender of the men who had assaulted Amery. All the whites, except O'Keefe, agreed to join them; but their attempts to persuade and even to compel by force - the Tomil Chiefs failed; and the accused somewhat indignantly charged O'Keefe in Court with having dissuaded them from accompanying the expedition. They however succeeded in securing the assistance of some of the natives of Rul on the South side of Tomil Bay, enemies of the North. Preparations having been completed a few days afterwards i.e. early in March - the expedition which consisted of several boats well armed, and one of them conveying a machine-gun (? Gatling) - contributed by a Dutch trader - started for Fal. On the way they came across the superior Chief of that district and took him with them to negotiate with the Fal natives for the surrender of the persons

demand. I have omitted to mention that certain articles which had been taken out of the boat when Amery was assaulted at Fal had been returned to him before the expedition started. On arriving at the beach under the village the Chief was sent to the natives who on the approach of the boats had fled into the bush. After some little time some of them appeared bringing a considerable present as a peace offering, pigs - turtle - yams and baskets of copra. The white men however refused to accept it and demanded the men whom they required, and as these were not forthcoming they landed and leaving some of their number, (amongst whom was the old man Shaw) in charge of the boats they proceeded towards the village, and eventually succeeded in getting two young men, who however while undergoing identification escaped into the bush. It was the intention of the Europeans if they succeeded in getting the men to take them for trial before the Chiefs of Tomil and Rul, and see whatever sentence they pronounced duly executed upon them. I cannot feel surprise that the Fal people refused at all hazards to entrust themselves to such a jurisdiction; and the knowledge of the fact that on the last occasion of such a trial the sentence of death by hanging was carried out in the presence of the white complainant; was not likely to lessen their apprehensions: even if, as Holcomb asserts, a promise was made that their lives should not be taken.

Finding that they were unable to attain their primary object the whitemen then set fire to two houses on the outskirts of the village: one of them one of the curious wooden "Club Houses" or so called "Council Houses" which both here and at the Pelew Islands are used for remarkable social purposes. They then retired to the beach where another large "Club" - House was burnt. At this juncture some one of the party gave a false alarm that the Fal natives were coming upon them, and accordingly rifles and revolvers were discharged in the direction of the village while the gatling gun "kept up a continuous dropping fire" in the same direction. The only result of all this being, providentially, that Holcomb was shot in the leg from behind by his own boy to whom he had entrusted a revolver. They burnt another large house and then returned home. The prisoners did not deny any of these facts, but rather justified their action as being necessary for their own protection and for the enforcement of a proper respect for them collectively on the part of the natives. They were Found Guilty of the offences charged against them but the Court could not but take into consideration facts and circumstances which in ordinary cases would not have been entertained in adjudging the amount of punishment. No British man-of-war or representative of Law or Order had ever before visited Yap. A German man-of-war had been there and the advice which had been given to one of the witnesses was certainly rather an encouragement to this action than otherwise. The hot anger of the younger men had found sympathy and assistance from those who should have checked them; and though many had taken an equal share in the proceeding the two British subjects alone could be punished. I therefore after careful consideration sentenced Amery who I held to be the more culpable of the two to pay a fine of One Hundred Dollars - £20 - to The Queen and to find security in a like amount for his keeping the peace and being of good behaviour for

twelve months. Shaw to pay a fine of Fifty Dollars - £10 - and to find similar security for keeping the peace for six months, and in default to be imprisoned for three months. Amery at first elected to go to prison, but eventually collected sufficient money from his neighbours - everyone is very poor there - and paid his fine. I accepted an order from the old man Shaw on his employers, Messrs. Hunsheim & Co., which was duly honoured on presentation of it to Capt. Hunsheim at Matussi. The above amounts will be paid by me to the Public Account in the ordinary manner. Memoranda of conviction and the recognizances of the accused and their sureties are enclosed.

5. As Your Excellency is aware I did not take a clerk with me on this cruiser, and I think I was right for with the very limited accommodation which the men-of-war can afford it would have been a matter of considerable inconvenience to those on board as well as to the person himself; and moreover my not having done so has saved The High Commission considerable extra expence. I was therefore obliged to seek such assistance as I required from those on board. The Capt. in response to my request kindly appointed Mr. C.M. Grant, Assistant Paymaster to assist me as Registrar of the Court, and the Master-at-Arms to act as Constable or officer of the Court. These officials were paid for all work done in the Civil Jurisdiction, out of the all costs paid by the parties to the suit. In Criminal cases I paid them at the same rate as that to which by the rules of their own service they were entitled for Naval Courts. The amount paid to the Registrar was £4:10:0 and to the officer of the Court 15/-, which sum forms part of that for which I drew a bill on the High Commissioner's account at the Bank of New Zealand, as reported by me in a separate letter. For clerical assistance in copying, of which there was a great deal, I paid out of my own funds the sum of £13:10:0 to the Ship's Steward; and I respectfully hope that Your Excellency will approve of the voucher I have sent in to recover that amount.

6. I enclose herewith the various legal documents connected with these cases, also those in the case of Regina v. O'Keefe for unlawfully shooting at natives which was heard by Deputy Commissioner Capt. Bridge and discussed by him; and in the case of Holcomb v. O'Keefe (Civil) which was settled out of Court. An account of all fees received by me is also attached.

7. As already reported in my General Proceedings Report I handed over to Mr. Deputy Commissioner Romilly all the papers in the case of Regina v. Rees against whom three informations for murder were sworn and for whose apprehension warrants have been issued. At Mr. Romilly's special request I gave him the Seal of the Court which was entrusted to me by Your Excellency, with express injunctions as to its being carefully kept and returned to The High Commissioner's office. If I had but known that there were other spare seals, I should not have left this one with Mr. Romilly.

8. In conclusion I have only to express my regret that I have so little to shew in return for the time, trouble, and expense that The High Commission has had to spend upon my long cruize, but I am confident that the mere fact of a properly constituted Court being held in these remote places has a good and lasting effect; and as has been seen in the case of the Intestate Estate at Yap cases will occur even there which require a Court of Law to enable justice and right to be done. Whatever doubt there may be as to the use or expediency of a Deputy Commissioner being conveyed about the islands in a Man-of-war commanded by an officer who is himself a Deputy Commissioner, there can be none in the case of a Judicial Commissioner whose functions are purely legal - in such a case there can be no conflict of authority between him and the Deputy Commissioner whose functions are rather executive than legal. In such cases they can, as I believe and hope has been the case with us, be of great assistance to one another; and as cases may very probably occur now and then which are beyond the powers of the Deputy Commissioner, I think it would be well if it were possible to send a Judicial Commissioner at intervals of a reasonable length to visit the various parts of the High Commissions Jurisdiction.

I have already expressed to Your Excellency my grateful thanks to all on board the ship for the ready and effective assistance I received in the performance of my duties.

I have the honour to be,

Sir,

Your Excellency's most obedient, humble servant

(Sgd.) J. Ruthven Le Hunte.

Judicial Commissioner
for the Western Pacific.

IN HER BRITANNIC MAJESTY'S HIGH COMMISSIONER'S COURT FOR THE WESTERN PACIFIC AT "Ponapi".

Depositions in case of John Rees
CRIMINAL JURISDICTION.

charged with murder of Barrows.

"Saturday" the "Fourth" day of "July" 18"83"

To "The De Before J. R. Le Hunte, Police Officer, and other
Officers of this Court.

Judicial Commissioner.

"John Rees" "late" of "Greenwich Island was on the sixth July 1883" Papers in connection with trial Court for that he "on or about the first day of January 1883 at Greenwich Island in the West at Ponapi of John Rees. and maliciously did incite move procure and counsel hire and command Tapou Lukalai and Ueke natives of Greenwich Island together with certain other natives of the said island wilfully and of their malice aforethought to kill and murder one George Barrows a citizen of the United States Against the Peace of our Lady the Queen &c. &c."

Therefore you are hereby commanded in the name of Her Majesty Queen Victoria, forthwith to apprehend the said "John Rees" and to bring him before this Court to answer to the said charge, and to be further dealt with according to law.

"Given under my hand and the seal of the Court at Ponapi this 7th July 1883"

(Sgd.) J. Ruthven Le Hunte

Judicial Commissioner

(Sealed with the seal
of High Commissioner
for Western Pacific).

IN HER BRITANNIC MAJESTY'S HIGH COMMISSIONER'S COURT FOR THE
WESTERN PACIFIC AT "Ponapi".

In Her Britannic Majesty's High Commissioner's Court for the
CRIMINAL JURISDICTION.
Western Pacific at "Ponapi".

"Saturday" the "Fourth" day of "July" 18"83"

To "The Deputy Commissioner" Police Officer, and other
"Saturday" the "8th" day of "July" 1883,
Officers of this Court.

"John Rees" "late" of "Greenwich Island was on the sixth
July 1883" charged "on oath" before this Court for that he
"on or about the first day of January 1883 at Greenwich Island"
in the Western Pacific feloniously and maliciously did incite
move procure and counsel hire and command Tapou Lukalai and Ueke
natives of Greenwich Island together with certain other natives
of the said island wilfully and of their malice aforethought to
kill and murder one George Barrows a citizen of the United States.
Against the Peace of our Lady the Queen &c. &c."

Therefore you are hereby commanded in the name of Her Majesty
Queen Victoria, forthwith to apprehend the said "John Rees" and
to bring him before this Court to answer to the said charge, and
to be further dealt with according to law.
Further dealt with according to law.

"Given under my hand and the seal of the Court at Ponapi this
7th July 1883"

Sgd.) J. Ruthven Le Hunte

(Sgd.) J. Ruthven Le Hunte

Judicial Commissioner

Judicial Commissioner

(Sealed with the seal
of High Commissioner
for Western Pacific).

In Her Britannic Majesty's High Commissioner's Court
for the Western Pacific at Ponapi
Criminal Jurisdiction
Western Pacific at "Ponapi".

"Saturday" Criminal Jurisdiction.
day of "July" 1883.

"Saturday" the "Seventh" day of "July", 1883

To "The Deputy Commissioner" Police Officer, and other
Officers of this Court.

"John Rees, late of Greenwich Island was on the sixth July, 1883"
charged "on oath" before this Court for that he "on or about"
the first day of January A.D. 1880 at Greenwich Island in the
Western Pacific feloniously wilfully and of his malice afore-
thought did kill and murder one Sikasau native of Nonouti Island
in the Western Pacific against the peace of Our Lady the Queen &c.

Therefore you are hereby commanded in the name of Her Majesty Queen
Victoria, forthwith to apprehend the said John Rees and to bring
him before this Court to answer to the said charge, and to be
further dealt with according to law.

"Given under my hand and the seal of this Court at Ponapi 7th
July 1883"

Sgd.) J. Ruthven Le Hunte

Sealed

Judicial Commissioner

(Sgd) J. Ruthven Le Hunte

Judicial Commissioner.

In Her Britannic Majesty's High Commissioner's Court
for the Western Pacific

In Her Britannic Majesty's High Commissioner's Court
for the Western Pacific at Ponapi.

No. 1

Criminal Jurisdiction.

Ilaisa Native of Samoa, late of Ponapi, informs the undersigned
Judicial Commissioner of the above Court that John Rees late of
Greenwich Island in the Western Pacific on or about the 1st day
of January 1880 at Greenwich Island did feloniously wilfully
kill and murder one Sikasau native
of Nonouti Island in the Western Pacific by wilfully
and of his malice aforethought kill and murder one Sikasau native
of Nonouti Island in the Western Pacific by wilfully
Crown and dignity.

"John Rees late of Greenwich Island was on the sixth July 1883"

charged "on oath" before this Court for that he "on or about
the first day of January 1880 at Greenwich Island in the Western
Pacific feloniously wilfully and of his malice aforethought did
kill and murder one Foudsoa native of Nonouti Island in the
Western Pacific Against the peace of Our Lady the Queen "c &c."

(Sgd) J. Ruthven Le Hunte

Therefore you are hereby commanded in the name of Her Majesty Queen
Victoria, forthwith to apprehend the said "John Rees" and
to bring him before this Court to answer to the said charge,
and to be further dealt with according to law. July 1883

Warrant issued on above information to Captain A. Bridge Esq; R.N., Captain HMS. "Espiegle"
addressed to the above John Rees on the charge of
apprehension of the above John Rees on the charge of
"Given under my hand and the seal of the Court at Ponapi 7th
July 1883"

(Sgd.) J. M. Latt
7.7.83

Sealed

(Sgd) J. Ruthven Le Hunte

Judicial Commissioner.

In Her Britannic Majesty's High Commissioner's Court
for the Western Pacific
Criminal Jurisdiction.

No. 1

Information or Complaints
Majesty's High Commissioner's
Court for the Western Pacific.

No. 2. Ilaisa Mativa of Samoa, now of Ponapi, informs the undersigned
Judicial Commissioner of the above Court that John Rees late of
Greenwich Island in the Western Pacific on or about the 1st day
of January 1880 at Greenwich Island did feloniously wilfully
and of his malice aforethought kill and murder one Sikasau native
of Nonouti Island against the peace of Our Lady the Queen Her
Crown and dignity.

her
Ilaisa Mativa X
Sworn this sixth day of July A.D. one thousand eight hundred
and eighty three before me at Ponapi Island on board HMS
"Espiegle".

(Sgd) J. Ruthven Le Hunte

Sworn this sixth day of July A.D. one thousand eight hundred
and eighty three before me at Ponapi Island on board HMS "Espiegle".
Judicial Commissioner.

Warrant issued on above information dated 7th July 1883
addressed to Captain A. Bridge Esq, R.N., Captain HMS. "Espiegle"
for the apprehension of the above John Rees on the charge of
murder.

Jud. Comm.
Warrant issued on above information dated 7th July 1883 addressed
to Capt. A. Bridge (Sgd.) J.N.Lett HMS "Espiegle" for the
apprehension of the above John Rees on the charge of murder.
7.7.83.

(Sgd) J. Lett
7.7.83.

In Her Britannic Majesty's High Commissioner's
Court for the Western Pacific.

Criminal Jurisdiction.

Information or Complaints.

No. 3
No. 2.

Information or Complaints.

Ilaisa Mativa of Samoa now of Ponapi informs the undersigned
Judicial Commissioner of the above Court that John Rees late of
Greenwich Island in the Western Pacific on or about the 1st
day of January 1880 at Greenwich Island did feloniously wilfully
and of his malice aforethought kill and murder one Foudsoa native
of Nounuti Island Against the peace of Her Sovereign Lady
the Queen her Crown and dignity.

her her
Ilaisa Mativa X

Sworn this sixth day of July A.D. one thousand eight hundred
and eighty three before me at Ponapi Island on board HMS. "Espiegle"

J. Ruthven Le Hunte
(Sgd.) J. R. Le Hunte

Jud. Comm.

Warrant issued on above information dated 7th July 1883 addressed
to Capt. A. Bridge Esq. R.N., Capt. HMS "Espiegle" for the
apprehension of the above John Rees on the charge of murder.

(sgd) J. Lett
7.7.83.

In Her Britannic Majesty's High Commissioner's Court for
the Western Pacific.

In Her Britannic Majesty's High Commissioner's
Court for the Western Pacific

Statements of Ilaisa Criminal Jurisdiction. Murder at Greenwich
Island of George Barrows.

No. 3

Information or Complaints.

Ilaisa, native of Samoa.

Ilaisa Mativa of Samoa now of Ponapi informs the undersigned
Judicial Commissioner of the above Court that John Rees late of
Greenwich Island in the Western Pacific on or about the 1st day
of January 1880 at Greenwich Island did feloniously and
maliciously incite move procure and counsel hire and command
Lapou Alukalai and Ueke natives of Greenwich Island with certain
other natives of the said island wilfully and of their malice
aforethought to kill and murder one George Barrows against the
peace of Our Lady the Queen Her Crown and dignity. I carried
a thousand in cash, silver and gold which I used to keep in my
box. When we arrived at Ilaisa Mativa X, Jack Rees was living
there, he came off to the schooner. We lived for five months
at Greenwich Island.

Sworn this sixth day of July A.D. one thousand eight hundred
and eighty three before me at Ponapi Island on board HMS "Espiegle"
Sikasau and Fan-a-soa were their names. When we left Rees was
at his own home which was on another island. J. Ruthven Le Hunte
we lived at, separated by the passage into the small harbour.
The place where the new house was built was on another
island some distance farther from Rees's.

Warrant issued on above information dated 7th July 1883 addressed
to Capt. A. Bridge Esq, R.N., Capt. HMS. "Espiegle" for the
apprehension of the above John Rees on the charge of murder
of the Greenwich Island man Kamoiwai to go and get some coconuts,
Rees came across the reef from his island he was accompanied by a
Nukuova man a brother of Rees's wife, this man's name is Seu.
Rees fired at Sikasau twice with a double-barrelled gun, he did
not hit him. Sikasau then went for Rees with a knife and caught
hold of the gun and struggled for it. Rees then called to to
Seu, "Come and shoot this boy", Seu shot Sikasau through the thigh.
Sikasau ran away to another small island close to, Seu followed
quickly along the reef and shot him through the back and killed
him. Rees took me then over to his house and told me to stop with
his wife Nuli, and he went to look for Fan-a-soa, who had run to
hide in Greenwich Island man's house. The Greenwich Island man
found him there and he ran away and I saw him pass the house (Rees)
where I was, he come back and crept behind a jack fruit tree.
Rees, Seu and two Greenwich Island men were looking for Fon-a-soa.
Fon-a-soa had a small axe with him. Rees and seu shot him. The
Greenwich Island men cut up Fon-a-soa's body and I saw them throwing
the pieces into the sea. The cause of his shooting the boys was
ill feeling which had been caused by Barrows having got a couple
of boys to work for him which annoyed Rees. Rees did not say
anything to Sikasau before he fired at him, he did not see me in
the house. One day before Barrows died and before this - Rees asked

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific.

Criminal Jurisdiction.

Statements of Ilaisa Mativa respecting the murder at Greenwich Island of George Barrows.

Ilaisa, native of Samoa.

I am living with Charles Roberts (B) (born at Exeter, England, has been 10 years in Ponapi) was formerly living with George Barrows, (American) whom I first met in Samoa, I went with Barrows from Samoa to Nanouti (Kingsmill) about five years ago. Barrows was trading for Goddefroy. About two years afterwards we came to Ponapi and stayed for about two weeks and went to Naineluk. We were about a year at Naineluk, Barrows was trading for himself there. From there we went to Greenwich Island and stayed there five months. Barrows had then about two thousand dollars, about a thousand in cash, silver and gold which he used to keep in my box. When we arrived at Greenwich Island, Jack Rees was living there, he came off to the schooner. We lived for five months at Greenwich Island.

One day I was out, Barrows was building a house, I went with two Nanouti boys to get some thatch for the house, Sikasau and Fan-a-soa were their names. When we left Rees was at his own home which was on another small island close to the one we lived at, separated by the passage into the small harbour. The place where the new house was being built was on another island some distance farther from Rees's.

On the day in question there were three Greenwich Island men and two Kingsmill Island men with us. We were getting thatch on the island where we lived. I asked Sikasau and one of the Greenwich Island men Kamolmai to go and get some coconuts, Rees came across the reef from his island he was accompanied by a Nukuova man a brother of Rees's wife, this man's name is Seu. Rees fired at Sikasau twice with a double-barrelled gun, he did not hit him. Sikasau then went for Rees with a knife and caught hold of the gun and struggled for it. Rees then called to to Seu, "Come and shoot this boy", Seu shot Sikasau through the thigh. Sikasau ran away to another small island close to, Seu followed quickly along the reef and shot him through the back and killed him. Rees took me then over to his house and told me to stop with his wife Nuli, and he went to look for Fan-a-soa, who had run to hide in Greenwich Island man's house. The Greenwich Island man found him there and he ran away and I saw him pass the house (Rees) where I was, he came back and crept behind a jack fruit tree. Rees, Seu and two Greenwich Island men were looking for Fon-a-soa. Fon-a-soa had a small axe with him. Rees and Seu shot him. The Greenwich Island men cut up Fon-a-soa's body and I saw them throwing the pieces into the sea. The cause of his shooting the boys was ill feeling which had been caused by Barrows having got a couple of boys to work for him which annoyed Rees. Rees did not say anything to Sikasau before he fired at him, he did not see me in the house. One day before Barrows died and before this - Rees asked

me to come and live with him, I said "I was afraid of my man" he told me not to be afraid but I did not want to go with him. The shooting took place in the morning and that afternoon Rees took away all Barrow's guns. In the evening I asked Rees to let me go to Barrows he would not at first but at last said I might. I called to Kamoimai to take me across to the place where Barrows was. I went and told Barrows what had happened. We came back together that night. Barrows went to Rees and asked him for his gun as he thought Rees would shoot him and told him so. Rees would not give him his guns as he said that Barrows would fight him. Rees told him he was not going to shoot him. Barrows then asked him why he had shot his boys. Rees said nothing in reply. We then went home. Barrows had a revolver left in his possession. Rees told me to get it from Barrows. I told Barrows that Rees wanted the revolver because he said Barrows would shoot him. Barrows was wearing the revolver at the time because he was in fear of Rees. Barrows took the revolver out of the belt and gave it to me to give to Rees all six chambers were loaded when he gave it to me. I think he must have forgotten to take the cartridges out. He was out a little way on the reef and Rees had walked down to the edge of the reef on his side of the passage. Barrows sent me to see what Rees wanted. [After some questioning on this point Elaisa says] I gave the revolver to Rees and Rees fired off the six cartridges, Barrows heard the shots and knew that it was his revolver, he asked me what I had done with it and when I told him that I had given it to Rees he called me a fool and was very much annoyed, he said "I am all the same dead man. Rees will kill me now." He did not tell me to ask Rees to give the revolver back I did not ask Rees to do so. Barrows and I went back to our house. Barrows told me that he was afraid that Rees would get the Greenwich Island men to kill him. Rees had told the people that Capelle had bought Greenwich Island and had made him King. The population of Greenwich Island is about 200, no missionary was there. Rees was trading for Capelle and Barrows was trading for himself. When Barrows asked the people for food they told him they were afraid of disobeying Rees. Rees said that all the cocoanuts belonged to Capelle, he tried to stop Barrows from landing there, and the day we arrived he went ashore and asked the natives for cocoanuts and they told him they were afraid because they all belonged to Capelle. Four days after the shooting of the boys about noon Barrows and I were in the house we saw a great many canoes going to catch fish, towards the evening the canoes come back. Barrows took his money and gave me two hundred gold sovereigns and told me to keep them in my box, the silver he said he was going to bury in the ground. The gold was English money. He saw the Greenwich Island men coming and came back to the house quickly and told me to put it all in the chest. He thought that the Greenwich Island men might have come to kill him and he said if I am killed you take the gold. it is not heavy. I will bury the silver in the ground but the Greenwich Island man had come too near and he came back and told me to put it all in the chest. Nukuoro, Rees, Nuli, I and Seu went in her. Capt. Williams asked me where Barrows was I said he was dead he was lying on the mat, a Greenwich Island man Vai-soa came up and called out to Barrows "George come and look at the fish". George went down to the beach I stayed in the house.

I put all the money quickly into the chest. The house is a double one like the Kingsmill houses, the dwelling part being in the upper floor reached by a ladder. I saw what happened from the window. Barrows went down to the canoes and was looking into one when a large man Lapou, a Greenwich Islander, came up behind and threw his arms round him. I ran down and said if they were going to kill Barrows I wished to be killed with him, they said that Rees had told them not to kill me but to leave me to be his wife. Two men Alukalai and Weke put a piece of rope round Barrow's neck and pulled his head under water and drowned him. I asked for his body that I might dress him properly and bury him. Alukalai said No, he is not to be buried we will throw him into the water. I asked twice, the second time they told me I might take him. I lifted his body out of the water. I got a mat from a Greenwich Island woman who was in the house. I got some of Barrow's clothes and dressed his body. Two Greenwich Islanders went off in a canoe to report the death to Rees. Rees and his wife Nuli came in the canoe, he told the islanders to dig a grave they only dug a shallow one. I asked Rees to have it made deeper he said never mind put him in the ground, they buried him.

Rees went up to the house, he told me he wanted some rum, he took a demijohn of rum. He told me to come with him to his house. I said I would stay there, he said I could not stay there by myself. I went with him. He took the demijohn of rum and a clock from the house, the rest of the things were left in the house. The next day we went with some of the Greenwich Islanders to the house and took all the things out of the house. The next day he told the people to pull the house down. Rees asked me for some money I gave him all the silver money and three hundred sovereigns, two hundred I kept for myself as Barrows had told me. When he first asked me where the money was I told him I thought Barrows had buried it, he said he would tell the Greenwich Islanders to look for it he threatened to shoot me and said that if I was not a Samoan he would have killed me before, he was formerly married to a Samoan and has two children a boy and a girl at Samoa, he said if I had belonged to Kingsmill he would have shot me as the cook boy had been shot. I was about a fortnight in Rees house, I did not wish to live with him and I told him that his own woman was sufficient for him. One day he was drunk, I was in the cook house and he sent his wife to tell me to come over to the house. I was afraid and would not, he loaded his rifle and came to the cook house, I ran away and he fired the ball grazed the skin of my left side tearing the clothes. I ran away. I saw Seu and I told him that Rees had fired at me and showed him the wound, he told me to run away into the bush. I stayed there till the evening. I then went back to Rees house he was lying drunk. Nuli told him I had come back, he did not do anything after that. I stayed five moons. During that time a vessel came to Greenwich Island, the "Beatrice" schooner (belonging to Shanghai) Captain Williams trading for Capelle. We went in her to Nukuoro, Rees, Nuli, I and Seu went in her. Capt. Williams asked me where Barrows was I said he was dead, he told me he was a bad man, I asked him why he called Barrows a bad man, he said he thought he was. I did not tell him about Rees having caused his murder. I stopped two years at Nukuoro.

The "Caroline" came and Rees went in her to Mortlock for copra he wanted me to go with him. I refused. Rees came back again to Nukuoro and stayed two weeks, he wanted me to go with him again I refused to as he was always beating me, he said if I would not go with him he would take me to New Britain and give me to the New Britain people. I lived with a Nukuoro man. When Rees came back the Nukuoro man ran away in fear of Rees. Rees and Capt. Becker came to Nukuoro on the 4th July last year in the "Caroline" Rees stopped on board. Capt. Becker went ashore a man met me and told me that Rees wished me to go on board I refused. Rees and Becker left. I stayed at Nukuoro till the "Mazeppa" came and came up in her to Ponapi.

When we went away with Captain Williams in the "Beatrice" Rees gave Capt. Williams three (3) cases of gin and two cases of tobacco. I heard that this was given so that Capt. Williams should not tell about Barrow's murder. Rees took away my two hundred gold sovereigns and gave me one hundred and fifty dollars in silver. Barrows got the gold from the schooner that used to come from New Zealand for his copra.

The above statement has been read over to me it is correct and true on my oath. (Sworn) - [The facts contained in this statement are of so serious a nature that I think it advisable that they be sworn to.]

her
Ilaisa Mativa X

The statements of the above Ilaisa Mativa was taken and sworn before me on board HMS "Espiegle" at Ponapi this sixth day of July, 1883.

(Sgd) J. Ruthven Le Hunte

Judicial Commissioner.

Ilaisa was living with Rees at Nukuoro when I was there - on friendly terms with him for some months when she took a fancy to a Nukuoro native and lived with him when Rees went away in the "Tonga tabu" schooner. She then told me that Rees had shot at her but I have heard that she has told various stories about it one that she shot at another that she was not. Rees told me that she proposed going to Samoa with him from Greenwich Island. When Captain Williams came from Greenwich Island he wanted Ilaisa to stay with him on board but she preferred to stay with Rees. I heard both here and at Nukuoro that Rees had given Williams a lot of things not to say anything about Barrow's death. Rees told me that he had given Capt. Williams a lot of stuff, books and liquor, but he did not tell me why he had done so. I heard when Rees was at Nukuoro that he had a bag of gold and a bag of silver but I did not see them myself. Lavai a native of Nukufitau Capelle's trader there saw them and told me that he had seen Rees counting the money I did not know Barrows myself but I believe he was a young man. He has a brother and sister in America. Dr Ingalls has had a letter from him. I heard that two natives of Namouti or one of the Kingmills who were with Barrows were murdered - there are two reports one that they had been murdered by Rees and another one

James Curry
In Her Britannic Majesty's High Commissioner's Court for the
Western Pacific

Criminal Jurisdiction.

Statement of James Curry relative to the murder of George Barrows
at Greenwich Island.

James Curry (native of Ireland born near Belfast) of Ponapi trading
for Capelle & Co.

I know John Rees. I lived for a year at Nukuoro with
him and subsequently for a year at one of the Mortlock's Islands.
He came to Nukuoro about June 1880 and we left about June '81 and
both went to the Mortlock Islands. Rees went to Yap on 5th Sept.
1880 in the "Tonga Tabu" returned about 9th November, 1880.
Rees came to Nukuoro in the "Beatrice" schooner, Capt. Williams,
from Greenwich Island. I am not aware that Greenwich Island belongs
to Capelle. Rees gave as his reason for leaving Greenwich Island
that there was no copra. Rees did not appear to have a quantity
of money. When the "Beatrice" came in I asked where they had come
from they said Greenwich Island. I asked how Barrows was getting
on. Captain Williams told me that he was dead. I asked what the
cause of his death was and he said dysentery. Rees told me after-
wards that it was dysentery but on a subsequent occasion when asked
by me about it he told me that Barrows had been killed by eating
a poisonous fish. When Rees landed at Nukuoro he had plenty of
trade and a native called Seu who came with him had two guns and
a revolver. Rees told me that he had bought these guns at Greenwich
Island and had given them to Seu. Seu was at Nukuoro last
February to the best of my knowledge. Barrow's wife Ilaisa gave
out different stories about Barrow's death. One story was that
he had been drinking and had eaten something and gone to bed and
was found dead in the morning. Another story was that Barrows went
away one night fishing and never came back but that Rees came next
morning to the house covered with blood and cuts. Another story
was that Seu had shot him - another that the natives had shot him.
Ilaisa was living with Rees at Nukuoro when I was there - on
friendly terms with him for some months when she took a fancy to a
Nukuoro native and lived with him when Rees went away in the
"Tonga tabu" schooner. She then told me that Rees had shot at
her but I have heard that she has told various stories about it
one that she ^{was} shot at, another that she was not. Rees told me that
she proposed going to Samoa with him from Greenwich Island. When
Captain Williams came from Greenwich Island he wanted Ilaisa to
stay with him on board but she preferred to stay with Rees. I
heard both here and at Nukuoro that Rees had given Williams a lot
of things not to say anything about Barrow's death. Rees told me
that he had given Capt. Williams a lot of stuff, books and liquor,
but he did not tell me why he had done so. I heard when Rees was
at Nukuoro that he had a bag of gold and a bag of silver but I did
not see them myself. Lavai a native of Nukufitau Capelle's trader
there saw them and told me that he had seen Rees counting the money
I did not know Barrows myself but I believe he was a young man.
He has a brother and sister in America. Dr Ingalls has had a letter
from him. I heard that two natives of Nanouti or one of the
Kingsmills who were with Barrows were murdered - there are two
reports one that they had been murdered by Rees and another one

(contd.) His Majesty's High Commissioner's Court for the
that a native had killed them.

Reese had some property in Samoa and he told me he wanted to go there to settle some transaction relating to the sale of it and then to leave Samoa. When he left here he took everything of any value away in the "Caroline". I do not think he intends to return to this island. There were I believe fifteen hundred dollars waiting at Yap to be delivered his to the Captain of the "Caroline" (Becker), this money had been long-taken to Yap by a former vessel the "Cassilda" from Ponape were transferred to another schooner "Nataulu" running in the Marshall Islands.

Captain Williams is the owner as well as the Master of the "Beatrice", he resided at Guam. I have heard the above in statement, read over to me it is correct and true. in 1878.

He went on to Nukuoro first but wasn't there long. He went with Mr. Capelle to Ruk in the "Tonga Tabu". He met Barrows there who was staying on a vessel. (Sgd.) James Curry. this Reese asked for a passage to Greenwich Island. He came back from Ruk with Mr. Capelle and Mr. Young, Capelle & Co. Agent here before me, he is now in Tahiti, Agent for Crawford (?) & Co. of San Francisco.

The above statements was taken down by me on board HMS "Espiegle" at Ponape this sixth day of July A.D. 1883 and signed in my presence.

(Sgd.) J. Ruthven Le Hunter
Barrows copra at Numeuk - over 20,000 lbs, at 2 cents per lb. I believe. Barrows had offered to both Capelle & Co. and Hunsain & Co. but there was no vessel to send for it. Nothing further was heard about either Reese or Barrows until the "Beatrice" came here from Greenwich Island in 1879 or early in 1880. Capt. Williams delivered to Mr. Young 3,000 lbs of copra which he had bought from Reese at Greenwich Island. He reported that Reese had told him that he had had a quarrel with Barrows and that Barrows had threatened to shoot him and that he had shot Barrows in self defence and that he had told him Williams not to say anything about it except to either Mr. Young or me. It came out afterwards that Reese had given Williams presents of tobacco and other goods. Reese and Barrows Samoan women had come away from Greenwich Island in the "Beatrice" and had been landed at Reese's request at Nukuoro. Reese was not trading at Nukuoro, he remained there about a year. In the latter part of 1880 I sent the "Tonga Tabu" on a trading cruise to the East. One of the persons on board was an agent of our firm Mr. Edmund Vowell an Englishman bound for St. David's. He asked me whether he might take Reese as a partner if he could get him. I consented - the vessel called at Nukuoro on her way and Reese went in her to Yap. On arriving there Vowell found that Reese had taken away our Agent at St. David's, August Martens (German) and all his copra and as much of the wreckage of the "Tutuila" as he could. Vowell therefore did not go there but landed at Union Is. and Reese returned to Nukuoro where he had left the Samoan women. Reese remained at the Nukuoro some time until the "Caroline", Capt. Becker (German) went there. Reese went in the "Caroline" to the Martlock Is. under an engagement to trade for our firm for a year. He fulfilled his engagement and came up in the "Caroline" in May 1882 to Ponape. He expressed a wish to go to Samoa by the first opportunity. The Samoan woman

(Vessel
may be
"Cassilda")

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific.

Criminal Jurisdiction.

Statement of Charles H. Ingalls (American) relative to the murder at Greenwich Island of George Barrows.

I am Capelle and Co's agent for the Caroline Group. I have been three years resident in Ponapi. The first I knew of Rees was his coming as mate of a schooner ("Tutuila" I think) from Samoa belonging to Capelle & Co. He together with the Captain and crew were transferred to another schooner "Mataulu" running in the Marshall Islands. This took place in 1877. He arrived at Jaluit at the end of 1876 or beginning of 1877. He came down as a passenger in the "Tutuila" to Ponapi to trade for Capelle and Co. in 1878. He went on to Nukuoro first but wasn't there long. He went with Mr. Capelle to Ruk in the "Tonga Tabu". He met Barrows there who was staying on a visit. Shortly after this Rees asked for a passage to Greenwich Island. He came back from Ruk with Mr. Capelle and Mr. Young, Capelle & Co. Agent here before me, he is now in Tahiti, Agent for Crawford (?) & Co. of San Francisco. Rees went as a passenger to Greenwich Is. in the "Beatrice", there Capt. Williams, he paid for his own passage and he started trading there on his own account. Barrows went to Greenwich Is. in the "Belle Brandon" belonging to Henderson & McFarlane. I cannot say what date he went. The "Belle Brandon's" supercargo Harris bought Barrows copra at Nameluk - over 20,000 lbs, at 2 cents per lb. I believe. Barrows had offered this copra for sale to both Capelle & Co. and Hunsheim & Co. but there was no vessel to send for it. Nothing further was heard about either Rees or Barrows until the "Beatrice" came here from Greenwich Island in 1879 or early in 1880. Capt. Williams delivered to Mr. Young 3,000 lbs of copra which he had bought from Rees at Greenwich Island. He reported that Rees had told him that he had had a quarrel with Barrows and that Barrows had threatened to shoot him and that he had shot Barrows in self defence and that he had told him Williams not to say anything about it except to either Mr. Young or me. It came out afterwards that Rees had given Williams presents of tobacco and other goods. Rees and Barrows Samoan women had come away from Greenwich Island in the "Beatrice" and had been landed at Rees's request at Nukuoro. Rees was not trading at Nukuoro, he remained there about a year. In the latter part of 1880 I sent the "Tonga Tabu" on a trading cruise to the West. One of the persons on a board was an agent of our firm Mr. Edmund Vowell an Englishman bound for St. Davids. He asked me whether he might take Rees as a partner if he could get him. I consented - the vessel called at Nukuoro on her way and Rees went in her to Yap. On arriving there Vowell found that O'Keefe had taken away our Agent at St. Davids, August Martens (German) and all his copra and as much of the wreckage of the "Tutuila" as he could. Vowell therefore did not go there but landed at Union Is. and Rees returned to Nukuoro where he had left the Samoan woman. Rees remained at ~~the~~ Nukuoro some time until the "Caroline", Capt. Becker (German) went there. Rees went in the "Caroline" to the Martlock Is. under an engagement to trade for our firm for a year. He fulfilled his engagement and came up in the "Caroline" in May 1882 to Ponapi. He expressed a wish to go to Samoa by the first opportunity. The Samoan woman

stayed at Nukuoro. In June 1882 Reese shipped as Mate of the "Caroline". At that time he wished to call at Nukuoro for his woman, the Samoan, Ilaisa, and asked whether she would call there coming back, - she was bound for Yap. I told him the vessel would call there (Nukuoro) both going and returning. At this time our firm owed Reese \$480 for his services at Mortlock and for some tobacco he had supplied (about \$170 for a drum of super-head (?)). When he arrived from Mortlock intending to go by Jaluit to Samoa I settled up with him giving him an order on our firm at Jaluit for the above amount \$480, he had this when he left in the "Caroline". Hearing that he was going in her instead of to Samoa I asked him whether he did not want any cash or clothes from the store instead of the order he said no and that the matter was to rest as it was. The "Caroline" left here on 26th June 1882 and has not since been heard of. Her passengers were Manuel Silva, a Portuguese who was going to be landed at Pulo-suk as a trader for us. That island had had a bad name and I cautioned the Capt. about landing there or allowing natives on board until he was satisfied about it. Silva had been castaway there and said he had been well treated by the natives and wished to start trading there. Silva had come with Williams in the "Beatrice" as a trader and landed at Onun. We agreed to transfer his services to our firm. While he was at Onun he drifted over to Pulo-Suk and got back again. Subsequently I heard from one Henry Skillings (American) now at Ponapi that Silva had proposed to him at Onun to join him in taking the "Beatrice" from Williams when she returned. Another passenger was John H. Oldham (American) who was to be landed as a trader wherever he and the Captain decided. He had borne a bad character amongst the traders. He had been a trader for Hayes and had sailed with Capt. Pease. There was also a Ponapi woman who was with Silva - she is called Mary. She had a native crew. Temeti (Ocean Island) Moses (Rotumah), George (Ellice Island - has been living for some years at Nukuoro), and a young boy whose name and island I do not know. Her cargo was a general assortment of trade value over \$3,000. A small quantity of liquors for the use of the traders, 3 Winchester's rifles belonging to us but under the Captain's charge for use in the ship if necessary, I gave him 300 rounds for use. These rifles were to be landed at Yap. There was a revolver of the same pattern as that supplied to the Royal Mail Constabulary, it was called by that name. Reese had a short Snider. Silva had a long Snider. Silva also had a very sharp sword, a long straight one like an infantry regulation. There was no cash on board. I sent \$1500 (Chilian) and about \$2800 in trade by the "Cassilda" (a German Barque) consigned to Capt. Becker at Yap - the "Cassilda" left here on 9th July 1882 for Yap. We have seen news of her arrival at Port Elizabeth (Cape) and presume that she delivered these at Yap - we have not heard from Yap since the "Caroline" sailed nor had we heard for a long time previously. On the voyage previous to this one of the "Caroline" she had been to Ruk and found that our trader there August Hartman (German) had been killed by the natives. Capt. Becker brought away his trade and effects and in his papers was found this letter which purports to be written by Barrows to his brother. Hartman was killed early in 1882, he was an energetic man and took part in the intertribal

Statement of Charles
H. Ingalls (Contd)

wars amongst the natives contrary to our express orders and wishes. He had a Fijian wife and four children they remained at Ruk by their own desire and she asked for trade to be allowed to carry on the business. As Hartmann was in debt to this firm Capt. Becker refused but offered to bring her and her children to Ponapi. One of the boys is about 18, another of them Willie has been to Germany and back as a cabin boy. The letter from Barrows will be forwarded to America.

athwartship - no streak - large trunk cabin with bulk head
open bunks - cabin painted white inside.
Description of persons who left in the "Caroline", 26th June 1882. Ponapi.

by Capelle & Co. as
She was then called "Tori" flew Dutch colours. Captain name
Felix G. Becker. German. Aged about 48. 5 ft. 8 in. Short and thickset - bald - brown hair - heavy faced - eyes I believe grey or dark blue - no scars on the face - did not wear ear-rings - speaks broken English. Nothing noticeable about his hands - do not think he wears rings. Wears thick clothing - blue serge. He has a Marshall Island wife and three children, one born since he left, they are at Ponapi. I think he had about \$20 or \$30 dollars of his own with him, he told me so.

round stern.
John Rees - Welshman. Aged about 50, 5 ft 6", very stout, weighs a about 14 stone - not bald - dark - sometimes he wears a beard sometimes shaves - always wears moustache dark brown - teeth large and irregular. I think some of the front teeth are missing. Coarse broad features - scar on the bridge of nose - dark eyes. Tatoo on the hands and wrists (Mr. Curry stated to me that he had an elephant tattoo on his arm - did not know which) he has the appearance of a heavy drinker - swaggering gait. Wears rings. I think his ears are pierced. Uneducated, he signs himself John Rees. Was formerly in Samoa where he has children living. Have heard him speak about going to Fiji in a cutter belonging to Messrs. David [Curry stated to me that this was in 1876, the cutter whose name he did not remember went to Fiji for a cargo of railway iron - she returned to Samoa and was lost shortly afterwards - she was built in Auckland]. Rees generally wears a pistol when he is on shore - usually dresses in a shirt, trousers, belt and wears a thick monkey jacket. Shirt always open at the throat exposing the chest I think he is tattooed on the chest - slouched straw hat without a ribbon.

John H. Oldham - American - formerly known as Harry Gardner. Aged about 53 looks younger - about 45 - active - light complexion, light hair - shaven face - height about 5 ft. 8 in. - spare features, light eyes - do not remember any scars - nothing noticeable about his person. Wears no rings or ear-rings.

(Sgd.) J. Ruthven Le H nts.
Manuel Silva - Portugese. Dark skin - hair and moustache black. No scars - spare features. Roman nose - about 5'8". Aged about 30 - ears pierced - wears rings on his hands. No scars - speaks broken English, quiet demeanour, usually dresses well and clean. Has a Ponapi woman - ill looking - with Tokolau skin disease.

Statement of Charles
H. Ingalls (contd.)

Enclosure A - Statement 4. C.H. Ingalls.

May 5th 1879.

Moses. - Rotumah. Aged over 40. Short thickset, very stout, believe he has elephantiasis in one of his legs.

The schooner "Caroline" was built at Yokohama, fore and aft rig. 43 tons - leg of mutton mainsail - gaff foresail - staysail, jib and flying jib. well found - newly coppered - painted black - no streak - large trunk cabin with bulk head athwartship. - open bunks - cabin painted white inside. Chromometer by Fodsham Parkinson, London - "Caroline" was purchased by Capelle & Co. as a wreck at Ponapi. She was then called "Tori" flew Dutch colours. Captain name Kumminger sold her to Capelle, believe she was about 13 years old. She had two boats 18 and 20 ft sharp stem and stern. Carried on deck - no davits, both painted lead colour inside and out, had no sails. Galley on deck. steered with a tiller. left her lights behind at Ponapi. Spirit compass I believe by Boston makers - after part of the deck new. Sharp overhanging bow, figure head bird called in Japan Tori(?) painted yellow, two anchors two suits of sails, one good the other more worn. round stern.

When she left on this cruise she was to go from Pulo-suk to Swede Islands, to Lamertick where we had an Agent, Evan Lewis, a Welshman, he has been there two years and had asked to be relieved. When I told Becker in Rees' hearing that I wanted him to bring Lewis away as we were not satisfied with him Rees said "Oh leave that to me I can make Lewis do what I please." Lewis used to be engineer on board a steam launch at Samoa which Capt. Heinbuger had there - from Samoa he came to Jaluit and went as a partner with August Martens in the brig "Susannah" to Palao Islands to trade for Capelle. He quarrelled with Martens and settled at Yap, came from Yap to Ponapi in the "Matilda" in 1880 and from here he went to Lamertick. He accuses Martens of having poisoned his own wife a native of Guam and took away his (Lewis') Lewis is aged 28 - medium height light build dark hair good looking - has some education, knows navigation - well behaved but drinks.

I have read the above statement through it is correct and true to the best of my knowledge and belief. it is a true copy the original has been returned.

(Sgd) C.H. Ingalls.

The above statement was taken down by me and signed in my presence on board HMS. "Espiegée" at Ponapi this 7th July 1883.

Ponapi 7th July, 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

Enclosure A - Statement C.H. Ingalls.

In Her Britannic Majesty's High Court for the
Western Pacific. May 5th 1879.

Brother James, Criminal Jurisdiction.

I send you these few lines in case of Mr. A. Hartman
esq. of the Hoogla or Rug Islands about 400 miles to the Westward
of Ponnopi or Ascension, dear Brother I am about to embark in
a canoe for Nam-a-louk one of the Martlock Is. where my woman
is living and where my home now is I may lose my life though I
hope not if anything happens come down here in a whaler and settle
my affairs the \$528.80 in my chest at Nam-a-louk I (will) to you
give my old gall the trade and household articles keep 6 boxes
of tobacco yourself and 5 cases of gin and sell 20,000 lbs.
cobrah for cash \$300 keep that yourself send my woman home to
her relation in Samoa my trade and money amounts to nearly
\$2000 or quite good bye and God bless you and I hope through his
infinite mercy that I may escape calamity I will state my
circumstances to A. Hartmann and I think he will help you.

(Sgd.) George H. Barrows
Nam a louk
Mortlocks.

P.S. Give my love to Farther and Mother be sure to look out for
my poor woman as their are scoundrels that will rob her of
all in these South Seas shoot any of them that may interfere as
I do not owe one cent to any liveing man that I consider a just
debt if you get \$1000 in cash for yourself make Mr. Hartman a
present and give my old gall the ballance and see her safe home
to Apia Samoa and my 2 boys to Na nouti, Kingsmill Islands
hoping that nothing will happen to me and that all the family
may be spared to meet here on earth again before many months
I remain your

Brother
(Sgd.) George.

The above letter was copied by me from the original handed to
me by Mr. C.H. Ingalls. I certify that it is a true copy
the original has been returned.

(sgd.) J. Ruthven Le Hunte
Jud. Comm.

HMS "Espiegle"
Ponapi 7th July, 1883.

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific.

Criminal Jurisdiction.

Nukuoro or Monte Verde Island.

Statement of Savai, respecting the murder at Greenwich Island of George Barrows (American) Sikasau and Fonasoa (Nanouti - Kingsmill Islands).

Savai - native of Nukufitau trading at Nukuoro for Capelle and Co. - I have been three years at this place. I was trading for one year at Ruk and one year at Mortlock Islands before I came here. I remember Captain Williams schooner coming here about two years and a half ago from Greenwich Islands. John Rees landed here from her and stopped here. Nuli a woman belonging to this place and Seu her brother came with him also Ilaisa a Samoan woman whom I knew formerly living with George Barrows at Mortlock Islands. When I was at Mortlock Islands Barrows went to Greenwich Island with her. When Barrows went there Rees was living there also. The first thing I knew of Barrows death was when I asked Rees how he was and he said he was dead. He told me he (Rees) killed him. I asked him why he had killed him, he did not answer me and would not talk about it. He told me not to say anything about it if any vessel of Capelle's came, he did not give me anything. Rees did not tell me anything about the murder of the two Nanouti islanders I knew of these from Seu and Ilaisa. This was not till more than a year afterwards when the schooner "Tonga tabu" called and Rees went away in her to Yap. I told Seu what Rees had said to me. Seu said that Rees had told him not to tell anyone for if a man-of-war came both he (Rees) and Seu would be killed. My wife knew one of the Nanouti islanders who were at Greenwich Island with Barrows. I asked Seu about them he said he had killed them. I asked Seu why he had killed them, he said that he had been told to do it by Rees. He said that Rees fired first but did not hit the man that Rees and the man had a struggle for the gun and the Nanouti man struck Rees in the breast with a knife. Rees called out to Seu "Seu I am killed - shoot this man". Seu came up and fired one shot and hit the man in the leg, the man ran away. Seu had a fowling piece, Rees had a needle-rifle. Seu asked him for the rifle and when he got it he went off after the Nanouti man - he found him unable to walk owing to the wound in the leg, he then shot him - before he shot him the man fall down and asked Seu not to shoot him for he would go back with him and work for Rees and leave Barrows. Seu said "No I am come to shoot you" and shot him and killed him. Seu left him and went back. The other boy had run away. Rees said to Seu that they would go and look for him and some of the Greenwich islanders went too, they found him in the bush. The man sang out to Seu that he did not want to fight but would go with him. Rees and Seu fired several shots and wounded the man, they said "What sort of a man is this - he will not die.", they had fired Seu said about ten or twelve shots through him before he died. Seu asked Rees what they should do with the body - should they burn it - Rees said it would be better to throw it into the sea. They threw him into the sea.

~~Exhaddfromx~~

Statement of Savai.(contd.)

I heard from Ilaisa that they cut the body up before they threw it in. Seu told me also that Rees told him and the Greenwich Islanders that they were to go and kill Barrows. The natives went fishing in canoes - in the day time - Rees did not go with them. Seu went - Seu took a gun. They returned from fishing by the way of the island where Barrows lived. The canoe landed and Seu went into the bush with the gun. Seu told the natives to tell Barrows to go and look at some fish. Seu went close to Barrow's home. Barrows went down to the canoe to look at the fish, the men in the canoe looked at Seu and Seu nodded his head for them to kill Barrows, the native shook his head. Seu nodded again, the natives seized Barrows from behind. Seu ran down to the canoe Seu throttled Barrows and drowned him in the water, they all held him until Seu said "That will do he is dead". A canoe went to tell Rees. Seu went in it. He asked him what he should do with the body - throw him in the water or bury him ashore. Rees said "bury him ashore". Seu asked Rees whether he intended to have Ilaisa killed, Rees said No. That is all Seu told me about this affair. Ilaisa told me exactly the same as Seu had done about the killing of the Nanouti boys and of Barrows. Ilaisa also told me that after Barrows was dead Rees asked her where Barrows' money was. Ilaisa told him that there was none. Rees unlocked all her boxes and found the money and took it. Rees gave all Barrows trade to Seu. I don't know how much but I heard from Mr. Vowells that Barrows had two thousand dollars in money and one thousand worth of trade when he was killed. When Rees was living here after they left Greenwich Island one day I saw him counting a bag of gold and another of silver. I was told that he had plenty of money but he had not shewed it. When he caught sight of me he snatched up the bags and covered them. I heard that he did not want the silver and had given it to Ilaisa - I believe about two hundred dollars - and kept the gold. Rees sold me a chest and a revolver - Ilaisa told me that the chest was Barrows, the revolver belonged I think to Rees. (this revolver is a small sized six chambered revolver by Webley & Sons with a small brand R.T.C. central fire - J.M.Lett) He also sold me a box of tobacco 140 lb which I know belonged to Barrows. Seu has a revolver now in his house which belonged to Barrows. I know it because Barrows offered to sell it to me when we were at Mortlock Islands. Seu also has a Snider rifle which belonged to Barrows he also had a box of tobacco - a large box - which belonged to Barrows, he has sold it to ships that have called for copra. Seu has plenty of trade that belonged to Barrows. Since Seu came back from Greenwich Island he has killed two Nukuoro men Lua and Tofunga, a brother of Lua's, he shot them both, the cause was a quarrel which Tofunga had with two other Nukuoro men, Tubua and Sau. Tofunga came to my place for protection, he said he did not want to fight. I told the others so but Seu who was in the passage called out "if you keep those two men there I don't care about Capelle or the man-of-war." I think he meant that he would kill me. I took care of them and one day the people from Nukuoro village sent a message to tell me to come over and bring them to have a talk as they did not want to fight. We went When we landed a man came up with a gun and told me to clear out. I said I would stay. Seu came up and said "Savai get out" I asked him whether he wanted to kill me, he said not me but the other man

with me. I said Why? he does not want to fight. The other man who had come up first came up with a spear and ran the man, Tofunga through, who was behind me. He fell and Seu shot him through the head. Several men fired into the body. Seu then told me to go back to my home as they had finished fighting. Lua was killed at another place, I was not there.

Statement Ilaisa lived for some time here with Rees after they came from Greenwich Island. She did not like him and she complained to me that she was continually being beaten by Rees.

Null states - I am a native of Nukuoro. I went to Greenwich Island with John I. I have heard all the above statement read over, it is all true belonging to Capelle. I remember Barrows and Ilaisa coming to Greenwich Is. in his "Belle Brandon" belonging to Henderson and Mc'Savai. X was some short time after we had come I don't know why Barrows and Rees (J.R.Lett.) I remember the two Nanouti men being killed. Rees told Seu - my brother - to kill Both Rees and Seu told me that he had given Captain Williams a lot of liquor. Seu told me that this belonged to Barrows. I did not hear why. tree - he was going up when he saw Rees coming and he did not go up. Rees his out "what are you doing here" The man said "Nothing". Savai fire X at him, the shot hit him, the Nanouti man ran away. I don't know wh (J.R.Lett.) The other Nanouti man Fonasoa ran away into the bush. The Greenwich Islanders found him, Seu and Rees shot him. Seu told us that he had killed Sikasau. I don't know why Rees killed Barrows. He told the natives and Seu to go and kill him. I did not see them kill him. They came and The above statement was taken down by me and signed in my presence this tenth day of July, 1883 on board HMS "Espiegle" at Nukuoro. she stopped there. I don't know whether she liked Rees, she never spoke about it. Rees was fond of her. I remember one day Ilaisa (Sgd.) J. Ruthven Le Hunte. said to me tell Ilaisa to come to the house. Jud. Comm. afraid and cried. Jack Rees took his gun and went towards the kitchen - Ilaisa saw him coming and ran away into the bush - Rees fired at her and the bullet struck her back but only grazed her body, it went through her clothes. Ilaisa ran away to another small island. Ilaisa came back afterwards. Rees was drunk when he did this, he used to drink a great deal, he used to beat me sometimes but not so much as he did Ilaisa. I don't know whether Rees had any money or goods of Barrows after he killed him, he had his revolver. Rees told Ilaisa to bring him Barrows revolver and she brought it to him. Rees gave Seu some things - a chest, rifle, a revolver, tobacco - axes - clothes, trousers.

We all came here from Greenwich Island with Capt. Williams Rees gave Williams tobacco - powder - whiskey. I don't know about money. I don't know why he gave it, perhaps to pay for our passages. Rees went away in the "Caroline" to Mortlock Islands, he wanted me to go with him, I refused. Ilaisa lived with a Nukuoro man - Seu - Rees told Seu to look after her when he went away. She went to Ponapi. When the "Caroline" was here the last time Rees was mate he did not come ashore. I did not see him.

Statement of Nuli. (contd.)

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific.

I have heard the above statement read over to me it is true
Criminal Jurisdiction.

Nukuoro or Monte Verde Island.

10th July 1883.

Statement of Nuli, respecting the murders at Greenwich Island of George Barrows (American) and two natives of Nanouti (Kingsmills)

Nuli states - I am a native of Nukuoro. I went to Greenwich Island with John Rees about four years ago in the schooner Lotus, Capt. Johnson, belonging to Capelle. I remember Barrows and Ilaisa coming to Greenwich Is. in the "Belle Brandon" belonging to Henderson and McFarlane, this was some short time after we had come. I don't know why Barrows and Rees fell out. I remember the two Nanouti men being killed. Rees told Seu - my brother - to kill them. Seu said not to kill them but Rees said he was to. I don't know why Rees wanted to kill them. I saw Sikasau killed. He went up a cocoanut tree - he was going up when he saw Rees coming and he did not go up. Rees sang out "What are you doing here" The man said "Nothing". Rees fired at him, the shot hit him, the Nanouti man ran away. I don't know who killed him. The other Nanouti man Fonasoa ran away into the bush. The Greenwich Islanders found him, Seu and Rees shot him. Seu told us that he had killed Sikasau. I don't know why Rees killed Barrows. He told the natives and Seu to go and kill him. I did not see them kill him. They came and told us that he was dead - we went together to the place - he was buried when I was there. Rees brought Ilaisa back with him to our house - she stopped there. I don't know whether she liked Rees, she never spoke about it. Rees was fond of her. I remember one day Ilaisa being in the kitchen. Rees said to me tell Ilaisa to come to the house. Ilaisa was afraid and cried. Jack Rees took his gun and went towards the kitchen - Ilaisa saw him coming and ran away into the bush - Rees fired at her and the bullet struck her back but only grazed her body, it went through her clothes. Ilaisa ran away to another small island. Ilaisa came back afterwards. Rees was drunk when he did this, he used to drink a great deal, he used to beat me sometimes but not so much as he did Ilaisa. I don't know whether Rees had any money or goods of Barrows after he killed him, he had his revolver. Rees told Ilaisa to bring him Barrows revolver and she brought it to him. Rees gave Seu some things - a chest, rifle, a revolver, tobacco - axes - clothes, trousers.

We all came here from Greenwich Island with Capt. Williams Rees gave Williams tobacco - powder - whiskey. I don't know about money. I don't know why he gave it, perhaps to pay for our passages. Rees went away in the "Caroline" to Mortlock Islands, he wanted me to go with him, I refused. Ilaisa lived with a Nukuoro man - Seu - Rees told Seu to look after her when he went away. She went to Ponapi. When the "Caroline" was here the last time Rees was mate he did not come ashore. I did not see him.

Statement of Nuli. (contd.) Majesty's High Commissioner's Court for
the Western Pacific.

I have heard the above statement read over to me it is true

Nukuoro or Monte Verde Islands. 10th July 1883.

Statement of Seu, respecting the murders at Greenwich Island of
George Barrows (American) her Sikasau and Fonasoa (Nanouti - Kingsmill)

Nuli X

Seu - states - Native of Nukuoro (J.R.Lett.) at to Greenwich Is. with
Rees and Nuli - my sister - living with Rees. We went in the

Lotus Captain Johnson. Rees his went there to trade for Capelle.

Interpreted by Savai X
Ilaisa coming in a schooner - we had not
been long there when they came. Barrows put up a house on another
island some way from the one Rees lived at. Barrows brought two

The above statement was taken down by me and signed in my presence
this tenth day of July 1883 on board HMS. "Espiegle" at Nukuoro.

two Nanouti men to pull down some houses which belonged to the
Greenwich Islanders, he wanted to use this timber to build a house
for himself. I remember the day (Sgd.) J.R. LeHunte Barrows was
on another island. Ilaisa, Sikasau and I were on the island
where these houses were, they had come to pull them down. Rees
and I went to where they were. Rees had a rifle. I had a gun -
a fowling piece. Rees's rifle was loaded - the gun was not loaded.

Rees called out to the two men "what are you doing?" I don't know
what they replied. Rees fired at Sikasau - the shot hit him.

Rees fired twice - at some distance. Rees said to me let us go
and look and see how that man is. I was frightened and said No,
he told me to go. Sikasau tried to get Rees gun from him. Rees
sang out to me to come and shoot the man, that he (Rees) was a
dead man. I saw Sikasau with a knife. Rees had wounded Sikasau in
the leg. Sikasau got away - Rees told me to go after him I said
No. Rees said I must go, he gave me his rifle. I went after
Sikasau he had gone some way to another island. I came up with him
and shot him through the body, he said nothing to me before I shot
him. Rees came along after me. He came up to where Sikasau lay
dead. He said leave him alone let us go and look for the other
Nanouti man. We went with the Greenwich Islanders to search for
him - we found him in the bush on the island where Rees lived. Rees
fired first and shot him through the head the man fell but not
dead. I fired two shots Rees fired two quite close to the man, he
still breathed. Rees told the natives to knock him on the head
with sticks, they did so and put an end to his life. I asked Rees
what we were to do with the body he told us to throw him into the
sea, we threw him in, one man tied a stone to the body.

I don't know why Rees wanted to kill Barrows. He told me and the
Greenwich Islanders to go and kill him. All the men - no women -
came together and had a talk about it. Rees was there. Rees told
them to go fishing in canoes and to go to the island George lived
on and that they were to entice him down to the canoes to look at
some fish and then they were to kill him there. The natives went
fishing. I stayed with Rees. I did not see Barrows killed. I was
not there. They got him down to the canoes and he was seized from
behind by Lapokono. I know Lukulai and Uske, they were there I
don't know about their having strangled Barrows with a rope. I
was not there. Ilaisa was and knows about it, she saw it happen.

A canoe came and told Rees that Barrows was killed. Rees and Nuli

Statement In Her Britannic Majesty's High Commissioner's Court for the Western Pacific.

Went to the Criminal Jurisdiction. told me to stop and look after the place. Rees gave the Greenwich Island people tobacco, Nukuoro or Monte Verde Islands. 10th July 1883. live at his Statement of Seu, respecting the murders at Greenwich Island of George Barrows (American) Sikasau and Fonasoa (Nanouti - Kingsmill) Barrow's revolver to me. I remember Rees shooting at Ilaisa.

Seu - states - Native of Nukuoro, I went to Greenwich Is. with Rees and Nuli - my sister - living with Rees. We went in the Lotus Captain Johnson. Rees went there to trade for Capelle. I remember Barrows and Ilaisa coming in a schooner - we had not been long there when they came. Barrows put up a house on another island some way from the one Rees lived at. Barrows brought two Nanouti man, Sikasau and Fonasoa with him. The cause of ill feeling between Rees and Barrows was Barrows having told these two Nanouti men to pull down some homes which belonged to the Greenwich Islanders, he wanted to use this timber to build a house for himself. I remember the day Sikasau was killed. Barrows was on another island. Ilaisa, Sikasau and Fonasoa were on the island where these houses were, they had come to pull them down. Rees and I went to where they were. Rees had a rifle. I had a gun - a fowling piece. Rees's rifle was loaded - the gun was not loaded. Rees called out to the two men "What are you doing"? I don't know what they replied. Rees fired at Sikasau - the shot hit him. Rees fired twice - at some distance. Rees said to me let us go and look and see how that man is. I was frightened and said No, he told me to go. Sikasau tried to get Rees gun from him. Rees sang out to me to come and shoot the man, that he (Rees) was a dead man. I saw Sikasau with a knife. Rees had wounded Sikasau in the leg. Sikasau got away - Rees told me to go after him I said No. Rees said I must go, he gave me his rifle. I went after Sikasau he had gone some way to another island. I came up with him and shot him through the body, he said nothing to me before I shot him. Rees came along after me. He came up to where Sikasau lay dead. He said leave him alone let us go and look for the other Nanouti man. We went with the Greenwich Islanders to search for him - we found him in the bush on the island where Rees lived. Rees fired first and shot him through the head the man fell but not dead. I fired two shots Rees fired two quite close to the man, he still breathed. Rees told the natives to knock him on the head with sticks, they did so and put an end to his life. I asked Rees what we were to do with the body he told us to throw him into the sea, we threw him in, one man tied a stone to the body. I don't know why Rees wanted to kill Barrows. He told me and the Greenwich Islanders to go and kill him. All the men - no women - came together and had a talk about it. Rees was there. Rees told them to go fishing in canoes and to go to the island George lived on and that they were to entice him down to the canoes to look at some fish and then they were to kill him there. The natives went fishing. I stayed with Rees. I did not see Barrows killed. I was not there. They got him down to the canoe and he was seized from behind by Lapokono. I know Lukulai and Ueke, they were there I don't know about their having strangled Barrows with a rope. I was not there. Ilaisa was and knows about it, she saw it happen. A canoe came and told Rees that Barrows was killed. Rees and Nuli

Statement of Seu (contd) His Majesty's High Commissioner's Court for the Western Pacific.

Went to the place. I did not go. Rees told me to stop and look after the place. Rees gave the Greenwich Island people tobacco, two axes for doing this. Rees brought Ilaisa to live at his place, he took all Barrows trade and money. I don't know what he did with the trade. He gave me a box of tobacco. He gave Barrow's revolver to me. I remember Rees shooting at Ilaisa. Ilaisa ran away into the bush. We all came away from Greenwich Island in Capt. Williams's schooner to Nukuoro. Rees gave Williams five cases of whiskey, about ten axes, some coir fibre - these all belonged to George Barrows - I don't know why he gave Williams these things. When Sikasau was killed Kamoimai was there, he was not working with Barrows. None of the natives worked for him. Moivaka - a woman who lived with Shaw a Samoan half-caste there some time ago - knows a little English.

The above statement has been read over to me - it is correct and true. Another man who was the Mate of the "Lotus" was a companion of his. Barr his

Seu X
 (B.R.Lett)
 his
 X

Interpreted by Savai X

The above statement was taken down by me and signed in my presence this tenth day of July 1885 on board HMS "Espiegle" at Nukuoro.

(Sgd.) J. Ruthven Le Hunte.
 Cud. Comm. - Capt. Williams - bound from Hong Kong to Guam and Pelleus in August 1862. We left Hong Kong 24th August and arrived at Pelleus in November last. Williams told Seu made the above statement voluntarily without pressure, inducement, threat or promise of any kind. He stated that he had not expected to find Rees alive as Barrows was a desperado and he expected wanted to get Greenwich Island himself. When they first entered the lagoon no one came off but at last he saw Rees coming in a canoe. He said "Hullo Rees are you alive? I did not expect to see you". He then asked Rees how Barrows was. Rees replied that Barrows had died from sickness. Afterwards Rees confessed to Williams that Barrows had been killed and that it had been done on account of the danger in which his (Rees') life was. That he had heard that Barrows intended to kill him and that he had dreamt one night that a spirit "an angel" - had appeared to him in a dream and told him to kill Barrows and that consequently he had taken steps to kill the man. As far as I understood Williams Rees said that Barrows was first attacked by the natives and afterwards finished off by Rees himself. Rees then asked him for a passage to Nukuoro and Williams took him and Barrows property to Nukuoro. Williams seemed to treat the whole thing as a comical affair. I do not think he was in anyway conscious that he was doing anything wrong in helping Rees instead of bringing him to justice. I heard from Williams when he last came here from Yap in

J.R.Lett.

2.
Statement
In Her Britannic Majesty's High Commissioner's Court for
the Western Pacific.

Criminal Jurisdiction.

Enquiry relative to the murder of George Barrows (American
citizen) at Greenwich Islands.

John S. Kubarry. - I am a native of Poland but a naturalised
British subject. I have been employed for thirteen years as a
scientific traveller and naturalist in the Pacific. I first met
Rees at Samoa in 1870. He was employed by Goddefroy & Co. sailing
their vessel about those islands. In 1875 after my return from a
visit to Europe I purchased Waimoso in Upolu (Samoa). Rees lived
on lands adjoining mine there. I left Samoa in 1875. I regis-
tered my deeds in the British Consulate. Mr. Williams was Consul.
Rees deeds had been registered at the American Consulate - Mr.
Coe (?) was the Consul for the United States. I next came across
Rees in Rûk in the Caroline Islands. He was waiting for employment
by Capelle & Co. Another man who was the Mate of the "Lotus" was
a companion of his. Barrows was there before Rees came. Barrows
came over in a canoe from Namelûk. He was not trading for anyone
there, he came to have a look at the land. He visited a Mr. Vowell
an Englishman trading for Capelle & Co. I saw a great deal of
Barrows at Rûk. I had a row with him about taking a boat of mine
without my leave. He was a "desperate character". I don't know
of any row between Rees and Barrows at Rûk. Barrows I think may
have gone before Rees arrived. No, I remember he was there with
him. I left Rûk for Ponapi with Capelle & Co. in the "Tonga tabu"
they left Rûk I think in the "Lotus". I heard of Rees at Greenwich
Island afterwards from time to time when I was at Ponapi. I did
not know about anything having happened there until I was a passen-
ger on board the schooner "Beatrice" - Capt. Williams - bound from
Hong Kong to Guam and Pellews in August 1882. We left Hong Kong
24th August and arrived at Pellews in November last. Williams told
me in a general conversation about experiences in the islands,
about his last trip to Greenwich Islands. He stated that he had
not expected to find Rees alive as Barrows was a desperado and he
expected wanted to get Greenwich Island to himself. When they
first entered the lagoon no one came off but at last he saw Rees
coming in a canoe. He said "Hullo Rees are you alive? I did not
expect to see you". He then asked Rees how Barrows was. Rees
replied that Barrows had died from sickness. Afterwards Rees
confessed to Williams that Barrows had been killed and that it had
been done on account of the danger in which his (Rees') life was.
That he had heard that Barrows intended to kill him and that he
had dreamt one night that a spirit "an angel" - had appeared to
him in a dream and told him to kill Barrows and that consequently
he had taken steps to kill the man. As far as I understood
Williams Rees said that Barrows was first attacked by the natives
and afterwards finished off by Rees himself. Rees then asked him
for a passage to Nukuoro and Williams took him and Barrows property
to Nukuoro. Williams seemed to treat the whole thing as a comical
affair. I do not think he was in anyway conscious that he was
doing anything wrong in helping Rees instead of bringing him to
justice. I heard from Williams when he last came here from Yap in

May last that the "Caroline" had been lost. I had not heard that the crew and passengers were missing until I heard it now from Mr. Le Hunte. I know Capt. Becker, he and I were friends. He was fond of liquor but his head was not strong enough to stand much. He was quarrelsome when he drank, not at all when he was sober. I knew Oldham but by his former name Harry Gardiner. He was a rough character. I have met Manuel Silva but did not know him.

I knew the "Caroline" formerly the "Tori" built by Cook of Yokohama, she was the sister ship of the "Beatrice". She was very well built.

Captain was a German she flew a German flag. She stayed here from six to ten days. (Sgd.) J. S. Kubary.

The above statement was taken down by me and signed in my presence on board HMS "Espiegle" at Pellew Islands this 11th day of August 1883.

(Sgd.) J. Ruthven Le Hunte.
Jud. Comm.

About a month afterwards I heard from some Noki noki islanders who came over in canoes that the crew of the "Caroline" had left in their boat I don't know whether they all went or where they went but I presume they would try and make their way to Ponapi. Her bowsprit and some other gear recognised as hers drifted to the North East part of Yap and is now in the keeping of Capt. Holcombe here.

I know Captain Williams of the schooner "Beatrice" - he is a British subject residing at Guam. He informed me that at an island in the Eastern part of this part of the Pacific he got some copra very cheap (at $\frac{1}{2}$ cent a pound (lb) I believe was what he said the price was) from a trader of Capelle & Co. who was in a bad fix from a serious shooting affair and that he Williams had assisted him. That is all I know about it.

(Sgd.) D.D. O'Keefe.

The above statement was taken down by me and signed in my presence on board HMS. "Espiegle" at Yap this eighteenth day of August 1883

(Sgd.) J. Ruthven Le Hunte

Jud. Comm.

In Her Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Criminal Jurisdiction.

Yap. 18th August 1883.

Enquiry into the murder of George Barrows (American Citizen)
at Greenwich Island.

David Deane O'Keefe states I am a British subject trading at Yap Island. I know John Rees I believe he is a British subject. I first met him in October 1880 at Yap, he came in the schooner "Tonga tabu" a topsail schooner belonging to a Samoan firm. The Captain was a German she flew a German flag. She stayed here from six to ten days. Rees was a passenger in her he left in her for Ponapi. The next time I saw him was in August 1882 when he came here as Mate of the "Caroline", Capt. Becker. They were five or six weeks here - I arrived here from six to ten days before they left. I have never seen them since. Just about three months ago a French barque and a German three masted schooner "Emile Hessemüller" arrived here from Oleai. The Captain on the schooner whose names I do not remember, informed me that the crew of the "Caroline" were on Oleai, she having been lost close to that island, and that Capt. Becker had declined to come down to Yap when they offered to take him here saying that there was no better chance of getting back to Ponapi from Yap than from Oleai. Oleai is a cluster of small islands thirteen or sixteen islands - there are white traders there. Peter Bohm for HERNSHEIM & Co. The man who is said to have killed Hayes on board the "Lotus" is there. I don't remember his name.

About a month afterwards I heard from some Noki noki islanders who came over in canoes that the crew of the "Caroline" had left in their boat I don't know whether they all went or where they went but I presume they would try and make their way to Ponapi. Her bowsprit and some other gear recognised as hers drifted to the North East part of Yap and is now in the keeping of Capt. Holcombe here.

I know Captain Williams of the schooner "Beatrice" - he is a British subject residing at Guam. He informed me that at an island in the Eastern part of this part of the Pacific he got some copra very cheap (at $\frac{1}{2}$ cent a pound (lb) I believe was what he said the price was) from a trader of Capelle & Co. who was in a bad fix from a serious shooting affair and that he, Williams, had assisted him. That is all I know about it.

(Sgd.) D.D. O'Keefe.

The above statement was taken down by me and signed in my presence on board HMS. "Espiegle" at Yap this eighteenth day of August 1883

(Sgd.) J. Ruthven Le Hunte

Jud. Comm.

In Her Britannic Majesty's High Commissioner's Court for
the Western Pacific.

Yap 21st August, 1883.

Enquiry into the murder of George Barrows (American citizen)
at Greenwich Island.

Statement of Crayton Philo Holcomb.

I am an American citizen residing at Yap in the Western Pacific
I have been here with one or two trips away since 1873. I know
John Rees, I have seen him here on two separate occasions he
always hailed as a British subject, he is a Welshman I believe
I am certain that when he was here he never claimed to be or
posed as an American subject. He was here last as Mate of the
"Caroline" schooner, last August they left for the East and got
wrecked on the island of Ferclap near Ulie or Oleai, part of the
wreck came ashore on this island before we heard of the wreck
we recognised the bowsprit and iron work as part of her. A
letter has been received here from Captain Becker from Ulie
since.

Account of Fees (Sgd.) C.P. Holcomb.

The above statement was taken down by me and signed in my
presence at Yap this 21st day of August 1883.

(Sgd.) J. Ruthven Le Hunte

Jud. Comm.

Judicial SCHEDULE OF ENCLOSURES → JUDICIAL PROCEEDINGS.

- | | | |
|-----|--|--|
| No. | <u>Enclosure.</u> | HMS. "Espiegle"
Near Yap Island
14th August, 1883. |
| *A | | |
| 1. | Documents and judgment in <u>Capelle v. Tilton</u> | |
| 2. | " " " " <u>Re the Estate of R.J. Abbott deceased</u> | |
| 3. | Preliminary investigation <u>Regina v. O'Keefe</u> discussed | |
| 4. | " " " " and documents in <u>Regina v. Amery & Shaw</u> committed for trial. Memoranda of conviction and recognizances. | |
| 5. | Documents in <u>Holcomb v. O'Keefe</u> - settled out of Court. | |
| *A. | Copy letter Judicial Commissioner to Capt. Bridge R.N. re appointment of official of Court. | |
| | Copy letter Capt. Bridge R.N. to Jud. Comm. nominating officers to act as officials of Court. | |
| 6. | Account of Fees &c. received. | |

(Sgd.) G.R. Le Munte.
Jud. Comm.

HMS "Espiegle" at Sea
14th August, 1883.

Sir,
I have the honor to acknowledge the receipt of your letter of the 14th instant requesting me to appoint some fit and proper persons to perform the duties of Registrar and officer or Bailiff in H.M. High Commissioner's Court at the approaching sittings, and in compliance with your request I beg to nominate Mr. Charles Deighton Molesworth Ferrant, Assistant Paymaster as a suitable person to act as Registrar and William Stewart, Ship's Corporal as a suitable person to act as Bailiff in the aforementioned Court.

2. With respect to the remuneration for the performances of the duties of Registrar I have the honor to inform you that in the case of a Naval Court the Clerk or Registrar of the Court receives £2 if the Court sit but for one day, if more than one day, then for each day (including the first) £1:10:0 and the Bailiff or Marshal receives an allowance of 5/-s. a day.

I have the honor to be, Sir,
Your most obedient Servant.

(Sgd.) Cyprian. A.G. Bridge
Captain.

Judicial Commissioner Le Hunte to Capt. C.A.G. Bridge, R.N.
HMS. "Espiegle"
Near Yap Island
14th August, 1883.

Sir,

In view of the approaching sittings of HM High Commissioners Court for the Western Pacific in both its Criminal and Civil Jurisdiction, at Yap, and the advisability of the appointment of some fit and proper persons to perform the duties of Registrar and Officer or Bailiff of the Court, I have the honour to request that if possible, an officer of H.M. Ship under your command be appointed to act as Registrar, and a reliable noncommissioned or petty Officer to act as Constable and Bailiff for the sittings in question.

With respect to the remuneration for the performance of the duties of Registrar, as there is (as far as I am aware) no means of ordering the payment of any Fees of Court to that Officer for his own use, I shall be willing - on the part of the High Commissioner to pay the Officer that may be appointed, such remuneration as you may consider proper; and to do the same in the case of the person who may act as Constable of the Court in Criminal Cases - In Civil Cases I shall order the payment to him for his own use, of the fees payable in such cases to the Bailiff of the Supreme Court of Fiji.

(Sgd.) G.R. Le Hunte.
Jud. Comm.

Declaration of property of R.J. Abbott.

HMS "Espiegle" at Sea
14th August, 1883.

Sir,

I have the honor to acknowledge the receipt of your letter of the 14th instant requesting me to appoint some fit and proper persons to perform the duties of Registrar and officer or Bailiff in H.M. High Commissioner's Court at the approaching sittings, and in compliance with your request I beg to nominate Mr. Charles Deighton Molesworth Farrant, Assistant Paymaster as a suitable person to act as Registrar and William Stewart, Ship's Corporal as a suitable person to act as Bailiff in the aforementioned Court.

2. With respect to the remuneration for the performances of the duties of Registrar I have the honor to inform you that in the case of a Naval Court the Clerk or Registrar of the Court receives £2 if the Court sit but for one day, if more than one day, then for each day (including the first) £1:10:0 and the Bailiff or Marshal receives an allowance of 5/-s. a day.

I have the honor to be, Sir,
Your most obedient Servant.

(Sgd.) Cyprian. A.G. Bridge
Captain.

Enclosure No. 2. Judicial Proceedings.

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific at Yap.

Probate Jurisdiction.

The 17th day of August, 1883.

In re the estate of Robert James Abbott British Subject deceased.

List of Enclosures.

- A. Letter from R.J.Abbott to Captain Holcomb.
- B. Power of Attorney. Abbott to Holcomb.
- C. Inventory of the estate of R.J.Abbott.
- D. Agreement between O'Keefe & Co. & R.J.Abbott.
- E. Power of Attorney. O'Keefe & Co. to R.J.Abbott.
- F. Account, HERNSHEIM & Co.
- G. Account Blackhead & Co.
- H. Account HERNSHEIM & Co.
- I. Store Account.

Declaration of property of R.J.Abbott.

Declaration of surrender of money left by R.J.Abbott to C.P. Holcomb.

Copy of Judgement.

(Sgd.) C.D.Molesworth Farrant.

Acting Registrar.

I Robert J. Abbott agent for D.D.O'Keefe & Co. at Yap and holding full power of attorney for the same do hereby appoint C.P.Holcomb to act for me and to take full charge of D.D.O'Keefe & Co's affaire during my illness or until D.D.O'Keefe's return to Yap in case of my decease. And to have and to hold the same power as myself given this 2nd day of June 1880.

Witness
(Sgd.) Thomas Shaw

(Sgd.) Robert X Abbott
mark.

I hereby certify that the above is a true copy of the paper exhibited and marked "B" in the matter of the estate of the late Robert James Abbott deceased heard at Yap this 17th August, 1883.

(Sgd.) J. Ruthven Le Hunte.
Jud. Comm.

In the estate of R.J. Abbott deceased. 17.8.83.

B. In the estate of R.J. Abbott deceased 17.8.83.

A.
In the estate
of R.J. Abbott
deceased.
17.8.83.
Yap 17.8.83
J.R. Le H.

I hereby certify that the following is a true copy of the letter exhibited and marked "A" in the matter of the Estate of Robert James Abbott deceased heard at Yap this 17th August, 1883. (Sgd.) J. Ruthven Le Hunte. Jud. Comm.

Tapelou. June 2nd 1880
Captain Holcomb,

Dear Sir,
You will oblige me by taking over all of my personal effects consisting of two chest and contents and bedding (?) now at Pelou and bring the same to Tapelou at your earliest convenience I want you to take a general supervision of Capt. D.D.O'Keefe's affairs at Pelou until his return. You will have the assistance of Mr. Holt who is there in charge during my absence. For this I will give you full power of attorney to act for me until such time as I am able to act for myself.

Witness
(Sgd.) Thomas Shaw.

his
(Sgd.) Robert X Abbott
mark.

£ 227 12 0

P.S. You will remit to my mother's address at Hobart Town the sum of \$ 750 or £150 the remainder I want you to retain for your kindness to me during my sickness in Yap also all my clothing instruments and jewelry in fact all the personal effects that I may die possess of.

Witness
(Sgd.) Thomas Shaw

(Sgd.) J. Ruthven Le Hunte.
(Sgd.) Robert X Abbott
Jud. Comm. mark.

B.
In the estate
of R.J. Abbott
deceased
17.8.83.

Tapelou June 2nd 1880

I Robert J. Abbott agent for D.D.O'Keefe & Co. at Yap and holding full power of attorney for the same do hereby appoint C.P.Holcomb to act for me and to take full charge of D.D.O'Keefe & Co's affairs during my illness or until D.D.O'Keefe's return to Yap in case of my decease. And to have and to hold the same power as myself given this 2nd day of June 1880.

Witness
(Sgd.) Thomas Shaw

his
(Sgd.) Robert X Abbott
mark.

I hereby certify that the above is a true copy of the paper exhibited and marked "B" in the matter of the estate of the late Robert James Abbott deceased heard at Yap this 17th August, 1883. (Sgd.) J. Ruthven Le Hunte. Jud. Comm.

AGREEMENT

In the estate of
 In the Estate
 of R.J. Abbott
 Deceased H.
 Yap 17.8.83
 J.R.Le H.

	£	S	D.
between			
1 Sextant	6	0	0
1 Aneroid Barometer (broken) the part and Robert	-	-	-
1 Binocular the other part.	1	0	0
1 South Sea Directory		12	0
1 Epitome mutually agreed, that R. Abbott remains	10	0	0
1 Chest with Clothing	4	0	0
Jewellery		8	0
1 Bed and Blanket ships to Guap. R. Abbott is to	1	0	0
Cash	4	6	0
Order on Blackhead & Co. HongKong per calendar month			
given by D.D.O'Keefe & Co. for wages			
due to deceased on schooner "Seabird"	53	16	0
Claim against D.D.O'Keefe & Co. for			
wages due to deceased from 2nd April,			
1878 to 4th June, 1880	156	0	0
Mr. Abbott's term of service to count from the			
2nd April, 1878.	£	227	12 0

Guap, 28th July, 1878.
 This is the exhibit marked "C" in the matter of
 the Estate of the late Robert James Abbott deceased
 heard at Yap this 17th August, 1883.

(Sgd.) J. Ruthven Le Hunte.

I hereby certify that this is the exhibit marked
 "D" in the matter of the Estate of Robert James Abbott
 deceased heard at Yap this 17th August, 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Commissioner.

(Sgd.) J. Ruthven Le Hunte.

D.

AGREEMENT?

between

In the estate of
R.J. Abbott
decd. 17.8.83
J.R. LeH.

D. D. O'Keefe & Co. on the one part and Robert
Abbott on the other part.

Now it is mutually agreed, that R. Abbott remains in
the service of D.D. O'Keefe & Co. until the return of
any of the Coy's ships to Guap. R. Abbott is to
receive for his services as trader and manager at Guap
the sum of \$ 30 say thirty dollars per calendar month
and a commission of \$100 say one hundred dollars for
every hundred thousand pounds of copra collected and
delivered to the ship. In all other matters he will exercise his own judgement

Mr. Abbott's term of service to count from the
2nd April, 1878. He is further empowered to buy
copra on our a/c and draw on us bills payable six months
Guap, 28th July, 1878.

Guap the 29th (Sgd.) July D.D. O'Keefe & Co.

Witness to the signature

I hereby certify that this is the exhibit marked
"D" in the matter of the Estate of Robert James Abbott
deceased heard at Yap this 17th August, 1883.

(Sgd.) J. Ruthven Le Hunte.
Abbott decd. heard at Yap this 17th August 1883
Jud. Commissioner.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

E.

In the Estate
of R.J. Abbott
deceased
17.8.83.

We the undersigned hereby give to Mr. Abbott in Guap
a full and complete power of attorney to act on our
behalf during our absence from Guap as regards the
following. All our traders now at the island are
under his orders, he may employ new traders if
advantageous paying the same wages as our traders receive
now. Mr. Abbott is further empowered to buy trade and
provisions if necessary and draw on us for the amount
of \$500 say five hundred dollars, but he is not per-
mitted to sell any cobra whatever on any account, in
all other matters he will exercise his own judgement
as to the prices of our trade so as to sell the goods
to the best advantage. He is further empowered to buy
cobra on our a/c and draw on us bills payable six months
after date.

certify that the above is a true copy
of a paper exhibited and marked "F" in the matter
of the estate of Robert James Abbott
Guap the 29th day of July 1878.
Witness to the signature this 17th August, 1883.

(Sgd.) H... Haldorfen (Sgd.) D.D.O'Keefe & Co.
Jud. Comm.

I hereby certify that this is the exhibit marked
"E" in the matter of the Estate of Robert James
Abbott decd. heard at Yap this 17th August, 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

This is to certify that this is a true copy of the paper exhibited and marked "G" in the matter of the estate of Robert James Abbott Yap Island Feb. 26, 1880 this 17th August, 1883.

(Sgd.) Mr. Abbott, Palau
Jud. Comm.

Bought of

Hernsheim & Co.

Hong Kong, 2nd August, 1883.

		£	Cents
	D.D. O'Keefe Esq.		
	1 box sago	2	00
	1 bag rice	3	50
	1 case claret	10	00
	2 lbs. coffee		80
	6 lbs. white sugar	1	50
Sept. 15th	To freight 2 jars Siebig extract of meat	6	00
"	" Cash insurance cargo "R. Hay" to Gasp		00
"	" " " " " to Hong Kong	23	80
" 26	" " demurrage & Callist "R. Hay"		00
"	" draft in favour of Capt. Holcomb		00
"	" 2 telegrams to Hamburg		00
"	" discharge of cargo (R. Hay & morning at harbour taking)		30
"	" shipping expenses (weight cargo of copy)		40
<p>This is to certify that the above is a true copy of a paper exhibited and marked "F" in the matter of the estate of the late Robert James Abbott deceased heard at Yap this 17th August, 1883.</p>			
1883	July 5th	" advance to Capt. Henderson (Sgd.) J. Ruthven Le Hunte.	00
"	" 18th	" telegram to Amoy	30
"	" 23rd	" Advance to Capt. Henderson	700
"	"	" " " " "	300
"	"	" Cash wages " " "	975
Aug. 2nd.	"	" to Mr. A. Wollerss	136
"	"	" advance of Charter "Herrmann"	400
			<hr/>
			£ 5682 43
Commission 2 1/2%			142 07
			<hr/>
			£ 5824 50

Certified copy
(Sgd.) G.D. Molesworth Parrant
Registrar.

(Sgd.) F. Blackhead & Co.

H
 In the estate
 of R.J. Abbott
 decd. 17.8.83.

This is to certify that this is a true copy of the
 paper exhibited and marked "G" in the matter of the
 estate of Robert James Abbott, deceased, heard at Yap
 this 17th August, 1883.

(Sgd.) J. Ruthven Le Hunte
 Jud. Comm.

1880
 April 19 To amt. of bill for Abbott \$ 23 80
 " cash by cheque on sale Hong Kong 1000 -
 " amt. to be paid to Blackhead 227 32
 D.D. O'Keefe Esq.
 Guap.
 Dr. To F. Blackhead & Co.
 "Navy Contractors"
 Ship Chandlers, Sail Makers, Provn. & Coal Merchants.
 Sole Agents for Raletgen's Patent Paints.

1882

	By 120,150 lbs copra at 2 cents	\$ 240	\$	C
Sept. 15th	To freight paid to Capt. Nicolsen "R. Hay"	2000		00
"	" Cash Insurance Cargo "R. Hay" to Guap	90		00
"	" " " " " to Hong Kong	201		63
" 26	" " demurrage & Callast "R. Hay"	141	00	80
"	" draft in favour of Capt. Holcomb	269		00
"	" 2 telegrams to Hamburg	22		00
"	" discharging & weighing out cargo of copra) ex "R. Hay" & moring ship in harbour taking) cargo into Godown	162		30
"	" shipping expences & weighing cargo of copra) into Brit. S. "Lothair")	131		40
1883				
July 5th	" advance to Capt. Henderson in Amoy	150		00
"	" telegram to Amoy	3		30
" 18th	" Advance to Capt. Henderson	700		00
" 23rd	" " " "	300		00
"	" Cash Wages " "	975		00
Aug. 2nd.	" " to Mr. A. Wohlierss	136		00
"	" " advance of Charter "Herrmann"	400		00

	\$ 5682	43
Commission 2 1/2%	142	07
	<u>\$ 5824</u>	<u>50</u>

Certified copy
 (Sgd.) C.D. Molesworth Farrant
 Registrar.

(Sgd.) F. Blackhead & Co.

H
 In the estate
 of R.J. Abbott
 decd. 17.8.83
 1880

Cpt. D.D.O'Keefe in acct. ert. with

Account of the stores
 by O'Keefe & Co. for his personal use.

		£	s	d
April 19	To amt. of bill for Abbott	23	80	
"	cash by cheque on sale Hong Kong	1000	-	2 0
"	2 bars of soap			4 0
"	amt. to be paid to Blackhds	227	32	10 0
"	1 dozen lobster			12 0
"	indemnity for cancelling			1 10 0
"	50 lbs. pork contract	500	-	1 10 0
"	1 box washing soap			12 0
"	Cheque on Suinseen (?)	651	88	2 0 0
"	2 " " Hong Kong			4 0 0
"	12 tins mixed soup			18 0 0
By	120,150 lbs copra at 2 cents	2403	00	16 0 0
"	2 tins sugar per lb.			1 12 0
"	11 bag rice			1 0 0
"	17 bottles tea	2403	00	2 0 0
"	10 lbs. coffee			14 0 0
"	2 bottles curry			4 0 0
"	2 " chutney			6 0 0
"	1 " mustard			2 0 0
"	2 " sauce			4 0 0
"	1 jar flour			12 0 0
"	1 soup (12 tins)			18 0 0
"	1 bottle chocolate			4 0 0
"	1 " chutney			3 0 0
"	1 tin fruit			2 0 0
"	1 tin essence of Beef			3 0 0
"	1 " butter			8 0 0
		223	11	0

Yap Is. St. Pacific
 3rd October, 1880
 (Sgd.) Herneheim & Co.

This is to certify that the above is a true copy of an account exhibited and marked "H" in the matter of the estate of Richard James Abbott deceased heard at Yap this 17th day August, 1883.

1 Nov: 78 (Sgd.) J. Ruthven Le Hunte.
 16 Apr. 79 Jdd. Comm.

I hereby certify that the above is a true copy of the accounts charged for stores to R.J. Abbott contained in a paper exhibited and marked "I" in the matter of the estate of Robert James Abbott deceased heard at Yap this 17th August, 1883.
 (Sgd.) J. Ruthven Le Hunte.
 Jdd. Comm.

I

In the estate of R.J. Abbott decd. 17.8.83.

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific at Yap.

Account of Articles supplied to R.J. Abbott by O'Keefe & Co. for his personal use. 1883.

	£	s	d
In the estate of Robert James Abbott, deceased.			
1 bar of soap		2	0
2 bars of soap		4	0
2 bags of sugar		10	0
1 dozen lobster		12	0
50 lbs. beef		10	0
50 lbs. pork		10	0
1 box washing soap		12	0
2 bottles tea		2	0
2 " vinegar		4	0
12 tins mixed soup		18	0
1 case rabbits		16	0
2 tins sugar		12	0
1 bag rice	value	0	0
7 bottles tea meter (broken)		7	0
10 lbs. coffee		14	0
2 bottles curry		4	0
2 " chutney		6	0
1 " with vinegar		2	0
1 " mustard		2	0
2 " and sauce		4	0
1 jar flour		12	0
1 soup (12 tins)		18	00
1 dozen meats		18	0
1 " salmon		12	0
1 " sardines		12	0
6 " jams		12	0
2 tins butter	53	16	0
1 bottle chocolate		4	0
1 " chutney		3	0
1 tin fruit		2	0
1 tin essence of Beef	156	0	3
1 " butter		8	0
Total	£	227	12 08

Thirdly that I received on 30th August 1880 from Captain D.D.O'Keefe an order on Messrs. Blackhead & Co. for £23 11 0

I hereby certify that the above is a true copy of the accounts charged for stores to R.J. Abbott contained in a paper exhibited and marked "I" in the matter of the estate of Robert James Abbott deceased heard at Yap this 17th August, 1883. to Mrs. Hannah Abbott, Bridge Inn, Lower Macquerie Street, Hobart Town, Tasmania and that to the best of my belief (Sgd.) J. Ruthven Le Hunte. Jud. Comm. I have had no notice of the same being forwarded to Mrs. Abbott in accordance with my instructions.

1 Nov: 78

16 Apr. 79

Firstly that I acquainted Mrs. Abbott by letter of
In Her Britannic Majesty's High Commissioner's Court for
the Western Pacific at Yap.

Probate Jurisdiction. person 17th August, 1883. deceased
has at any time since his death come to my possession
In the estate of Robert James Abbott, deceased. h.

A true declaration of all the personal property of Robert
James Abbott late of Yap deceased who died on the 4th day
of June, 1880 at Yap and had at the time of his death his
fixed place of abode at Yap within the district of this Court
which have at any time since his death come to the poss-
ession or knowledge of Crayton Philo Holcomb made and
exhibited upon and by virtue of the oath of the said
Crayton Philo Holcomb as follows

(Sgd.) J. Ruthven Le Hunte.

First I declare that the deceased was at the time of his
death possessed of

	Jud. Comm.	£	s	d
1 sextant	value	6	0	0
1 aneroid Barometer (broken)		.	.	.
1 pair of binoculars		1	0	0
1 South Sea Directory			12	0
1 Epitome			10	0
1 chest with clothing		4	0	0
Jewellery			8	0
1 Bed and blanket		1	0	0
Cash		4	6	0

Secondly that the deceased was entitled
to or claimed to be entitled to -

wages due to him from Capt. D.D.O'Keefe
for services on board the schooner
"Seabird" 53 16 0

Wages due to him from D.D.O'Keefe & Co.
for services at Yap from 2nd April, 1878
to 4th June 1880 156 0 0

Total £ 227 12 0

Thirdly that I received on 30th August 1880 from Captain
D.D.O'Keefe an order on Messrs. Blackhead & Co. of Hong
Kong for the sum of £53:16:0 in settlement of the first of
the above claims for wages.

Fourthly that on 31st August 1880 I transmitted the said
order to Messrs. Blackhead & Co. with instructions to remit
the above amount to Mrs. Hannah Abbott, Bridge Inn, Lower
Macquarie Street, Hobart Town, Tasmania and that to the
best of my belief this said order was honoured but that I
have had no notice of the amount having been forwarded to
Mrs. Abbott in accordance with my instructions.

Fifthly that I acquainted Mrs. Abbott by letter of the above facts but that I have received no communication from her. of Robert James Abbott deceased.

Lastly I say that no personal property of the deceased has at any time since his death come to my possession or knowledge save as is hereinbefore set forth. which was left in my hands by the late Robert James Abbott who died at Y (Sgd.) C.P.Holcomb, be transmitted to Mrs. Hannah Abbott, Bridge Inn, Lower Macquarie Street, Hobart Town, Tasmania, or her representatives and for that purpose I hereby voluntarily surrender and pay into

Sworn before me on board HMS "Espiegle" at Yap this 20th day of August, 1883.
the said deceased. (Sgd.) J. Ruthven Le Hunte.

(Sgd.) S.P. Holcomb.
Jud. Comm.

Before me on board HMS "Espiegle" at Yap the 20th day of August, 1883.

(Sgd.) J. Ruthven Le Hunte.
Jud. Comm.

[The following text is extremely faint and largely illegible due to fading and bleed-through from the reverse side of the page. It appears to be a detailed declaration of assets and liabilities, mentioning various items and their values.]

In Her Britannic Majesty's High Commissioner's Court
for the Western Pacific at Yap.

In the matter of the Estate of Robert James
Abbott deceased. Action. The 17th day of August, 1883

I Crayton Philo Holcomb do hereby declare that it
is my wish that the sum of Four Pounds six shillings
which was left in my hands by the late Robert James
Abbott who died at Yap on 4th June 1880 be transmitted
to Mrs. Hannah Abbott, Bridge Inn, Lower Macquarie Street,
Hobart Town, Tasmania, or her representatives and for
that purpose I hereby voluntarily surrender and pay into
Court the abovementioned sum, and I also voluntarily
surrender for the same purpose my claim to any other
monies which I may be entitled to out of the estate of
the said deceased.

The total amount of property which the estate represented
at the time of the (Sgd.) C.P. Holcomb as made up as
follows

Before me on board HMS "Espiegle" at Yap the 20th day of August, 1883. Personal property valued at	£13 10 0
(2) Cash (Sgd.) J. Ruthven Le Hunte	6 0 0
(3) Two claims for wages, the Jud. Comm. services rendered on board Capt. O'Keefe's vessel the "Sea Bird"	53 16 0
the second for salary as Agent and trader for O'Keefe & Co. at Yap from 2nd April 1878 to 4th June 1880	<u>156 0 0</u>

Making a total amount of Two Hundred £ 227 12 0
and twenty seven pounds twelve shillings

The first of these claims for wages has been paid by
Captain O'Keefe to Capt. Holcomb and has been transmitted
by the latter to the mother of the deceased in accordance
with his directions and there is evidence of the sum
having been received by Messrs. Blackhead & Co. of Hong
Kong. The second claim is in part admitted and in part
disputed by O'Keefe & Co. who contend that they have not
been credited with certain sums paid to and on account of
the deceased and with the value of stores supplied to him
for his own use, and the Court finds that O'Keefe & Co.
have proved their claim to have these deductions made from
the whole amount claimed. The Court therefore orders that
the estate be disposed of as follows:- i. The articles of
personal property now in the possession of Capt. Holcomb
will be retained by him. ii. The amount of the claim for
wages from 2nd April 1878 to 2nd June 1880 will be reduced
by the following amounts -

(1) Cash paid Abbott by O'Keefe	£20 0 0
(2) Hearnshams & Co's account paid by O'Keefe & Co. for Abbott	8 12 0

In Her Britannic Majesty's High Commissioner's Court
for the Western Pacific at Yap.

Probate Jurisdiction. The 17th day of August, 1883

In the estate of Robert James Abbott deceased.

Leaving a balance Judgement. estate of One hundred and
three pounds seventeen shillings which Messrs. O'Keefe

The Court cannot regard the letter of the 2nd June 1880
given by the deceased Robert James Abbott to C.P. Holcomb
as a will because it lacks the requisite of being
witnessed by two witnesses, but the Court will carry out
what were the evident wishes of the deceased as to the
disposition of his personal property after his death.

The total amount of property which the estate represented
at the time of the deceased's death was made up as
follows

(1) Various articles of personal property	valued at	£13 10 0
(2) Cash		4 6 0
(3) Two claims for wages, the first for services rendered on board Capt. O'Keefe's vessel the "Sea Bird"		53 16 0
the second for salary as Agent and trader for O'Keefe & Co. at Yap from 2nd April 1878 to 4th June 1880		<u>156 0 0</u>

Making a total amount of Two Hundred
and twenty seven pounds twelve shillings £ 227 12 0

The first of these claims for wages has been paid by
Captain O'Keefe to Capt. Holcomb and has been transmitted
by the latter to the mother of the deceased in accordance
with his directions and there is evidence of the sum
having been received by Messrs. Blackhead & Co. of Hong
Kong. The second claim is in part admitted and in part
disputed by O'Keefe & Co. who contend that they have not
been credited with certain sums paid to and on account of
the deceased and with the value of stores supplied to him
for his own use, and the Court finds that O'Keefe & Co.
have proved their claim to have these deductions made from
the whole amount claimed. The Court therefore orders that
the estate be disposed of as follows:- i. The articles of
personal property now in the possession of Capt. Holcomb
will be retained by him. ii. The amount of the claim for
wages from 2nd April 1878 to 2nd June 1880 will be reduced
by the following amounts -

(1) Cash paid Abbott by O'Keefe	£20 0 0
(2) Hernsheims & Cos. account paid by O'Keefe & Co. for Abbott	8 12 0

Judgement (con td)

2.

(3) Goods supplied to Abbott at Yap
by O'Keefe & Co.

£28 12 0
23 11 0

Guap. 17th August, 1883.

Probate Jurisdiction.

Re the Estate of R. J. Abbott deceased

Total £52 3 0

Received from Crayton Philo Holcomb of Yap the sum of Four Pounds six shillings voluntarily surrendered by him for the bene-

£103:17:0 Leaving a balance due to the estate of One hundred and three pounds seventeen shillings which Messrs. O'Keefe & Co. are ordered to pay into Court forthwith

£4: 6: 0

which amount together with the sum of Four Pounds six shillings left in the hands of Capt. Holcomb and now voluntarily surrendered by him for the benefit of the mother of the deceased or her representatives will - less the costs of Court - be remitted to her in such manner as the Court may direct. order on Messrs. Blackhead & Co. of Hong Kong for the sum of One Hundred and three pounds seventeen shillings.

£103:17:0

(Sgd.) J. Ruthven Le Hunte.

(Sealed)

Jud. Comm.

Received the sum of One Pound Ten shillings for one days attendance as Acting Registrar of this Court.

Yap 17th August, 1883.

Witness:

(Sgd.) C.D. Molesworth Farrant
Asst. Paymaster

(Sgd.) A.N. Oumany
Lieut. R.N.

£1:10:0

The above sum to be paid by the Estate above.

(Sgd.) J.R. Le Hunte

HMS. Espiegle
at sea from Yap.

27th Aug 1883.

Received the sum of Five shillings for one days attendance as Bailiff of the Court.

Witness

(Sgd.) W. Stewart
Ship's Corp. 1st Class.

(Sgd.) C.D.M. Farrant.
Asst. Paymaster.

£- 5/-

The above sum to be paid by the Estate above.

(Sgd.) J.R. Le Hunte.
Jud. Comm.

HMS. "Espiegle"

27th Aug. 1883.

Enclosure No. 1 Judicial Proceedings.

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific. Jaluit, Marshall Is. 20th June, 1883.

Guap. 17th August, 1883. Probate Jurisdiction.

On application of Mr. A. Capelle, German Subject, resident
Re the Estate of R. J. Abbott deceased.

Received from Crayton Philo Holcomb of Yap the sum of Four Pounds six shillings voluntarily surrendered by him for the benefit of the representatives of the deceased Robert James Abbott.

HMS. "Espiegle". Yap, 20th August, 1883.

Court against a British Subject (Sgd.) J. Ruthven Le Hunte.

£4:6:0.

Jud. Comm.

(Sgd.) B. Weimann

Acting Imp. German Consul.

In Her Britannic etc. etc.

Received from David Deane O'Keefe an order on Messrs. Blackhead & Co. of Hong Kong for the sum of One Hundred and three pounds seventeen shillings.

£103:17:0 Capelle v. Tilton to be heard (Sgd.) J. R. Le Hunte. 22nd June, 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

Received the sum of One Pound Ten shillings for one days attendance as Acting Registrar of this Court.

(Sgd.) C. D. Molesworth Farrant

Asst. Paymaster

Witness:

(Sgd.) A. N. Ommanny

Lieut. R. N.

£1:10:0

The above sum to be paid by the Estate above.

(Sgd.) J. R. Le Hunte

HMS. Espiegle

at sea from Yap.

27th Aug 1883.

Received the sum of Five shillings for one days attendance as Bailiff of the Court.

(Sgd.) W. Stewart

Ship's Corp. 1st Class.

Witness

(Sgd.) C. D. M. Farrant.

Asst. Paymaster.

£- 5/-

The above sum to be paid by the Estate above.

(Sgd.) J. R. Le Hunte.

Jud. Comm.

HMS. "Espiegle"

27th Aug. 1883.

Enclosure No. 1 Judicial Proceedings.

In Her Britannic Majesty's High Commissioner's Court for
the Western Pacific, at Jaluit in the Marshall Islands.

On application of Mr. A. Capelle, German Subject, resident
of Jaluit, I the undersigned Acting Imp. German Consul,
herewith consent to his submitting to the jurisdiction of the
British Court in an action, which he desires to bring in that
Court against a British Subject.

(Sgd.) B. Weimann

To Thomas Tilton Acting Imp. German Consul.

the above-named defendant.

Filed in H.B.M. High Commissioner's Court for the Western
Pacific in the Civil Jurisdiction in the Cause of Action
Capelle v. Tilton to be heard at Jaluit on Friday 22nd June, 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm. hearing of
an action brought against you by the above-named plaintiff,

Adolf Capelle of Jaluit the particulars of the claim being
stated below.

If you fail to attend according to this summons, the plaintiff
may proceed, and the Court may give judgment in your absence.

The Plaintiff's claim is for damages for trespass by the
Defendant on a certain piece of land situated at Gabwora at
Jaluit the property of the said plaintiff and the plaintiff
claims One Hundred and Fifty Pounds.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm. Ruthven Le Hunte.

In Her Britannic Majesty's High Commissioner's Court for
the Western Pacific, at Jaluit in the Marshall Islands.

Jaluit, 22nd June, 1883
CIVIL JURISDICTION.

the 20th day of June 1883

Capelle v. Tilton.

Between Adolph Capella plaintiff
and
Action for trespass on land the property of the Plaintiff,
situate at Jaluit.

In this case the Defendant, Thomas Tilton, a Consul and Consular
Agent for the United States of America, at Jaluit. The
To Thomas Tilton of Jaluit Subject which is disputed by
the Plaintiff by leave of the Court.
the above-named defendant.

Judgment.

You are hereby commanded in the name of Her Majesty Queen
Victoria, to attend this Court to be held on board H.M.S. "Espégle"
on Friday the 22nd day of June, 1883, at ten o'clock in the
fore noon, being the day and hour appointed for the hearing of
an action brought against you by the above-named plaintiff,
Adolf Capelle of Jaluit the particulars of the claim being
stated below.

now resolved into a dispute as to the ownership
of lands claimed by two parties neither of whom are British
sub If you fail to attend according to this summons, the plaintiff
further and the case must be stopped. But the Defendant by
may proceed, and the Court may give judgment in your absence.

The Plaintiff's claim is for damages for trespass by the
Defendant on a certain piece of land situated at Gabwora at
Jaluit the property of the said plaintiff and the plaintiff
claims One Hundred and Fifty Pounds. true copy of the
judgment delivered by me in the above case

(Sgd.) J. Ruthven Le Hunte.

(Sealed)

Jud. Comm. Ruthven Le Hunte.
Jud. Comm.

In Her Britannic Majesty's High Commissioner's Court for
the Western Pacific.

Jaluit, 22nd June, 1883.

Civil Jurisdiction.

Capelle v. Tilton. v. Tilton.

Action for trespass on land the property of the Plaintiff
situate at Jaluit.

In this case the Plaintiff is a German Subject and Consular
Agent for the United States of America, at Jaluit. The
Defendant claims to be a British Subject which is disputed by
the Plaintiff by leave of the Court.

Judgment.

After hearing the evidence as to the nationality of the
Defendant Thomas Tilton, this Court finds that the said
Defendant claims to recognition as a British Subject has not
been sustained - he having been domiciled for many years as
an American citizen and living under the protection of the
Government of the United States and that he has only recently
claimed to be a British Subject when there had been dispute
between himself and the Plaintiff on the Plaintiff being
appointed Consular Agent for the United States. If the
Defendant desires to revert to his original nationality he
can do so by residing again in a British possession.

The case being now resolved into a dispute as to the ownership
of lands claimed by two parties neither of whom are British
subjects, this Court cannot entertain the hearing of it any
further and the case must be stopped. But the Defendant by
his action having forced the Plaintiff to set the Court in
motion must pay the Plaintiff the costs paid by him amounting
to thirteen shillings and costs of Court five shillings
amounting in all to eighteen shillings.

I hereby certify that the above is a true copy of the
judgment delivered by me in the above case.

(Sealed)

(Sged.) J. Ruthven Le Hunte.
Jud. Comm.

H.B.M. High Comm. Court for the Western Pacific.

Jaluit 22nd June, 1883.

Civil Jurisdiction.

Capelle v. Tilton.

Received the sum of five shillings for one days attendance
as Bailiff of the Court.

(Sgd.) W. Stewart

Ship's Corp. 1st class.

Witness

(Sgd.) C.D.Molesworth Farrant.
Asst. Paymaster.

£- 5/-

The above sum to be paid by the Defendant above.

Dismissed

J.R.Le Hunte.

Jud. Comm.

(Sgd.) Cyprian A.G. Bridge.

deputy Commissioner.

Enclosure No. 3 Judicial Proceedings.

In H.B.M. High Comm. Court for the Western Pacific at Yap
Caroline Islands.

In H.B.M. High Commissioner's Court for the Western Pacific
at Yap. Criminal Jurisdiction.

Tuesday the Criminal Jurisdiction. st, 1883.

The 16th day of August, 1883. lie late of Pelew Islands sworn
Regina versus D.D. O'Keefe day of August in the year of Our Lord
1883 before me who upon his oath saith

Witnesses.

That ~~David~~ O'Keefe of Yap on or about the 1st day of March
Thomas Wyllie Yap aforesaid feloniously and unlawfully did
Thomas George Shaw.
Walter Amery
Against the peace of Our Lady the Queen Her Crown and Dignity.

Carl Gustav Johannes Blechert X his mark

Crayton Philo Holcomb. C.A.C.B.

Sworn before me on board the "Septagel" off Yap this
14th day of August, 1883. Dismissed

(Sgd.) Cyprian A.G. Bridge.
deputy Commissioner.

In H.B.M. High Comm. Court for the Western Pacific at Yap
Caroline Islands.

Thomas Wyllie, sworn

I am Criminal Jurisdiction. a native of Paisley in

Scotland. I came from Plymouth to Hong Kong and from Hong
Tuesday the fourteenth day of August, 1883.

Kong to Yap in the British barque "Fluellen", Captain Scarlett
The information of Thomas Wyllie late of Pelew Islands sworn
and taken this fourteenth day of August in the year of Our Lord
1883 before me who upon his oath saith

That **David** O'Keefe of Yap on or about the 1st day of March
A.D. 1882 at Yap aforesaid feloniously and unlawfully did
fire upon certain natives of Yap aforesaid with intent thereby
thus the said natives to kill and murder
Against the peace of Our Lady the Queen Her Crown and Dignity.

(Sgd.) Thomas Wyllie X his mark

C.A.G.B.

Sworn before me on board HMS "Espégle" off Yap this
14th day of August, 1883.

(Sgd.) Cyprian A.G. Bridge

Deputy Comm.

Yap, August 16, 1883.

Thomas Wyllie, sworn

I am a British Subject and a native of Paisley in Scotland. I came from Plymouth to Hong Kong and from Hong Kong to Yap in the British barque "Fluellen", Captain Scarlett Master, I believe about 19 months ago. I was an apprentice on board; I am now "going on" for nineteen years of age. I ran away from the "Fluellen" at Yap in company with another man, an A.B. on board, a Spaniard named Antnio. I went and lived in a Yap man's house stopping there for about two months I stopped there till Mr. O'Keefe came and told me that I could go on board the junk belonging to him. I went on board there to work, I lent the Captain - Henderson - a hand to hoist the sails and coil down the ropes. There was another white man on board besides me and the Captain. I went in the junk to the Pelews. I left her and went ashore there. I only made one voyage in the junk, from Yap to the Pelews. I left the junk at Pelews because the Captain swore at me. That is now going on for sixteen months ago and I have been in the Pelew Islands ever since, until I left in HMS "Espiegle" four days ago today. The barque "Fluellen" had left Yap when I went on board the junk first. When the barque "Fluellen" was loading with copra in Yap, the crew got ashore; one of the men whose name I forget went to Mr. Shaw's house twice to ask for drink. Mr. O'Keefe was in Mr. Shaw's house at the time and told this man to go away quietly. I saw with my own eyes the man strike Mr. O'Keefe; the rest of the men, who were drunk, then ran forward to give Mr. O'Keefe a licking. I was there, I threw a knife at him. Then a Mr. Parish, a white man living in Yap who afterwards went home in the barque "Fluellen", ran after me, and I ran away into the bush. This was between 5 and 6 o'clock in the evening, getting on for dark. After I ran away I heard about 3 shots fired. After that I went back to the rest of the "Fluellen's" men, who were all quiet by that time and with them went and lay down in a big house near till the boat came ashore when we all

went back on board. When the "Fluellen" was at Yap she lay in the outer part of the harbour till her coal was discharged. She then moved up nearer O'Keefe and Company's premises to load copra. I cannot quite say how far she was from the shore where O'Keefe & Co's copra store was.

Two or three days after the occurrence at Mr. Shaw's house the Yap men were bringing off the copra in boats with some other natives in O'Keefe's employ. Mr. O'Keefe was on board the barque seeing her stowed. We heard some woman sing out "Come ashore quick, Mr. O'Keefe, Mr. Parish is dying". Mr. O'Keefe said "Get the boat alongside I want to go ashore quick". I saw him get in the boat and go ashore. I believe that this was a few days before the barque "Fluellen" went away from Yap. I am not quite sure how long it was after O'Keefe got ashore, but from the barque's poop I saw Mr. Parish, Mr. O'Keefe and Capt. Holcomb on the beach a little further down than the copra store firing upon natives who were in the water; they were not swimming, there was not much water, they were running. There were a good many of them. I saw each one of those white man whom I have named fire. I cannot say if Mr. O'Keefe fired with a rifle, or a revolver, or what it was.

Cross examined by the accused -

I left the barque one night only before she sailed.

I am quite sure that I did go on board the barque after the row at Mr. Shaw's house one night at 12 o'clock to get my Wellington boots.

I cannot say exactly how many shots were fired at the natives, but I should say about four.

By the Court, - I saw him the same evening at Capt. O'Keefe's.

After the row at Mr. Shaw's I went on board the barque one time, that was after everything was finished and settled down and the barque had shifted down to her old anchorage, after having filled up with copra. At the time of the row at Mr. Shaw's house, the barque was at anchor somewhere near where the "Espiegle" is now, as far as I can remember; it was in the outer part of the harbour.

I cannot remember how many days it was after the row at Mr. Shaw's that the barque moved up to take in copra.

Thomas Wyllie his X mark

I do not remember if (Sgd.) Cyprian A.G. Bridge.

Yap

Yap, August 16, 1883.

THOMAS GEORGE SHAW, sworn,

I am a British subject and a native of Bristol England. I have been in Yap eight years last June. D.D. O'Keefe was in the habit of coming to Yap before I arrived here. I remember the British barque "Flaellen" being here; she left about March 11 or 12, 1882. One Sunday while shw was here Captain O'Keefe and I and some other white men had been dining on board when news came on board that part of the men were down at my place drunk and disorderly. Captain Scarlett of the barque, Capt. O'Keefe, and the other Europeans went ashore to my place. We saw four or five of the crew; when they saw us they all left but one. I had a personal struggle with this man. His companions threw stones and knives at Mr. Parish and Capt. O'Keefe, one knife I picked up myself - I got a rifle out and fired two or three shots over their heads just to give them a bit of a scare. This was in the afternoon.

The barque had gone up to take in Capt. O'Keefe's copra when this row occurred. It might have been a fortnight before she sailed, but I could not say for certain. She sailed direct from O'Keefe's place, without anchoring in the outer part of the harbour. I remember the day on which Mr. Parish was struck in the cheek-bone. I saw him the same evening at Capt. O'Keefe's. Capt. O'Keefe wrote to me to ask if I could lend him a rifle or two. I answered him in person. He said to me - as far as I can remember - that he wanted two or three rifles, he did not know if the natives would attack him or not, but he thought it as well to be prepared. I did not see any att/ack made upon natives that day; I might have heard shots but I do not remember it. I forget whether this was before or after the disturbance at my house.

WALTER AMERY Cross-examined by the accused -

I cannot remember whether it was before or after the row at my house that Mr. Parish was struck on the cheek-bone.

I do not remember if - on the day on which I dined on board when part of the crew made a row at my place - the barque was full up with copra but she could not have been far off from being full.

After the row at my place I cannot say if Wyllie went on board the barque again or not.

He bore a very bad character on board the barque.

By the Court - Just previous to our reaching the wharf all but

During the time the "Fluellen" was here Wyllie spent most of his time on shore.

(Sgd.) Thomas Shaw

(Sgd.) Cyprian A.G. Bridge.

Mr. Shaw to scare them fired one or two shots over the house or high up into the roof. These were as far as I remember - the only shots fired.

I knew Mr. Parish, he went away in the "Fluellen". I recollect his being out in the face; I saw the wound either the day on which he got it or shortly after. I was not on the island where he was wounded at the time. I neither saw nor heard any shots fired on the occasion. I might have heard them if they had been fired, but would probably have taken no notice as shots are frequently fired about here. I believe that the occurrence at Mr. Shaw's house took place before Mr. Parish was wounded.

Cross-examined by the accused -

I believe that, on the day of the occurrence at Mr. Shaw's, the "Fluellen" was nearly loaded, but how nearly I cannot say.

I went out in the barque just outside the reef the day she sailed.

Yap, August 16, 1883.

WALTER AMERY, sworn,

I am a British subject and a native of Gloucestershire, I have been about two years and nine months at Yap. I remember the British barque "Fluellen" being here, I think she arrived here on January 22, 1882 and left in March. I was present when some of her crew made a disturbance at Mr. Shaw's house. In company with most of the other resident white men I was on board the "Fluellen", I believe it was on a Sunday. In the afternoon a report came on board that some of the crew were at Mr. Shaw's place drunk and inclined to give trouble. I went to Mr. Shaw's in company with the Capt. of the "Fluellen" and the other white men. Just previous to our reaching the wharf all but one man walked off. This man was afterwards driven away by Mr. Shaw, after a bit of a struggle. After this one of the crew appeared with a knife in his hand; Capt. O'Keefe went out with a rifle and made him give the knife up. No shots were fired at that time. I believe that it was found afterwards that the rifle was not loaded. After this the men began throwing stones. Mr. Shaw to scare them fired one or two shots over the house or high up into the roof. These were as far as I remember - the only shots fired.

I knew Mr. Parish, he went away in the "Fluellen". I recollect his being cut in the face; I saw the wound either the day on which he got it or shortly after. I was not on the island where he was wounded at the time. I neither saw nor heard any shots fired on the occasion. I might have heard them if they had been fired, but would probably have taken no notice as shots are frequently fired about here. I believe that the occurrence at Mr. Shaw's house took place before Mr. Parish was wounded.

Cross-examined by the accused -

I believe that, on the day of the occurrence at Mr. Shaw's, the "Fluellen" was nearly loaded, but how nearly I cannot say.

I went out in the barque just outside the reef the day she sailed.

Yap, August 16th 1883. She got under way from Tarang abreast of Capt.

KARL GUSTAV O'Keefe's station, sworn

She did not anchor again, a native of Germany. I

remember the barque "Fluellen" being here. I know Mr. Parish.

By the Court -

To the best of my belief Willie left the "Fluellen" a few days before she sailed. A Spaniard, by name Antonio, left her about the same time.

(Sgd.) W. Amery.

(Sgd.) Cyprian A.G. Bridge.

after this.

(Sgd. -----)

Yap, August, 16th 1883.

Walter Amery, recalled - (Sgd.) Cyprian A.G. Bridge.

By the Court -

Yap, August 16th 1883. After Mr. Parish had been cut in the face by the native

CRAYTON PHILLIP I had some conversation with Captain O'Keefe on the subject.

To the best of my recollection he said that he wished he could get hold of the native who had cut Mr. Parish and that if he did it was his intention to hang him, or words to that effect.

Mr. Parish. I was on board the "Fluellen" at the time he was

Cross-examined by the accused -

I emphatically deny having said "Capt. O'Keefe, I thought you were of some importance in Yap, I now see that you are nobody; why do not you go and give Wat of Gill-o-vert a shell and have this man killed", meaning the man who had wounded Mr. Parish.

I do not remember having said at the same time, "I gave Fitting a shell and got my rifle back from a Rum-(ung) (?) native."

(Sgd.) W. Amery.

(Sgd.) Cyprian A.G. Bridge.

were running away across shallow water to another little island close to, from which they could get to the main land. As they

made off Mr. Parish fired his revolver but evidently with no

intention of hurting them as they were too far. My impression

is that he could not possibly have had any idea of hurting them; it was to intimidate them.

Yap, August, 16, 1883. There was no other white man fired except
KARL GUSTAV JOHANNES BLECHERT, sworn was employed at Capt. O'Keefe's had

I am a German subject and a native of Germany. I do not remember the barque "Fluellen" being here. I knew Mr. Parish. I was not present when he was cut in the face. I saw him very shortly after he was wounded, it might have been on the afternoon of the same day. I came down from my station and when I saw him he had quite a fresh cut just under the eye. I cannot say if the "Fluellen's" men made a row at Mr. Shaw's before or after this.

(Sgd.) Carl Blechert.

I remember Willie who was one of the crew of the "Fluellen".

(Sgd.) Cyprian A.G. Bridge.

The Captain, as I recollect, said that he was a lazy, worthless sort of character.

Yap, August, 16, 1883.

CRAYTON PHILO HOLCOMB, sworn,

I am an American citizen and a native of the United States. I remember the British barque "Fluellen" being at Yap. I remember her moving up to Tarang to complete cargo. I knew Mr. Parish. I was on board the "Fluellen" at the time he was cut in the face; as near as I can remember we heard a commotion on shore on Tarang. Capt. O'Keefe was on board the "Fluellen" at the time. We both repaired to the shore as soon as we could. Mr. Parish was at the house when we arrived with a cut on his cheek-bone near the corner of the eye. He was then hunting for fire-arms. He got a carbine which was rather out of order, but he managed to load it and went off to the beach with it and a revolver. I, Capt. O'Keefe, and some others went over to the spot at which the native had assaulted Mr. Parish; the natives were running away across shoal water to another little island close to from which they could get to the main land. As they made off Mr. Parish fired his revolver but evidently with no intention of hurting them as they were too far. My impression is that he could not possibly have had any idea of hurting them; it was to intimidate them.

(Sgd.) Cyprian A.G. Bridge,
Dep. Commissioner.

I am very sure that there was no other white man fired except Mr. Parish. One of the natives employed at Capt. O'Keefe's had the carbine I spoke of just now, but whether he fired or not I cannot recollect. All the fire-arms I recollect seeing were this carbine and the revolver Mr. Parish had. If there were others I did not see them. Capt. O'Keefe was short of fire-arms; and after the natives had run away from the island he borrowed four snider rifles and one Winchester from me in case the natives should return to get satisfaction out of him.

Cross-examined by the accused - Against the perce of Our Lady

I remember Wyllie who was one of the crew of the "Fluellen".

The Captain, as I recollect, said that he was a lazy, worthless sort of character.

No one unless he were aloft could see from the "Fluellen" where she was lying what took place at the spot where the firing is said to have taken place. I should say it could not be seen from the deck. As the natives got out on to the point they could be seen; but there is a lot of mangroves which shut the copra-house beach out so th t it would be difficult to see it from a vessel's deck.

I do not remember how many days it was after the disturbance made by some of the "Fluellen's" crew at Mr. Shaw's that Mr. Parish was wounded; my impression is that it was the next day; but without referring to my diary I could not be positive.

When I took the "Fluellen" to sea she went direct from Tarang.

(Sgd.) C.P.Holcomb.

(Sgd.) Cyprian A.G.Bridge.

Yap, August, 16, 1883.

The Court was of opinion that there was not sufficient evidence to support a prima facie case on which to commit the accused for trial and therefore ordered him to be dis-charged.

(Sgd.) Cyprian A.G.Bridge.
Dep. Commissioner.

In H.B.M. High Comm. Court for the Western Pacific at Yap.
In H.B.M. High Commissioner's Court for the Western Pacific
Criminal Jurisdiction.
at Yap in the Caroline Islands.

The 15th day of August, 1883.
Criminal Jurisdiction
Regina versus Shew and Amery.
the fifteenth day of August, 1883.

To David Deane O'Keefe, of Yap.

You have this day been charged on oath before this Court for
that you on or about the 1st day of March 1882 at Yap in the
Western Pacific feloniously and unlawfully did fire upon certain
natives of Yap aforesaid with intent thereby then to kill and
murder the said natives of Yap, Against the peace of Our Lady
the Queen Her Crown and dignity.

Therefore you are hereby commanded, in the name of Her Majesty
Queen Victoria, to appear before this Court on Thursday, the
sixteenth day of August, 1883, at Noon at Yap, to answer the said
charge, and to be further dealt with according to law.

Sealed. (Signed) Cyprian A.G. Bridge.
Deputy Commissioner.

Enclosure No. 4. Judicial Proceedings.

In H.B.M. High Comm. Court for the Western Pacific at Yap.
Criminal Jurisdiction.

The 18th day of August, 1883.

Regina versus Shaw and Amery.

the seventeenth day of August, 1883.

Witnesses.

David Deane O'Keefe

Kai-ina (Charlie)

Case committed for trial before the Judicial Commissioner.

(Sgd.) Cyprian A.G. Bridge.

Deputy Commissioner. of Her

Highness Queen Victoria, to appear before this Court on
Saturday the eighteenth day of August 1883, at ten o'clock in
the forenoon at Yap, to answer to the said charge, and to be
further dealt with according to law.

(Sgd.) Cyprian A.G. Bridge.

Dep. Comm.

(Sgd.)

On H.B.M. High Comm. Court for the W. Pacific at Yap, Caroline I
Criminal Jurisdiction.

In H.B.M. High Commissioner's Court for the Western Pacific
at Yap in the Caroline Islands.

Chief of Gil-o-vert in the
Criminal Jurisdiction.
Year of the seventeenth day of August, 1883.

To Thomas Shaw, Senior and Walter Amery, of Yap.
You have this day been charged before this Court for that you
on or about the 1st day of March 1883 at Yap in the Western
Pacific feloniously and unlawfully did make an armed raid upon
the village of Fal in the Island of Yap aforesaid and did
feloniously unlawfully and maliciously burn and destroy certain
houses the property of the inhabitants of the said village of
Fal against the Peace of our Lady the Queen Her Crown and
Dignity.

Therefore you are hereby commanded, in the name of Her
Majesty Queen Victoria, to appear before this Court on
Saturday the eighteenth day of August 1883, at ten o'clock in
the forenoon at Yap, to answer to the said charge, and to be
further dealt with according to law.

(Sgd) Cyprian A.G. Bridge.

(Sealed)

Dep. Comm.

Cross examined by Mr. Amery, accused

You may have inquired for both Gos-row and Fitting
I am not sure as to both. I am quite sure that you inquired
for Fitting.

(Signed) D.B. O'Keefe.

(Sgd) Cyprian A.G. Bridge.

On H.B.M. High Comm. Court for the W.Pacific at Yap, Caroline I
Criminal Jurisdiction.

Yap, August 18th 1883.

The seventeenth day of August, 1883.

The information of Ya-ti-man, Chief of Gil-o-vert in the
island of Yap, taken this seventeenth day of August in the
year of Our Lord 1883 before me, who saith -
That Thomas Shaw, Senior, and Walter Amery, British
subjects both of Yap on or about the 1st day of March A.D.
1883 feloniously and unlawfully did make an armed raid upon
the village of Fal in the island of Yap aforesaid and did
feloniously unlawfully and maliciously burn and destroy certain
houses the property of the said village of Fal in the island
of Yap aforesaid against the peace of our Lady the Queen her
Crown and Dignity.

Ya-ti-man twi his Mark.
C.A.G.B.
Taken before me on board HMS Espiègle boat coming close to the
place, close enough to see but not to speak.

To the best of my belief the next afternoon about
4 o'clock in passing in my boat along the coast I saw smoke, as
I judged at the time to be from houses, rising from the direction
in which Fal lay. Two or three days afterwards I went up to
the place and saw the wrecks of three or four houses - I am not
quite sure how many - that had been lately burned. For some
time none of the natives of the place would communicate with me
they all being afraid. They told me that some of the young
fellows had hove Mr. Amery into the water, but that they had
offered payment in compensation, but that it had been refused,
and that the white men had come there and had burned their
houses.

Cross examined by Mr. Amery, accused.

You may have inquired for both See-row and Fitting
I am not sure as to both. I am quite sure that you inquired
for Fitting.

(Signed) D.D. O'Keefe.

(Sgd.) Cyprian A.G. Bridge.

Yap, August 18th 1883.

David Dean O'Keefe.

Kai-ima I reside at Yap and have resided there off and on between 8 and 9 years. I am acquainted with Thomas Shaw, Senior, and Walter Amery. To the best of my remembrance in March 1883 when preparation was making amongst the Europeans in Yap for an expedition against Fal, Mr. Amery came, in company with another to my place to see the principal Chiefs. They inquired for Fitting, the second highest Chief of the group, on arriving there. My vessel had arrived and was discharging her cargo, for that reason all the Chiefs were at my place at the time. I asked Mr. Amery what he wanted as there had been no communication between us for some time. He said he wanted to see Fitting. I sent for him and, Mr. Amery being present, I told him that if he wanted to see Mr. Amery he could go in his boat; if he did not want to see him there not to do so but to appoint a time of meeting at his own house. Fitting, and the head Chief See-row went into Mr. Amery's boat. On sailing by Mr. Amery's station in my boat a day or two after this occurrence I saw a boat with a gattling, or machine gun in it. There were three or four boats collected at Mr. Amery's station. All the Europeans rushed out when they saw my boat coming close to the place, close enough to see but not to speak.

To the best of my belief the next afternoon about 4 o'clock in passing in my boat along the coast I saw smoke, as I judged at the time to be from houses, rising from the direction in which Fal lay. Two or three days afterwards I went up to the place and saw the wrecks of three or four houses - I am not quite sure how many - that had been lately burned. For some time none of the natives of the place would communicate with me they all being afraid. They told me that some of the young fellows had hove Mr. Amery into the water, but that they had offered payment in compensation, but that it had been refused, and that the white men had come there and had burned their houses.

Cross examined by Mr. Amery, accused.

You may have inquired for both See-row and Fitting I am not sure as to both. I am quite sure that you inquired for Fitting.

(Signed) D.D. O'Keefe.

(Sgd.) Cyprian A.G. Bridge.

Yap, August 18, 1883.

Yap, August 18, 1883.

witnesses having been given, and the depositions having been read over and signed, in the presence of the accused, the accused are asked whether they wish to make any statement or reserve their defence as, there being a prima facie case against them, they will be committed for trial. Kai-ina ("Charlie"); I am a native of Tanna. I work at Yap for Mr. Shaw. I have been at Yap 5 years. I remember the time when the white man went to Fal. I went with them in Mr. Shaw's boat. Mr. Shaw, Capt. Holcomb, "George" (Walter Amery), Charles Blechert, and Tom Brown went. I stopped in the boat. Mr. Shaw stopped in the boat too and did not go on shore. The accused state that they wish to reserve their defence. The accused are committed for trial before the Judicial Commissioner with Assessors, bail being accepted went on shore. I saw some houses burning. for their appearance.

Kai-ina his X mark.

(Sgd.) Cyprian A.G. Bridge.
Dep. Commissioner.

Yap, August 18, 1883. Court for the Western Pacific at Yap.

The evidence of the witnesses having been given, and the depositions having been read over and signed, in the presence of the accused, the accused are asked whether they wish to make any statement or reserve their defence, as, there being a prima facie case against them, they will be committed for trial.

The accused state that they wish to reserve their defence.

The accused are committed for trial before the Judicial Commissioner with Assessors, bail being accepted for their appearance.

(Sgd.) Cyprian A.G. Bridge.

Dep. Commissioner.

(Sgd.) Cyprian A.G. Bridge.

Dep. Commissioner.

In H.B.M. High Comm. Court for the Western Pacific at Yap.

Criminal Jurisdiction.

18th August, 1883. tenth day of August 1883.

This Court orders that Thomas Shaw, Senior and Walter Amery
Thomas Shaw of Yap come personally before this Court, and
traders, be put on their trial before this Court with Assessors
severally acknowledge ourselves to owe to our Sovereign Lady
on the following charge

Queen Victoria the sum following, namely, the said Thomas
Shaw the sum of £50 sterling to be levied on our several goods,
Walter Amery on or about the 1st day of March 1883 at Yap in
if the said Thomas Shaw fails in the condition hereon indorsed.
the Western Pacific feloniously and unlawfully did make an

armed raid upon the village of Fal in the island of Yap afore-
said and did feloniously, unlawfully and maliciously burn and

destroy certain houses the property of the inhabitants of the
said village of Fal against the Peace of our Lady the Queen,
Court for that on or about the 1st day of March 1883 at Yap in

Her Crown and dignity.
the Western Pacific feloniously and unlawfully he did make an
armed raid upon the village of Fal in the island of Yap afore-
said and did feloniously and unlawfully and maliciously burn and
destroy certain houses the property of the inhabitants of the
said village of Fal against the Peace of our Lady the Queen,
Her Crown and dignity.

If, therefore, the said Thomas Shaw appears before the Supreme
Court at Yap in the Western Pacific at nine a.m. on Monday the
20th instant, this recognisance shall be void, and otherwise
shall remain in full force.
Monday the 20th instant, the (Sgd.) Cyprian A.G. Bridge, and
otherwise shall remain in full force for Dep. Commissioner.

(Sgd.) Cyprian A.G. Bridge.
Dep. Comm.

In H.B.M. High Comm. Court for the W. Pacific at Yap.
In H.B.M. High Comm. Court for the W. Pacific at Yap.
Original Jurisdiction.

Criminal Jurisdiction.

the eighteenth day of August 1883.

We, Walter Amery & Karl Gustav Johannes Bleichert of Yap
Thomas Shaw of Yap come personally before this Court, and
severally acknowledge ourselves to owe to our Sovereign Lady
Queen Victoria the sum following, namely, the said Thomas
Shaw the sum of £50 sterling to be levied on our several goods,
if the said Thomas Shaw fails in the condition hereon indorsed.
the said Walter Amery fails in (Sgd.) Thomas Shaw on indorsed.

Condition Indorsed.

The condition of the within-written recognisance is as follows:-
The within-bounden Thomas Shaw has been charged before this
Court for that on or about the 1st day of March 1883 at Yap in
the Western Pacific feloniously and unlawfully he did make an
armed raid upon the village of Fal in the island of Yap afore-
said and did feloniously and unlawfully and maliciously burn and
destroy certain houses the property of the inhabitants of the
said village of Fal, against the Peace of our Lady the Queen,
Her Crown and dignity.
If, therefore, the said Thomas Shaw appears before the Supreme
Court at Yap in the Western Pacific at nine a.m. on Monday the
20th instant, this recognisance shall be void, and otherwise
shall remain in full force.
Monday the 20th instant, thi (Sgd.) Cyprian A.G. Bridge. void, and
otherwise shall remain in full force. Dep. Commissioner.

(Sgd.) Cyprian A.G. Bridge.

Dept. Comm.

In H.B.N. High Comm. Court for the W. Pacific at Yap.
In H.B.M. High Comm. Court for the W. Pacific at Yap.

Criminal Jurisdiction.

The 20th the Eighteenth day of August, 1883.

We, Walter Amery & Karl Gustav Johannes Blechert of Yap
at the Criminal sittings of Her Britannic Majesty's High
come personally before this Court, and severally acknowledge
the Western Pacific in the month of August 1883, The Court
ourselves to owe to our Sovereign Lady Queen Victoria the
aforesaid being subjects of Our Lady the Queen on or about the
several sums following, namely, the said Walter Amery the sum
in the Western Pacific together with divers other persons not
of £25 sterling, and the said Karl Gustav Johannes Blechert
in a warlike manner that is to say with guns, muskets, and
the sum of £25 sterling, to be levied on our several goods, if
assembled together against the native inhabitants of Fal in
the said Walter Amery fails in the condition hereon indorsed.
ly did levy and make war against the said native inhabitants of
Fal aforesaid in contempt of (Sgd.) Walter Amery Queen and her
laws to the evil example of all others in like case offending
contrary to the duty of them the C. Blechert. Amery and the said
Thomas Shaw and against the peace of our Lady the Queen, Her
Crown and Dignity Condition Indorsed.

The condition of the within-written recognisance is as follows:-
Walter Amery together with certain other persons aforesaid on
The within-bouden Walter Amery has been charged before this
of Yap aforesaid being that unlawfully, maliciously, and
Court for that he on or about the 1st day of March 1883 at Yap
of Fal aforesaid feloniously unlawfully and maliciously did set
in the Western Pacific feloniously and unlawfully did make an
of Fal aforesaid situate at Fal aforesaid in the island of
armed raid upon the village in the island of Yap aforesaid
native inhabitants of Fal aforesaid against the form of the
and did feloniously, unlawfully and maliciously burn and destroy
of our Lady the Queen Her Crown and dignity.
certain houses the property of the inhabitants of the said
village of Fal against the Peace of our Lady the Queen, Her
Crown and Dignity.
(Sgd.) C.D. Molesworth Farrant,
Acting Registrar

Filed this 20th day of August, 1883.

If, therefore, the said Walter Amery appears before
(Sealed)
the Supreme Court at Yap in the Western Pacific at 9 a.m. on
Monday the 20th instant, this recognisance shall be void, and
otherwise shall remain in full force.

(Sgd.) Cyprian A.G. Bridge.

Dept. Comm.

In H.B.N. High Comm. Court for the W. Pacific at Yap.

Criminal Jurisdiction.

The 20th day of August, 1883.

We, Walter Amery of Yap, trader, David Deane O'Keefe of
At the Criminal sittings of Her Britannic Majesty's High
Commissioner's Court for the Western Pacific holden at Yap in
the Western Pacific in the month of August 1883, The Court
is informed that Walter Amery and Thomas Shaw both of Yap
aforesaid being subjects of Our Lady the Queen on or about the
1st day of March in the year of our Lord 1883 at Yap aforesaid
in the Western Pacific together with divers other persons not
being the subjects of our said Lady the Queen armed and arrayed
in a warlike manner that is to say with guns, muskets, and
other weapons being thus unlawfully maliciously and feloniously
assembled together against the native inhabitants of Fal in
the island of Yap aforesaid unlawfully, maliciously and felonious-
ly did levy and make war against the said native inhabitants of
Fal aforesaid in contempt of the said Lady the Queen and her
laws to the evil example of all others in like case offending
contrary to the duty of them the said Walter Amery and the said
Thomas Shaw and against the peace of our Lady the Queen, Her
Crown and Dignity.

2. And also that the said Thomas Shaw and the said
Walter Amery together with certain other persons aforesaid on
the year and day last aforesaid at Fal aforesaid in the island
of Yap aforesaid being thus unlawfully, maliciously and
feloniously assembled together against the native inhabitants
of Fal aforesaid feloniously unlawfully and maliciously did set
fire to certain dwelling houses of the said native inhabitants
of Fal aforesaid situate at Fal aforesaid in the island of
Yap aforesaid with intent thereby thus to injure the said
native inhabitants of Fal aforesaid against the form of the
Statute in such cases made and provided and against the Peace
of our Lady the Queen Her Crown and dignity.

(Sgd.) C.D. Molesworth Farrant.
Acting Registrar

Filed this 20th day of August, 1883.
adjudged that the said Walter Amery for his offence aforesaid
(Sealed)
should pay a fine of Twenty Pounds to Our Lady the Queen and
find sufficient security in a like amount for his good behaviour
and keeping the peace of Our Lady the Queen in the Western Pacific
for the period of twelve months from the date of this bond or be
imprisoned for the term of six calendar months.

Walter Amery
(Bond of Good Behaviour)
-2-
In H.B.M. High Comm. Court for the Western Pacific at Yap.

Criminal Jurisdiction.

If, therefore the said Walter Amery continues to be of
Monday the twentieth day of August, 1883.

good behaviour and keep the Peace of Our Lady the Queen in
We, Walter Amery of Yap, trader, David Deane O'Keefe of
the Western Pacific for the period of twelve calendar months
Yap, trader, come personally before this Court, and severally
from the date of this bond
acknowledge ourselves to owe to our Sovereign Lady Queen
this recognisance shall be void, and otherwise shall remain in
Victoria the several sums following, namely, the said Walter
fall force.
Amery the sum of Twenty Pounds (£20) sterling, and the said
David Deane O'Keefe the sum of twenty pounds (£20) sterling
witness my hand and the seal of the Court on board
each, to be levied on our several goods, if the said Walter
H.M.S. "Espiegle" at Yap this 20th August, 1883.
Amery fails in the condition hereon indorsed.

(Sgd.) J. Hutchen Le Hunts.
(Sgd.) Walter Amery
" D.D.O'Keefe.

Judicial Commissioner.

Condition Indorsed.

The condition of the within-written recognisance is as follows:-
The within-bounden Walter Amery has this day been convicted
before this Court for that he together with certain other persons
on or about the 1st day of March 1883 at Yap in the Western
Pacific feloniously and unlawfully did levy war upon certain
natives of Fal in the island of Yap and on or about the 1st day
of March 1883 at Fal aforesaid did unlawfully feloniously and
maliciously set fire to certain dwelling houses situate at Fal
the property of the said natives of Fal and it was thereby
adjudged that the said Walter Amery for his offence aforeaid
should pay a fine of Twenty Pounds to Our Lady the Queen and
find sufficient security in a like amount for his good behaviour
and keeping th peace of Our Lady the Queen in the Western Pacific
for the period of twelve months from the date of this bond or be
imprisoned for the term of six calendar months.

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Walter Amery
(Bond of Good
Behaviour)

In H.B.M. High Comm. Court for the Western Pacific at Yap.

Criminal Jurisdiction.

If, therefore the said Walter Amery continues to be of good behaviour and keep the Peace of Our Lady the Queen in the Western Pacific for the period of twelve calendar months from the date of this bond this recognisance shall be void, and otherwise shall remain in full force.

Witness my hand and the seal of the Court on board HMS "Espiegle" at Yap this 20th August, 1883.

(Sgd.) J. Ruthven Le Hunte.

C.P. Holcomb.

Judicial Commissioner.

Condition Imposed.

The condition of the within-written recognisance is as follows--
The within-bourden Thomas Shaw has this day been convicted before this Court for that he together with certain other persons on or about the first day of March 1883 at Yap in the western Pacific feloniously and unlawfully did levy war upon certain natives of Fal in the island of Yap and on or about the said first day of March 1883 at Fal aforesaid unlawfully feloniously and maliciously set fire to certain dwelling houses situate at Fal the property of the said natives of Fal and it was thereby adjudged that the said Thomas Shaw for his said offence should pay a fine of Ten Pounds to Our Lady the Queen and find sufficient security in a like amount for his good behaviour and keeping the peace of the Lady the Queen in the Western Pacific for the period of six calendar months from the date of this bond or be imprisoned for the term of three calendar months.

In H.B.M. High Comm. Court for the Western Pacific at Yap.
Thomas Shaw (Bond of Good Behaviour) Criminal Jurisdiction.

Monday the twentieth day of August, 1883.

If, therefore, the said Thomas Shaw continues to be of good behaviour and keep the Peace of Our Lady the Queen in the Western Pacific for the period of six calendar months from the date of this bond

acknowledge ourselves to owe to our Sovereign Lady Queen Victoria, the several sums following, namely, the said Thomas Shaw the sum of £10 sterling, and the said Crayton Philo Holcomb the sum of £10 sterling each, to be levied on our several goods, if the said Thomas Shaw fails in the condition hereon indorsed.

(Sgd.) Thomas Shaw

" C.P.Holcomb.

(Sgd) J. Ruthven Le Bunte.

Condition Indorsed.

Jud. Commissioner

The condition of the within-written recognisance is as follows.--
The within-bounden Thomas Shaw has this day been convicted before this Court for that he together with certain other persons on or about the first day of March 1883 at Yap in the Western Pacific feloniously and unlawfully did levy war upon certain natives of Fal in the island of Yap and on or about the said first day of March 1883 at Fal aforesaid unlawfully feloniously and maliciously set fire to certain dwelling houses situate at Fal the property of the said natives of Fal and it was thereby adjudged that the said Thomas Shaw for his said offence should pay a fine of Ten Pounds to Our Lady the Queen and find sufficient security in a like amount for his good behaviour and keeping the peace of the Lady the Queen in the Western Pacific for the period of six calendar months from the date of this bond or be imprisoned for the term of three calendar months.

Thomas Shaw (Bond
of Good Behaviour)

B.M. High Commissioner's Court for the W. Pacific at Yap.

If, therefore, the said Thomas Shaw continues to be of good behaviour and keep the Peace of Our Lady the Queen in the Western Pacific for the period of six calendar months from the date of this bond subject, was this day duly convicted this recognisance shall be void, and otherwise shall remain in full force.

Board H.M.S. "Espiegle" at Yap aforesaid for that the said Walter Amery together with certain other persons on or Witness my hand and the seal of the Court on about the 1st day of March 1883 at Yap aforesaid unlawfully board HMS "Espiegle" at Yap this 20th August, 1883. and feloniously did levy war upon certain natives of Fal in Yap aforesaid in the Western Pacific and on or about the said 1st day of March in the year aforesaid at Fal aforesaid unlawfully feloniously and maliciously did set fire to certain dwelling houses situate at Fal the property of the said natives of Fal and it was thereby adjudged that the said Walter Amery for his said offence should pay a fine of Twenty Pounds to our Lady the Queen and find sufficient security in a like amount for his good behaviour and keeping the peace of our Lady the Queen in the Western Pacific for the period of twelve months from the date hereof or be imprisoned for the term of six calendar months.

(Sgd) J. Ruthven Le Hunte.

Jud. Commissioner.

Witness my hand and the seal of this Court.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

(Sealed)

(Sealed)

In H.B.M. High Commissioner's Court for the Western Pacific
In H.B.M. High Commissioner's Court for the W. Pacific at Yap.
at Yap.

Criminal Jurisdiction.

20th day of August, 1883.

Be it remembered that Walter Amery trader of Yap in the Western Pacific, British subject, was this day duly convicted before the undersigned Judicial Commissioner sitting with two Assessors on board H.M.S. "Espègle" at Yap aforesaid for that the said Walter Amery together with certain other persons on or about the 1st day of March 1883 at Yap aforesaid unlawfully and feloniously did levy war upon certain natives of Fal in Yap aforesaid in the Western Pacific and on or about the said 1st day of March in the year aforesaid at Fal aforesaid unlawfully feloniously and maliciously did set fire to certain dwelling houses situate at Fal the property of the said natives of Fal and it was thereby adjudged that the said Walter Amery for his said offence should pay a fine of Twenty Pounds to our Lady the Queen and find sufficient security in a like amount for his good behaviour and keeping the peace of our Lady the Queen in the Western Pacific for the period of twelve months from the date hereof or be imprisoned for the term of six calendar months.

Witness my hand and the seal of this Court.

Witness my hand and the seal of this Court.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

(Sealed)

(Sealed)

In H.B.M. High Commissioner's Court for the Western Pacific
at Yap.

Criminal Jurisdiction.

The 20th day of August, 1883.

Be it remembered that Thomas Shaw trader of Yap in the Western Pacific British subject was this day duly convicted before the undersigned Crayton Philo Holcomb citizen of the United States resident at Yap in the Western Pacific hereby declare - on board HMS "Espiegle" at Yap aforesaid for that he the said Thomas Shaw together with certain other persons on or about the 1st day of March 1883 at Yap aforesaid unlawfully and feloniously did levy war upon certain natives of Fal in Yap aforesaid in the Western Pacific and on or about the said 1st day of March in the year aforesaid at Fal aforesaid unlawfully, feloniously and maliciously did set fire to certain dwelling houses situate at Fal the property of the said natives of Fal and it was thereby adjudged that the said Thomas Shaw for this said offence should pay a fine of Ten Pounds to our Lady the Queen and find sufficient security in a like amount for his good behaviour and keeping the peace of Our Lady the Queen in the Western Pacific for the period of six months from the date hereof or be imprisoned for the term of three calendar months.

Witness my hand and the seal of this Court.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

(Sealed)

Enclosure No. 5 Judicial Proceedings.

In H.B.M. High Comm. Court for the Western Pacific at Yap.
In H.B.M. High Comm. Court for the Western Pacific.
Civil Jurisdiction.

Civil Jurisdiction.

Thursday the 16th day of August, 1883.
Yap 16th August, 1883.

Between Crayton Philo Holcomb plaintiff
Holcomb v. O'Keefe.

and
I the undersigned Crayton Philo Holcomb citizen of the United States resident at Yap in the Western Pacific hereby declare -
To Daniel Dean O'Keefe of Yap the above-named defendant.

1. That I apply to this Court of my own desire for a writ to be issued to D.D. O'Keefe of Yap, British subject in an action in which I claim to be Plaintiff against the said D.D. O'Keefe as Defendant.

2. That I believe I have a bonâ fide claim against the said Defendant.

3. That I will deposit such sum as security for costs or otherwise as this Court may order.

4. That I will abide by the decision of this Court and do and perform such act or acts and pay such sum or sums of money as may be thereby adjudged.

Witness (Sgd) C.D. Moleswoth Farrant
Registrar

(Sgd.) C.P. Holcomb.

Signed in my presence at Yap this 16th August, 1883.

the sum of Five Pounds for costs and the Plaintiff claims
(Sgd.) J. Ruthven Le Hunte.

£184:3:0.

Jud. Comm.

(Sgd.) J. Ruthven Le Hunte.

Judicial Commissioner.

In H.B.M. High Comm. Court for the Western Pacific at Yap.
Civil Jurisdiction.

Re - O'Keefe's -
Thursday the 16th day of August, 1883.

Between Crayton Philo Holcomb plaintiff

and

Daniel D. O'Keefe defendant.

To Daniel Dean O'Keefe of Yap the above-named defendant.
You are hereby commanded, in the name of Her Majesty Queen
Victoria, to attend this Court on Friday the seventeenth
day of August, 1883, at ten o'clock in the forenoon, being
the day and hour appointed for the hearing of an action
brought against you by the above-named plaintiff,
C.P. Holcomb of Yap, the particulars of the claim being stated
below.

If you fail to attend according to this summons, the
plaintiff may proceed, and the Court may give judgment in
your absence.

The Plaintiff's claim is for the delivery to him the said
Plaintiff by you the said Defendant of 44,788 lbs of copra or
in default of such delivery for the sum of One Hundred and
seventynine pounds three shillings (£179:3:0) together with
the sum of Five Pounds for costs and the Plaintiff claims
£184:3:0.

(Sgd.) J. Ruthven Le Hunte.

Judicial Commissioner.

Complaints made by Abba Thule King of Kovor Pelew Islands in the Western Pacific High Commissioner. acts committed by one Capt. Benjamin Gail - British subject -

Re - O'Keefe -

Abba Thule states (interpreted by Mr. Gibbons) These are the originals of some of the enclosures to the General Proceedings Report. They might be filed away. About ten (10) years ago Capt. Gail came here in a ketch the "Kate". I said I wanted first to go ashore and see Gibbons about it. Gail said "No don't, let us do the business ourselves". I agreed to fill the vesee (sgd.) G.R.Lett. with bêche-de-mer and then he was to give her to us. We filled her with a cargo three times the bêche-de-mer were taken to Singapore. I also gave him forty pounds of tortoise shell. I thought then that the payment was finished. He took her away the third time to Singapore and she got wrecked. We never got anything at all in satisfaction. Gail had another schooner here the "Rupak". I asked Gail several times for payment but he gave me no ? I complained to a German man-of-war the "Huertha" Capt. Knoor, but no notice was taken of it. Gail further took away two Pelew women, Arangai and her daughter Inecké and also a Ponapi woman Likát. They have never come back here. There was also a little girl the daughter of Mookby a Chinese husband Amoi who had been living here, the child's name Majelth. I heard that his wife had been taken away to Singapore in order that she would be X of the way.

James I. Gibbons states that he saw the agreement for the purchase of the "Kate" it was for one thousand (133 1/3rd lbs) of bêche-de-mer. I considered it to be an exorbitant price for her it was equal to nearly \$6,000 at the value here. I am also aware of the women having been taken away by Gail as Abba Thule has stated I cannot say whether they were taken against their will. The "Kate" was about 10 or 15 tons burden. Gail has not been here since that time he is believed to be in Japan. I state that there was a deal of business between the two parties. I state it is a secret and not to be published. (sgd.) J.S.Gibbon.

The above statement was taken by me and signed in my presence on board HMS "Espiegle" at Kovor Pellew Islands the tenth day of August 1883. I do not know what happened at St. David's between O'Keefe and Hartman but Mr. Lett (sgd.) J. Rutledge Le Boute was in presence. Hartman was leaving for Japan and I told him to give up his papers by giving up their papers to the Jud. Com. I gave Hartman a preliminary note and the fact that he was not willing for payment applied to Capt. Gail as the fact that he would retain certain trade property of the islands was not mentioned. It is mentioned that O'Keefe had the fact for the copies. O'Keefe afterwards sent me a copy of the same in return for the payment. He had also sent me a copy of the same in return for the payment.

Complaints made by Abba Thule King of Kowor Pelew Islands in the Western Pacific respecting certain acts committed by one Capt. Benjamin Gall - British subject -

British subject - native of St. Kitts.

Abba Thule states (interpreted by Mr. Gibbons) that about six or seven years ago he came to Pelew Is. with some foreign vessels. About ten (10) years ago Capt. Gall came here in a ketch the "Kate" from Singapore to buy bêche-de-mer. He offered to seal me the "Kate". I said I wanted first to go ashore and see Gibbons about it. Gall said "No don't, let us do the business ourselves". I agreed to fill the vessel up three times with bêche-de-mer and then he was to give her to us. We filled her with a cargo three times the bêche-de-mer were taken to Singapore. I also gave him forty pounds of tortoise shell. I thought then that the payment was finished. He took her away the third time to Singapore and she got wrecked. We never got anything at all in satisfaction. Gall had another schooner here the "Rupak". I asked Gall several times for payment but he gave me no vessel. I complained to a German man-of-war the "Huertha" Capt. Knoor, but no notice was taken of it. Gall further took away two Pelew women, Arangai and her daughter Ineoké and also a Ponapi woman Likát. They have never come back here. There was also a little girl the daughter of Imoké by a Chinese husband Amoi who had been living here, the child's name Majelth. Abba Thule X of the way.

James I. Gibbons states that he saw the agreement for the purchase of the "Kate" it was for one thousand (133 1/3rd lbs) of ds, bêche-de-mer. I considered it to be an exorbitant price for her. it was equal to nearly \$6,000 at the value here. I am also aware of the women having been taken away by Gall as Abba Thule has stated I cannot say whether they were taken against their will. The "Kate" was about 10 or 15 tons burden. Gall has not been here since that time he is believed to be in Japan. Guinness state that there had been rows between the labourers there. Mr. Guinness is a decent man and sober, quick temp. (Sgd.) J.S.Gibbon.

The above statement was taken by me and signed in my presence on board HMS "Espiegle" at Kowor Pellew Islands the tenth day of August 1883.

I don't know what heppened at St. Davids between O'Keefe and Martens but the latter's life was in jeopardy. Martens was trading for Capelle & Co. and defrauded his employers by giving up their copra to O'Keefe. Jud. Comm. gave Martens a promissory note for the value but Martens after waiting for payment applied to Capt. Gurr of HMS "Lily" who decided that he should retain certain trade belonging to O'Keefe into whose employment he had entered, in satisfaction for the money that O'Keefe owed him for the copra. O'Keefe afterwards sent \$500 to be given to Martens in part payment. He had asked me to get Martens detained here by

Re D.D. O'Keefe & Co.

Kowor. Pelew

8th August, 1883

James S. Gibbons states

British subject - native of St. Kiltis.

Captain Clark (American) engaged in Pearl fishing - since dead - about six or seven years ago came to Pelew Is. with some foreign labourers from (? New Hebrides) islands and one girl from Rûk there were eight men. Clark landed them here while he went to Manilla not thinking it advisable to take them there he intended to return here for them but he was wrecked in the China sea. He went to Hong Kong and bought a junk the "Wrecker" and was drowned in his diving dress. O'Keefe bought the "Wrecker" in Hong Kong after Clarke's death and came down here in her. Before this happened he came down in the brig "Queen" to Pelew from Yap. He wanted some men from Kowor and asked King Abba Thule for them. He wanted to have them on the island of St. David's for six months to make copra for him. Abba Thule refused to let them go as there was not sufficient food on board the vessel for them. O'Keefe then asked whether he could get ten foreign labourers. They were willing to go with him and he took all the men, the girl stayed behind and is now at Kowor. I believe but I cannot say for certain that there was an agreement to return them to their own country. I believe they are now at Yap. When HMS. "Comus" and "Lily" were here a Sonsoval native working on board O'Keefe's vessel the "Wrecker" went on board the "Lily" to make a complaint but the officers could not understand him and sent him away. He spoke a good deal of English. I heard also that he had been sent back to Sonsoval in order that he might be got out of the way.

I remember several Sonsoval and Pulos Annas natives being brought up to Pellew by O'Keefe when he brought Martens here from St. Davids, they had been working for Martens and were in a pitiable condition. O'Keefe took them to Yap. He has a station at St. Davids. Some Yap men are working there to get money to pay him for the carriage of the stone they quarry (for money used amongst themselves) here. There are some Pleasant Islanders working there for Harry Terry who is in charge of the station. I have heard Mr. Guinness state that there had been rows between the labourers there. Mr. Guinness is a decent man and sober, quick tempered.

O'Keefe has had no trouble or rows with the Kowor natives here but they will not go to work for him at any other island.

I don't know what happened at St. Davids between O'Keefe and Martens but ~~he~~ latter stated to me that his life was in jeopardy. Martens was trading for Capelle & Co. and defrauded his employers by giving up their copra to O'Keefe. O'Keefe gave Martens a promissory note for the value but Martens after waiting for payment applied to Capt. Gurr of HMS "Lily" who decided that he should retain certain trade belonging to O'Keefe into whose employment he had entered, in satisfaction for the money that O'Keefe owed him for the copra. O'Keefe afterwards sent \$500 to be given to Martens in part payment. He had asked me to get Martens detained here by

the king - he asked me verbally, I gave him no answer. When the \$500 came here Martens had been away trading to Manilla and had got wrecked and lost the trade. O'Keefe therefore left the \$500. I am quite satisfied that Martens acted wilfully and fraudulently.

Hong Kong the 3rd March 1881

(Sgd.) J.S.Gibbons.

To Abba Thule
King of the Pellews

The above statement was taken down by me and read over to the above J.S.Gibbons who signed it in my presence on board H.M.S. "Espiegle" at Kowor Pelew Islands this 8th day of August, 1883.

"Espiegle" my agent August Martens and all of his trade and produce as this vessel is the property of his former employers Messrs (Sgd.) J. Ruthven Le Hunte state that another man-of-war will be down to the Pellews in a few months so you will see the importance of doing a Jud. Comm. in a legal manner.

I am Gentlemen
Yours faithfully

(sgd.) D.D. O'Keefe.

O'Keefe & Co.
Hong Kong 3rd March, 1881

(sgd.) J. Ruthven Le Hunte

J. Ruthven Le Hunte

Letter from O'Keefe to King Abba Thule.
Business against David
Deane O'Keefe of Yap in the Western Pacific.

Mobile native of Malagojek Pelew Islands. Hong Kong the 3rd Mch.
1881

Two years or two years and a half ago Barn Macklay engaged me to
To Abba Thule
King of the Pellews
and Mr. Gibbons.

You will please deliver up to the Captain
of the "Alosega" my agent August Martens and all of his trade
and produce as this vessal is the property of his former
employers Messrs. A. Capelle & Co. I may state that another
man-of-war will be down to the Pellews in a few months so you
will see the importance of doing everything in a legal manner.

I am Gentlemen
Yours faithfully

(Sgd.) D.D. O'Keefe.

The above statement was taken down by me on board HMS "Espiègle"
at Malagojek Pelew Islands 12th August, 1883.

O'Keefe & Co.
Hong Kong 3rd March, 1881

(Sgd.) J. Ruthven Le Hunte.

Jud. Coma.

In Her Britannic Majesty's High Commissioner's Court for
Enquiry into charges made by John McGuinness against David
Deane O'Keefe of Yap in the Western Pacific.

Yap 19th August 1883.

Mobile native of Malegojok Pelew Islands. Yap made respecting
certain charges brought against him by one John McGuinness.

1. Two years or two years and a half ago Barm Macklay engaged me to
go with him from here to New Guinea. We sailed from here with
O'Keefe in a schooner - we went to Yap. We stayed there four days.
We went from Yap to Tawi ? where we landed two European
traders. We stayed there a few days. We then went to Hermit Is-
lands we stayed there four days. We landed a trader there. From
there we went to the Ekequier Islands we stayed there three days
we put two traders ashore there. From there we went to New Guinea
we landed at Bungo and built Macklay a house of sawn planks.
O'Keefe then sailed away we stopped one year at New Guinea.

after this. On a former occasion I relieved another trader of
When we went to Hermit Islanders Hindman was not on board the
schooner. He did not sail with us. I don't know anything of
the shooting of the Hermit Island Chief it did not occur on our
voyage.

The above statement was taken down by me on board HMS "Espiegle"
at Malegojok Pelew Islands 12th August, 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.

2. With regard to the statement charging me with forcing a native of
Sonsovel to jump overboard at St. Davids - this is entirely false,
nor have I any notice or recollection of anything happening on board
or anyone swimming ashore that would have been construed into such
a story. Nor is it true that any man woman or child was detained
at St. Davids against their will - I have no trouble in getting
any number of labourers from Yap and Sonsovel - when I want them
they continually go and come there (St. Davids) of their own free
will. There are several Yap natives there now and also some
Sonsovel natives working for me both here and at St. Davids.

3. The matter of the wreck of the "Lilla" has already been enquired
into by the Captain of H.M. ships and McGuinness was examined about
it before a Notary public at Hong Kong he never made such a state-
ment there as that contained in the one now before me.

Statement of David D. O'Keefe

In Her Britannic Majesty's High Commissioner's Court for the Western Pacific.

4. With reference to the statement as to the killing of the "five" of this occurrence from Captain Hamsheim and I went to St. Davids Yap 19th August 1883. I heard at Hong Kong The statement of David Deane O'Keefe of Yap made respecting certain charges brought against him by one John McGuinness. (Nure) which from the Java men's own statement was caused by one
1. With reference to the statement made respecting my dealing with August Martens at St. David's. The first thing I knew of Martens in this business was from my bookkeeper Earhest Zonnginger who informed me at St. Davids that Martens was destitute of all provisions and necessaries and that eight months had elapsed beyond the time when by his agreement with Capelle and Co. a vessel should have been sent to furnish him with supplies and no vessel had arrived there for fourteen months before the date of this occurrence, and I am sure none was sent by Capelle & Co. after this. On a former occasion I relieved another trader of theirs Terry at St. Davids on two occasions with provisions and supplies. He had been left unvisited by his employers for three years and then at his own request I purchased the copra he had collected and took him into my own employ where he is now. I and Martens were not on speaking terms and any transactions I had with him then were done by my bookkeeper. Zonnginger who is a German informed me that by the terms of Martens agreement with Capelle & Co. which was in German, Martens was perfectly justified in selling his copra to me - it is not true that any intimidation or pressure of any kind or any inducement was put upon him to sell the copra to me. I had a similar agreement with a trader of mine formerly at St. David's, viz. that if he was not visited by a vessel of mine within a specified time he might dispose of the produce in his hands to anyone else for his own benefit. Martens came away with me but I took none of the copra as my vessel was full - it is there now or has perished. Subsequently Martens traded for me in Pelew, he defrauded me of a large quantity of soner trade and ran away from there to Manilla - he subsequently lost the vessel which he purchased there and returning to Manilla died of fever there. or that he was left without supplies, he went voluntarily ashore at his own suggestion and the delay in sending
2. With regard to the statement charging me with forcing a native of Sonsovel to jump overboard at St. Davids - this is entirely false, nor have I any notice or recollection of anything happening on board or anyone swimming ashore that would have been construed into such a story. Nor is it true that any man woman or child was detained at St. Davids against their will - I have no trouble in getting any number of labourers from Yap and Sonsovel - when I want them they continually go and come there (St. Davids) of their own free will. There are several Yap natives there now and also some Sonsovel natives working for me both here and at St. Davids.
3. With regard to the statement of the sufferings of the natives on the matter of the wreck of the "Lilla" has already been enquired into by the Captain of H.M. ships and McGuinness was examined about it before a Notary public at Hong Kong he never made such a statement there as that contained in the one now before me. one cargo on

4. With reference to the statement as to the killing of the "five natives whom I had previously taken there". I heard at Hong Kong of this occurrence from Captain Hensheim and I went to St. Davids to see about it. I found on enquiry there that a row had taken place between the natives of Tanna, Sonsovel and Pleasant Island (Nuro) which from the Tanna men's own statement was caused by one of their own lot who was one of those killed. Three men were shot, one fled to sea in a canoe and was never heard of again. Another Tanna man subsequently had a row with some of the others and wounded one in the body with an axe, he ran away into the bush and was never seen again I believed him to have been killed. The natives told me that Terry had nothing to do with it. The statement about Terry's daughters having acted as stated is not true but I believe one of them was knocked down by one of the Tanna men just as the affair began for the women in the house ran out to the place where it happened close to. From what I heard I believe the cause of the trouble was a Pulo Oba woman who had been living with a Tanna man Nagoi and Nagoi severely. (?) S. a Sonsovel native on account of this woman. I never heard before about the bodies being danced over or mutilated - the bodies were put in mats and buried at sea in accordance with the custom of the Sonsovel and Pleasant Islanders - in Yap and Pelew they bury them on shore.
5. With regard to the visit of Captain Hensheim to St. Davids. I was not there but I know that amongst other things Terry bought a case of gin from him and I paid for it in due course. I never heard before McGuiness' statement of the occurrences stated by him. Terry is a drunkard, he is between 65 and 70 years of age and if he gets liquor never leaves off till he is senseless. With the exception of drinking there is nothing bad about him he is quiet and well behaved when sober.
6. With regard to the statement of McGuiness that he was kept prisoner by me at Brasse - it is not true as was found at the trial of an action he brought against me in Hong Kong that I ever kept him against his will or that he was left without supplies, he went voluntarily ashore at his own suggestion and the delay in sending a vessel to the island arose from no fault of mine. I sent a vessel to go there but they fell in with a wrecked vessel (August Martens') and at Pelew took the crew on board and returned here instead of going on to St. Davids as I had ordered them.
7. With regard to the native staying with Olsen. I believe there were four Yap natives who stayed with him - they were not forced or induced to do so they did so voluntarily and are now in Yap and can be found if required.
8. With regard to the sufferings of the natives on the voyage from Yap to Pelew Capt. Henderson was ordered by me to go to Pelew then to St. Davids and then back to Yap. At Pelew Henderson embarked several natives of Yap who had gone there to cut stone for their ? money and here he took more of their stone cargo on

Statement of D.D.O'Keefe re charges.

board than he ought to have taken and I blamed him for it. I heard that he had gone to Pelew on the way back from St. Davids and on my asking him why he told me that he had got short of water the vessel being too heavy was impeded in her sailing. The usual length of a voyage from St. Davids to Pelew is from six to seven days, from St. Davids to Yap twelve or fourteen days, from Pelew to Yap four days. The native who died was embarked at Pelew he had been sick for a long time before. I am sure he died before the vessel reached St. Davids and not as McGuinness has stated. I have never sever sent away a ship improperly provisioned. Henderson gets what he requires from the store at any time.

9. With regard to the statement as to the Sonsovel and Pulo Anna Natives being from the Pelews by me. I had some natives of these islands working here as he states., there were four in all - had been wrecked in the "Lilla" at Pelew a year before when on their way from St. Davids to Yap, there were also several others on board coming to Pelew to work with Martens, they had been left at St. Davids by a vessel of Capelle & Co's which had been lost and Martens brought them up with him. When Henderson and McGuinness as mate went down in the "Wrecker" to see after the wreck of the "Lilla" they brought my four natives up to Yap. The others remained with Martens for some time - two of them subsequently went away in an American schooner the "Fortune" Captain Wallace who was mysteriously murdered close to Manilla - the Spanish authorities seized the vessel, there were no other white men on board and only the Manilla man besides these two natives, these two men were arrested and charged by the Manilla man with the murder of Wallis but the authorities are keeping them now until they have learnt sufficient Spanish to understand what they are accused of when they will be tried. I sent the rest home in my vessel when I returned the two who came to me. There is not the least truth in the statement about my taking anyone away from any place because a man-of-war was expected, nor in the statement as to their ill treatment or being in a miserable condition.

11.

10. With regard to the bêche-de-mer expedition. I only went on one trip to bêche-de-mer to Hermit Islands. I never ill-treated the natives either those who were working for me or those of that island. The whole lot of us got a very bad attack of fever. I took away I think seventy five people from here and I only brought back between twenty and thirty. So many died on there that I tried to get away but we were all so bad that for fourteen days we were trying to get water on board the vessel before we started. We had been working there for some time before the sickness came. I left here on 7th March 1875 arrived at the Hermits on the 14th March. I was working then not on my own account but for Webster & Cook of the Celebes Sea Trading Co. of Singapore. Webster had died at Pelew. Cook was in Hong Kong. Mr. Lansome (?) a partner in the Co. came with me to Yap and it was by his orders that we went to Hermit Islands. The vessel belonged to me but was chartered by them, they subsequently failed and the bêche-de-mer and trade became mine. We were I think a month at work at Hermit Island before the sickness came. I returned here before 1st June 1874. I was so ill myself

12.

13. that we could not bring the vessel to anchor and had to get help
from Capt. Hunsheim. I know that it is a fact that the Yap natives
14. jumped overboard from Hunsheim's vessel the following day when
they had heard of our sickness. and I know that one of them
15. Gonan was shot from Hunsheim's vessel I did not see it, I was in
the cabin of my vessel the "sea Bird" when I heard the shooting
I went on deck with Thomas Shaw. Shaw made the remark "I thought
so" I heard two or three shots fired after I got on deck. Hern-
sheim's vessel was not quite half a mile away from mine. No shot
whatever was fired from my vessel on that occasion nor have I ever
fired at a native. I fired in front of a canoe once to stop a
man who was making away I believed with some of my property. I
fired ahead of the canoe and it brought him up as I intended and
the man came back he is now at Yap, this happened in Yap habbour
that is the only time I ever fired even to frighten a native.
After the shooting I saw the natives putting spears into their
canoes as I thought to fight I pulled on board Hunsheim's vessel
to tell him we consulted about what steps to take in case the
natives did attack him but there was no attempt on their part to
do so and the statement that we kept them off by firing is entirely
false. The spears that I had seen them putting into the canoes
turned out to be fishing gear. I don't believe the people
had any idea of retaliating on Hunsheim - he was here for three
months after this and on good terms with them all.

11. With regard to the charge of ill-using natives here or at Yap or
capturing them when they ran away. It is entirely false the people
go and come of their own accord I have never had a man run away
from me I have never recaptured a man either by myself or through
the natives of Yap or anyone else I have never flogged a native or
had one flogged by anyone else. I know that Henderson had a Hermit
Islander as cook and that he used to knock him about. I heard of
it and I spoke to him about it. I never heard of the man having
run away but I did hear on my return from Hong Kong that Henderson
had flogged him. McGuinness was with me in Hong Kong when this
occurred if he states that he witnessed it it is not true for he
never was here when I was away except on ~~the~~ his first arrival here
from England in the "Lilla" when he was here four days before I
arrived. Zonginger absconded from here in the night he had de-
frauded us out of a large sum of money at Pelew and took away part
of it when he went from here. I was away at Hong Kong at the time.
I was surprised at hearing of it because I had believed him to be
honest and he was distantly related to my partner Mr. Langen a
German since dead.
I never heard of the severe thrashing of the Hermit Islander and if
it had taken place I should have heard of it certainly.

12. With regard to the shooting of the Hermit Island Chief in the leg
about a girl - it is entirely false - no such thing happened at
Hermit Island. I never had a row about a girl there or anywhere else.
I never made such a statement to McGuinness. I never was on such
familiar terms with him as to make such statement to him even if it
had been true.

13. The case of the late Mr. Abbott's claim for moneys due by me has been settled.
14. The statements contained in the last two paragraphs of Mr. McGuinness's statement are not true in any single particular.
15. With regard to Mr. Easson. He came out as mate of my vessel the "Lilla" from England in 1880. He arrived here on 1st June, 1880 and I arrived on the 8th from Pelew - Hong Kong in the "Wrecker". Easson came on board to see me, he made several charges against the Captain of the "Lilla", Keats. He did not wish to stay in the "Lilla" and he asked me to give him a trading station. I eventually decided to put him in charge of the Terang (S) station here. When he left the "Lilla" there was a sum of £80 owing to him he and others came under agreements signed in the British Consulate to trade on stations for us if required leaving the wages earned on board the ship on the way out as a security in our hands for their honesty and good conduct, in accordance with this the £80 remained in our hands. I went to St. Davids in July 1880 and after losing the "Lilla" on Pelew we came here in a boat. On arriving here I found that Easson had squandered away trade and had been living a life with women. He was £800 short of what he should have had according to the accounts, these were the goods which had come out of the "Lilla". The £800 represents the value of the goods in England it would represent here to me much more. Easson acknowledged his default or carelessness and agreed to change stations with Mr. Parish at Pelau on the West side of Yap island. He worked well there while I was at Yap. I left on 4th December for Hong Kong. A few days after I had left Easson went on a drinking spree to Shaw's with Zonginger. Henderson was left at Terang acting for me, he visited Pelau station and found the place left uncared for the goods lying about and Easson away. On another occasion Henderson met him going with a boat full of copra to dispose of it or to take it to an opposition trader, Amery. Henderson found fault with him and the result was that Easson struck work and wanted Henderson to conclude the agreement with him and let him go. Henderson refused to do this but told him that he could not force him to work. Easson never went back to the station but remained here with Shaw, Zonginger and Amery on a drunken spree and finally left in the "Fortune". He never claimed any money from Henderson or me on the contrary he wanted to cancel his bargain and get off without working off what he owed us.
16. With regard to the statement of Gibbons respecting my taking the Tanna men from Pelew, it is not the case that I offered to take or send them back to their own homes they asked me to take them from Pelew as they were there in a state of slavery (C) and the only bargain I made was that I was not to take them there. I told them that if a ship should go to their home I would send them. Gibbons himself advised me to bring them back to Pelew if I wanted to keep well in with the Pelew people as these men were in slavery to them. There is not the least truth in Gibbon's statement that I kept any man from making a complaint to a man-of-war. I never heard until now that any one had gone on board to make a complaint.
17. I had from the natives there.

With regard to the statement that no native of Kovor will work for me in any other place I have to state that I made an agreement with the Pelew (mis-interpreted by Mr. Gibbons) - that I would go to St. Davids and bring back ten or eleven of their men who had been taken to St. Davids by a ship of Capelle & Co. and never returned by them on condition that they would bind themselves to me in a certain amount of produce never to let any native of Pelew to embark in any vessel as labourers either for me or anyone else. I have never taken one as a labourer from Pelew since and I believe none have gone with anyone else.

Gibbons statements as regards Martens are not correct or true I have already stated my connections with Martens. It was I who applied to Capt. Grove but I withdrew my application to settle my disputes with Martens and asked that matters might be left as they were. Captain Grove said very well and I know nothing of any order of his authorising Martens to keep the trade.

17. I declare that the whole of this statement is the result of jealousy in trade matters because I am doing all the principal business here and the natives will work and deal with me when they will not with some others. There is no secrecy about it.
18. My life has been threatened by McGuinness several times. I am now liable to be killed by him. My life has also been threatened by Capt. Holcomb an American citizen who attacked me on one occasion. He struck me last March and said he would shoot me. I struck him with my revolver on the head when he struck me, the woman who was with him had a revolver. I am perfectly sure that he intended to kill me. I did not fire at him nor did he fire at me. Holcomb had a man belonging to a "slave village" in Yap - he helped Holcomb and his woman and for this the Pelew Chiefs directed him to be killed. I saved the man's life by paying them to spare it. I paid them small articles of goods.
19. McGuinness himself is a bad character, very quarrelsome. He ill-treats natives. On one occasion on board the "Wrecker" in April 1880 on a voyage from Hong Kong to Yap I was awakened by the Mate, McGuinness singing out that they were going to throw him overboard I saw McGuinness with a Chinaman one of the crew holding him by his tail close to the galley reaching for a hatchet which hung in a bucket. Mr. Parish and I seized him and prevented further mischief. He was constantly fighting or beating someone while he was in my employ. He is just the same now in Captain Williams employ. It is very hard to get decent characters for these trading voyages, they appear decent at starting but soon get demoralised.
20. My relations with the natives of St. Davids are as follows. I first visited St. Davids in 1878 I took a lease for five years of the whole group of islands - three fairly large ones and two small ones. Brasse is one of the large ones, they are all inside one reef with one passage fit only for boats, the reef is about ten miles in circumference the largest island is about $1\frac{1}{2}$ miles long by $\frac{3}{4}$ mile broad. There were only fifteen inhabitants when I went there - formerly it was well populated but the natives of Temati and New Guinea had killed them all off, at one time reducing them to a man and a I heard from the natives there.

there are an immense number of graves there. There were no other Europeans there when I was there. I heard of a Dutch Captain from Temati having been there to beche-de-mer. The islands produce a great deal of copra - 500,000 lbs. a year can be made there. I agreed with their King Marawithi and his next man Olmok (?) to take a lease of the island for five years at a rental of about \$50. I paid \$75 when the lease was made. No lease had been made before I was there. Another lease was made or an agreement entered into with Capelle & Co. after I had been there and made mine. I imported natives from Yap and Pelew (Tanna men who were living at Pelew) to St. Davids to make copra for me. I found Terry there when I went there, his woman is a Pleasant Islander, he had a large family and there were also other Pleasant Islanders who had come with Terry from Kusai (Strong Island) in all about 28 or 30. The 15 St. David Islanders lived at Brasse and had nothing to do with Terry. The Dutch claim St. Davids and have applied to me to leave the island altogether or to go to Temati and see the Sultan of Tidore about it which I have never yet done. They told me once to get away from St. Davids in four days I said that if they would haul my flag down I would go voluntarily but they did not do it. The Resident at Temati visited the place and gave the King a flag to hoist, the King had three daughters and the three different colours in the flag were turned into lawa lawa (sulu) for them. I told the Resident that they would be sure to do it and they did. I still pay the \$50 rent to the natives and if I am not turned out I intend to keep up my business there as the natives and I are on good terms.

I have read this statement which was taken down verbally and find it quite correct. I may prevent the said John McGinness from taking any threatening my life or committing any breach of the peace against me for the future. (Sgd.) D.D.O'Keefe.

The above was taken down by me and signed by the above D.D.O'Keefe in my presence on board HMS "Espiegle" at Yap this 19th day of August, 1883. Hon Hong Kong, Guam, Manila and the Caroline Islands.

(Sgd.) J. Ruthven Le Hunte. O'Keefe.

Sworn before me on board HMS "Espiegle" Jud. Comm. Yap this nineteenth day of August, A.D. 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Commissioner.

On Her Britannic Majesty's High Commissioner's Court for the Western Pacific.

Yap 19th August, 1883.

The affidavit of David Deane O'Keefe merchant of Yap British Subject who upon his oath saith.

1. That I the said David Deane O'Keefe am a British Subject resident at Yap in the Western Pacific.
2. That I carry on business as a Merchant and general trader with Hong Kong, Hamburg and London.
3. That one John McGuinness British subject to the best of my belief has on several occasions between the 22nd day of July 1882 and 10th day of June 1883 threatened to take my life.
4. That the said John McGuinness on 6th day of April 1882 on board the American vessel "Wrecker" at Yap discharged a loaded revolver at me with intent to kill me.
5. That at this present time I believe that the said John McGuinness would kill me and that on this account I am in danger of my life.
6. That I have given the said John McGuinness no cause for so threatening my life and that I am ignorant of any lawful claim he has against me.
7. That I desire that such steps may be taken by Her Majesty's High Commissioner as may prevent the said John McGuinness from taking or threatening my life or committing any breach of the peace against me for the future.
8. The said John McGuinness is to the best of my knowledge serving as Mate on board the British schooner "Beatrice" Captain Williams trading between Hong Kong, Guam, Manilla and the Caroline Islands.

(Sgd.) David D. O'Keefe.

Sworn before me on board HMS "Espiegle" at Yap this nineteenth day of August, A.D. 1883.

(Sgd.) J. Ruthven Le Hunte.

Jud. Commissioner.

In Her Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Yap 19th August, 1883.

Complaint of Wau native of Guam now residing at Yap in the employ
of D.D.O'Keefe (aged about 18 (sgd.) J.R.Lett)

About four months ago I was serving in the "Beatrice" English
Vessel Captain Williams - Jack (John McGuiness) was Mate. We
sailed from Guam via Pelew to Yap "Jack" kicked me about to make
me do things faster. I was handcuffed once for three days by "Jack"
and was without food during that time. I don't know what I had done
that I should have been treated like this. I used to be beaten
sometimes with the fist, sometimes with stones and sometimes with
sticks, anything that came to hand. I complained to Captain Williams
but he said nothing. Williams never beat me. I went ashore about
two months ago here I ran away in handcuffs after I had been three
days confined as stated above. I swam ashore in the handcuffs during
the night. I went on to a small island covered with bush I was
there for three days and then the "Beatrice" left. I made my way to
one of the native villages I asked where the Guam man who lived with
Capt. O'Keefe was, a native took me to him and he took me in his boat
to O'Keefe's island in Yap harbour.
I got my handcuffs off by knocking them up against a tree.

Wau ^{his}
X

Hose ^{his}
X (interpretor)

Before me on board HMS "Espiegle" at Yap this 19th day of August,
1883

(Sgd.) J. Ruthven Le Hunte.

Jud. Comm.