



THE CSS POINT
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A PROGRESSIVE COURSE OF
PRECIS WRITING

BY F. E. ROBESON, M.A.

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GENERAL SERVICES DEPARTMENT OF ARMY OFFICE, WASH.

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PRÉCIS WRITING

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OF PRÉCIS WRITING

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PREFACE

PART I is intended for beginners only, i.e. to give elementary practice in the condensation of simple narratives. Pupils who have had previous practice in précis writing should be allowed to pass on at once to Part II. Some teachers, again, may consider that the reproduction of English passages, such, for instance, as those in Mr. Banks's *Graduated Passages for Reproduction* (Oxford University Press), is a sufficient preparation for dealing with official correspondence, &c., and will prefer to dispense with Part I and to let even beginners in précis writing start with the shorter exercises of Part II.

Part II, which occupies the bulk of the book, contains for the most part official correspondence, minutes of evidence, &c. The exercises are so arranged as to present a gradual increase in difficulty. Some of the earlier exercises in this Part consist of single letters, which it is hoped will be useful to those who omit Part I altogether, if not to others.

The Rules given in the Introduction refer mainly to the exercises in Part II, but some of them are applicable to Part I, and reference is there occasionally made to them in footnotes.

The length of the exercises in this book is not, except at the end of Part II, excessive for the ordinary length of a school period, viz. three-quarters of an hour to an hour. This will probably be convenient even for pupils who are preparing for an examination in which as much as two or

three hours are allowed. The earlier exercises are intentionally still shorter, so that the pupil may not be pressed for time until he has gained some experience. At the end of Part II are added two or three longer exercises for practice on the eve of an examination.

The extracts from official documents and the Army, Navy, and Civil Service qualifying examination papers of which use has been made are reproduced by permission of the Controller of His Majesty's Stationery Office. Acknowledgement is due to the proprietors of the *Times*, *Morning Post*, and *Bristol Times and Mirror* for their courtesy in allowing the inclusion of extracts from these papers.

The author takes this opportunity of thanking Mr. E. Bryans, of Radley College, for useful advice based on a long experience of teaching. He also wishes to acknowledge his great indebtedness to Mr. W. Braginton, who revised the whole book before it went to press and made many most valuable suggestions.

F. E. R.

ETON COLLEGE

March 1912.

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INTRODUCTION

GENERAL EXPLANATION OF PRÉCIS WRITING

A PRÉCIS in the strict sense of the term means a summary of some document or documents, but this definition is insufficient as an explanation of what is now commonly required of any one who is instructed to draw up a précis. A document or series of documents is given him, and he is expected to write **in the form of a consecutive narrative** an abbreviated account of what occurred as shown by the document or documents before him. The narrative, while **including all that is important** with regard to the matter in hand, must rigidly **exclude all that is unimportant**.

The object of the précis is to present to any one who has not time to read the original document or documents the leading features of what is there described, and to present them in a readable form and as concisely as is compatible with clearness. The writer of a précis should constantly put himself in the position of a person who has not seen the original documents and yet wishes to have a clear knowledge of all that is essential in them. He must try to imagine what such a person would need to know and what would be useless to him. So we arrive at the three main requirements of a précis, which are printed above in thick type; the rules given on pp. 10-13 are merely aids towards carrying these out.

It is not easy to fulfil these requirements. The attempt to include nothing but the important, and to express this concisely, must not be allowed to obscure the natural sequence of events and to result in a jerky agglomeration of items of information.

Without being longwinded the narrative must be continuous; it must, so to speak, read like a story; the connecting link between one event and another must be obvious. One of the great difficulties of précis writing is the combination of such a clear consecutive statement with terseness of expression.

INTRODUCTION

RULES ¹

I. Heading. Write at the top the words 'Précis of', and below them write the title as given you, e. g. :

(Exercise 15)

Précis of

Minutes of proceedings
of the Colonial Conference,
1907.

II. Beginning. The opening sentence or sentences should state the main subject and, as a rule, the date. These particulars will *generally* be found in the first letter or document.

III. Observe the dates of the various documents and describe circumstances in their **logical order**.

Do not proceed letter by letter; the documents are not necessarily arranged in chronological order, and the chronological order is not *always* the best order: e. g. in Exercise 11, Enclosure 2 in No. 3 was written earlier than the preceding communications.

Notice specially (a) that an enclosure is likely to be of earlier date than the covering letter which accompanies it; (b) that sometimes the first communication of an event is telegraphic, and later on you find a letter of the same date as the telegram, dealing, only, of course more fully, with the same event.

IV. In letters, not in telegrams, the **opening** and **final** paragraphs are sometimes purely **formal**. The important information is in the body of the letter, very likely towards the end: e. g. Exercise 10, No. 4 (dated January 1, 1855).

V. Sometimes two or more subjects, more or less distinct, are discussed in the same correspondence. Keep them in **separate paragraphs**; and start with a new paragraph when you enter on a new phase of the matter under discussion. It will help you if when reading the correspondence you mark passages dealing with one subject A, those dealing with a second B, and so on.

VI. Omit matters that have no important bearing on the leading topic.

(a) Some letters merely acknowledge the receipt of dispatches.

(b) A date being given in your opening sentence the precise dates of subsequent events may be unimportant, though they are not necessarily so.

(c) Details may be merely picturesque: e. g. do not write 'The motor was brought round to the front door, Mr. X. said

¹ Pages 10-22 should not be read till Part II is begun.

good-bye and was soon out of sight', but say 'Mr. X. went away', or 'Mr. X. started'.

In other cases a number of details, not sufficiently important for individual mention, require to be summed up in a single phrase or sentence: e. g. Introduction, p. 18. The punishments named in No. 6 of this correspondence only call for brief mention. To give the details would, in a précis, be out of place.

(d) A topic mentioned only once can usually be disregarded: in itself it may be important, but it may be unimportant in its relation to the main subject of the précis. A correspondence often contains such secondary matter: e. g. see No. 9 in Exercise 9.

VII. Use the **past tense** and the **third person**. Do not write 'Mr. X. said to Mr. Z., "I will inform you if the disturbances recur"' ; but 'Mr. X. promised to inform Mr. Z. if the disturbances recurred.'

VIII. **Be concise, simple, and direct. Do not repeat yourself.**

(a) The phrase 'He wrote a dispatch in which he gave the Foreign Secretary information' is not concise. Say 'He informed the Foreign Secretary'.

(b) A metaphorical expression such as 'The witness drew the long bow' is not simple. If it is necessary to mention the matter at all, say quite plainly 'The witness exaggerated'. But usually a remark of this sort is better left out altogether (see Rule X).

(c) 'China turned to England in the hope of procuring her good offices in bringing about a settlement of these difficulties' is an indirect and roundabout way of saying 'China requested the help of England in the settlement of these difficulties'. Diplomatic language is apt to be verbose.

(d) In the documents presented to you one document may repeat information given in another: e. g. in Exercise 17 compare No. 13 with Nos. 1 and 2.

IX. **Use your own words as a rule.** A Précis Exercise is commonly set as an exercise in English Composition; and, whether so designated or not, its composition must always be an important factor in determining its value. But it fails of its purpose as a Composition test when it is largely a collection of phrases picked out from the documents treated. Moreover, it commonly happens that when we have to summarize a number of facts in a single statement, there is no clause in the text that does this in a sufficiently comprehensive manner.

It will be noticed in the next section, 'Instructions given by Examining Bodies', that the Civil Service Commissioners say 'the language of the original may sometimes be suitable for your purpose, but it is more likely to be unsuitable'.

X. **The information must be definite.** Though you are concise, you must not be vague. Expressions like 'The political situation', 'an alarming state of affairs', 'financial complications', contain no definite information whatever.

XI. **Do not abbreviate words.** Write 'on the 4th March, 1911', not '4. 3. 1911' nor 'March 4, 1911'.

'British South Africa', not 'B.S.A.' nor 'British S. Africa'.

XII. **Do not call the same person or place by different names:** e. g. do not at one moment say, 'The Secretary of State for the Colonies', at another 'The Colonial Secretary', at another 'Mr. Joseph Chamberlain'.

XIII. As a *general* rule **prefer official names to personal names:** e. g. say 'The Colonial Secretary' rather than 'Mr. Joseph Chamberlain'. For the purposes of a précis the personal name is frequently, though not always, quite unimportant: e. g. in Exercise 10 it is important to realize that Lord Raglan is the Commander of the Forces, not that the Commander of the Forces is Lord Raglan. Communications are made to him or orders given by him in virtue of his being Commander of the Forces, not in virtue of his being Lord Raglan. It would have been quite possible for Lord Raglan to have been succeeded in the command of the Forces by some one else during the course of this correspondence, but to mention the fact would be superfluous and would complicate your narrative unnecessarily.

An exception, however, might have to be made to this rule, if (in the example given) Lord Raglan's orders were reversed or modified by his successor.

This rule does not mean that personal names are never to be given. In writing a précis of Minutes of Evidence witnesses must usually be mentioned by name. In a précis of a Correspondence personal names are sometimes required, but such cases are not frequent.

XIV. It is usually **unnecessary to name the medium of correspondence:** e. g. do not say, 'The British Consul at Nagasaki informed the Foreign Office', but 'The British Foreign Office was informed', or still better, 'The British Government was informed'.

There are stereotyped channels of communication for official dispatches, which are understood by all concerned, and would certainly be understood by the superior for whose benefit the précis was being drawn up. Therefore, in most cases, they need not be specified. Thus, in the above instance, 'The British Government' is preferable to 'The British Foreign Office', or 'The British Minister for Foreign Affairs'.

But when you are dealing with minutes of evidence or speeches at a conference, the case may be different. It may

be necessary to state that such and such a witness made such and such a statement: e. g. Exercise 13.

XV. Give no explanatory notes and make no comments of your own. A précis is not an essay. Do not even add an epithet: e. g. do not speak of 'This deplorable incident' or 'An interesting communication'. The communication may be highly interesting and the incident the most deplorable that has occurred for a century, but it is not your business to say so. Even if the words 'deplorable' and 'interesting' appeared in the original, they would probably be better left out, as being merely ornamental epithets. Cf. Rule VI (c).

Anything in the shape of an explanatory note almost certainly means that you are disobeying one or more of these rules (e. g. III, VIII, IX, X). A précis must be a *consecutive* narrative.

XVI. What should be the length of a Précis? This must depend in some measure on the nature of the matter. In some examinations no length is prescribed. Within certain limits the length is always prescribed in examinations held by the Civil Service Commissioners. Thus, under the heading 'Instructions given by Examining Bodies', pp. 14-15, it will be seen that for an exercise occupying six to nine printed foolscap pages, a précis of 200 to 300 words is required, and 1½ hours are allowed.

METHOD

1. Glance rapidly through the whole of the exercise and get some idea of its general drift.

2. Read again, this time more carefully; make short notes on paper, or preferably, mark what seems important, and *if* they help you, add brief marginal notes.

3. Consider how best to arrange what you have marked.

4. Write in your own words a narrative, without any attempt at condensation.

5. Rewrite your narrative, putting it as briefly as is compatible with clearness and good English, and omitting any unessential details that you may have included in your first copy.

N.B. After some practice you should be able to dispense with 4 and to proceed direct from 3 to 5, and you should aim at learning to do this.

6. Read through what you have written, and correct any errors in spelling, punctuation, &c.

Never neglect 6.

INSTRUCTIONS GIVEN BY EXAMINING BODIES

In examinations it is usual to print instructions at the head of the paper on précis writing. Those issued by some examining bodies are here quoted :

i. CIVIL SERVICE COMMISSIONERS

(Examinations for Admission to the Royal Military Academy, Woolwich, and the Royal Military College, Sandhurst, Appointments in the Indian Police Force, Junior Appointments in the Admiralty, and some other Civil Service Examinations.)

Time allowed, 1 hour.¹

Make a Précis of the printed matter herewith.

A précis of a document or series of documents is intended to enable a person to grasp on reading it the main points and the general effect of the matter summarized.

Your précis should take the form of a consecutive narrative without marginal references ; it should be lucid, succinct, and omit no important point ; the language of the original may sometimes be suitable for your purpose, but it is more likely to be unsuitable. The length of the précis should be between 200 and 300 words.

Attention should be paid to neatness, handwriting, spelling, grammar, and style.

ii. OXFORD AND CAMBRIDGE SCHOOLS EXAMINATION BOARD
(In Examination for School or ' Leaving ' Certificates.²)

Time allowed, 1½ hours.

You are desired to write out *in your own words* a précis of the following letters.

The object of the précis (which should proceed *not paragraph by paragraph*, but in the form of a narrative *without* marginal references) is that any one who had not time to read the original correspondence might, by reading the précis, be put in possession of all the leading features of what passed. The merits of such a précis (which should not exceed two pages in length)

¹ This is the time allowed in the Civil Service Examinations named above. The length of the correspondence or minutes of evidence is then from six to nine printed foolscap pages. (See Exercise XXI, Part II, set in the Military Entrance Examination held in December 1911.)

² Length of the correspondence, four to six printed octavo pages.

are (a) to include all that is important in the correspondence, (b) to present this in a consecutive and readable shape, expressed as distinctly as possible, and as briefly as is compatible with distinctness.

Attention should be paid to Spelling, Handwriting, Grammar, and Style.

iii. THE ROYAL SOCIETY OF ARTS

Time allowed, 3 hours.

The object of the memorandum or précis, which should be drawn up, not letter by letter, but in the form of a narrative, is to convey to the reader a complete history, in a narrative form, of the circumstances and events to which the correspondence relates in such a manner as to put him readily in possession of all the essential facts. The merits of such a précis are—(a) that it should contain all that is important in the correspondence and nothing that is unimportant; (b) that it should be framed in a readable shape, expressed as distinctly as possible, and as briefly as is compatible with completeness and distinctness. Clear and neat handwriting and clearness and conciseness of expression are essential.

iv. THE LONDON CHAMBER OF COMMERCE

(In Examination for Senior Commercial Certificates and Teachers' Diploma.)

Time allowed, 3 hours.

Note: The object of the précis is to enable any one reading it to be put into possession, in the smallest space of time, of the essential points of the subject to which the documents refer. The characteristics of a good précis accordingly are (a) the inclusion of all that is important and the exclusion of all that is unimportant in the correspondence; (b) the expression of this in a consecutive story as clearly as possible, and as briefly as is compatible with distinctness.

v. CENTRAL WELSH BOARD

Time allowed, 2 hours.

Make a précis of the following minutes of evidence. The objects to be aimed at are:

To include all that is important in the minutes.

To present it in a consecutive and readable form, expressed as briefly as is compatible with distinctness.

If your précis is intelligible, it cannot be too concise.

AN OFFICIAL CORRESPONDENCE, WITH MODEL
PRÉCIS

CORRESPONDENCE RESPECTING THE INSURRECTIONARY
MOVEMENT IN CHINA

No. 1

Sir C. MacDonald to the Marquess of Salisbury.—(Received
January 4.)

(Telegraphic.)

Peking, January 4, 1900.

It is with great regret that I report to your Lordship the murder by a band of anti-Christian rebels of the English missionary Brooks near the town of Fei Ch'êng, in Shantung Province, where he was travelling. The other members of the mission are safe.

The part of China where the murder took place is very disturbed, and I and my French, American, and German colleagues have been making strong representations.

No. 2

Sir C. MacDonald to the Marquess of Salisbury.—(Received
January 5.)

(Telegraphic.)

Peking, January 5, 1900.

Murder of Mr. Brooks : my telegram of yesterday.

I have to-day received a special message from the Throne, brought by one of the Grand Secretaries, expressing profound regret on the part of the Emperor and Dowager-Empress at the death of Mr. Brooks.

The capture and punishment of the offenders has been forcibly insisted upon in instructions issued by telegram.

No. 3

Sir C. MacDonald to the Marquess of Salisbury.—(Received
January 20, 1900.)

My Lord,

Peking, December 7, 1899.

At the request of the Municipal Council of Tien-tsin, supported by the agent of the Hong Kong and Shanghai Bank Her Majesty's Consul in that city has addressed a dispatch to me asking whether the usual marine guard for the winter months could be furnished.

I accordingly communicated with the Naval Commander-in-Chief at Hong Kong, and the Admiral has instructed the Senior

Naval Officer at Wei-hai-wei to furnish the guard asked for, and I have now the honour to report that Captain Strouts, R.M., and twenty-five marines arrived in Tien-tsin on the 4th instant. M. Carles has accepted an offer of the loan of a godown from Mr. J. M. Dickinson, Chairman of the Municipal Council, and is making arrangements for the guard to be quartered there.

I have, &c.
(Signed) CLAUDE M. MACDONALD.

No. 4

The Marquess of Salisbury to Sir C. MacDonald.

Sir, *Foreign Office, March 1, 1900.*

I have received your dispatch of the 5th January relative to the murder of Mr. Brooks, of the Church of England Mission, in Northern Shantung.

I approve your action in connexion with this matter, and the steps which you took to ensure the protection of the other British missionaries in the district.

I am, &c.
(Signed) SALISBURY.

No. 5

Sir C. MacDonald to the Marquess of Salisbury.— (Received March 15.)

(Telegraphic.) *Peking, March 15, 1900.*

On the 10th instant, I telegraphed to your Lordship with regard to the anti-Christian Societies in Shantung. I have now to report that the late Governor of that Province has been appointed Governor of Shansi. There is no doubt that the main cause of the recent outrages in Shantung was this official's sympathy with the anti-Christian Societies, and the Foreign Representatives here vigorously protested against his conduct.

When reviewing the case of Mr. Brooks to the Yamên, I had warned them that I should have to insist upon the punishment of the Governor whose responsibility for the disordered state of his Province is beyond question, in the event that Mr. Brooks's case was not settled to my satisfaction. The Governor had, we understood, been recalled by reason of the missionary disorders, and the United States Minister had formally requested that he be never re-employed.

No. 6

Sir Chihchen Lofêngluh to the Marquess of Salisbury.—
(Received April 4.)

My Lord,

Chinese Legation, April 3, 1900.

On the 10th January last I had the honour to convey to your Lordship the expression of my Government's regret at the murder of the Rev. Mr. Brooks, a British missionary, at Feichen, in the Province of Shantung, and their assurance that no efforts would be spared in order to visit the guilty parties with condign punishment.

By direction of the Tsung-li Yamên, I have now to acquaint your Lordship of the fulfilment of that promise. Of several arrests that had been made of persons accused of having been the perpetrators of the crime or otherwise concerned in its committal, two have been brought to justice and, at a trial at which a British Consul was present, found guilty and sentenced to be decapitated—a sentence which has already been carried into effect. Besides this, the Magistrate of Feichen, and some of the police authorities of the district, accounted to have been guilty of culpable negligence in the protection of Mr. Brooks, have been cashiered, or had other punishments awarded them of different degrees of severity.

I feel assured that in the exemplary punishment inflicted on the murderers and the officials who were found to have come short of their duty Her Majesty's Government will not fail to see a satisfactory settlement of the regrettable occurrence, and a proof of the Chinese Government's determination to give the fullest degree of security and protection to foreigners residing or travelling in the country.

I have, &c.

(Signed) LOFÊNGLUH.

No. 7

The Marquess of Salisbury to Sir Chihchen Lofêngluh

Sir,

Foreign Office, April 11, 1900.

I have the honour to acknowledge the receipt of your note of the 3rd instant relative to the murder of Mr. Brooks, a British missionary, at Feichen, in the Province of Shantung, in which you inform me of the punishment inflicted on the murderers as well as on the officials who were found to have failed in their duty in connexion with this occurrence. You state that Her Majesty's Government cannot fail to see in

the action taken in the matter by the Chinese Government a determination on their part to afford the fullest degree of security and protection to foreigners residing or travelling in the country.

While thanking you for your communication, I have to point out to you that no punishment has been inflicted on the late Governor of Shantung, who must be held primarily responsible for the lawless state of affairs existing there, and that this official, according to information which has reached me from Her Majesty's Minister at Peking, has been transferred to the Governorship of another province.

In these circumstances, Her Majesty's Government are unable to regard the present settlement of the case as wholly satisfactory.

I have, &c.
(Signed) SALISBURY.

NOTES ON THE CORRESPONDENCE

No. 1 gives the key-note to the whole of the correspondence, namely, the murder of Mr. Brooks with its approximate date. It associates the murder with the lawless condition of the district, and states that certain Foreign Representatives are taking action.

No. 2. The attitude of the Chinese Government is, of course, important, but the information contained in this telegram is vague, and we must look for more definite facts in the other documents. It will be seen that this telegram is supplemented later and can be disregarded.

No. 3 introduces a topic of some consequence, but as it is not mentioned elsewhere in the correspondence it must be ignored.

No. 4. The first paragraph is a mere formal acknowledgement of the receipt of No. 2, and may be disregarded. The second paragraph is also formal. The British Ambassador is the Representative of the British Government in China, and this paragraph merely shows that in the particular matter under discussion he is voicing correctly the views of his Government—a point which we may take for granted unless we are told anything to the contrary.

No. 5. This is important as fixing responsibility for the murder on the Governor, whose punishment had been demanded, but who is appointed the Governor of another province.

No. 6. The first paragraph is formal. Ignore it.

The second paragraph states the measures taken by the Chinese Government in fixing the responsibility for the murder, and punishing guilty parties.

The final paragraph, though its contents are mentioned in No. 7, is *in itself* formal.

No. 7. The first paragraph, though the longest, is formal and unimportant. The second and third are important, bringing out as they do the dissatisfaction of the British Government with the measures taken by the Chinese Government.

It is pointed out that the chief offender has not been punished. So far from being disgraced, he has received another appointment, and his removal from Shantung was a mere sham.

Summing up the above we find that the main points of the correspondence in their logical sequence are :

(a) The murder of Mr. Brooks, an English missionary, at Feichen in Shantung, in January 1900 or shortly before, the murder being the outcome of an anti-Christian agitation, an agitation serious enough for the representatives of other powers to have fears for the safety of their own fellow countrymen.

(b) The punishment of the offenders, and, in connexion with this,

(c) The evasiveness of the Chinese Government in punishing comparatively unimportant offenders while shielding the chief culprit, the Governor. This leads to the statement of the British Government that they are not able to regard the incident as satisfactorily closed.

All these points are dealt with in the marked portions of Nos. 1, 5, 6, and 7. Other portions of the correspondence can be disregarded in writing the *précis*.

MODEL PRÉCIS

PRÉCIS

of

Correspondence respecting the Insurrectionary Movement
in China.

In January 1900, the British Government was informed of the murder of Mr. Brooks, an English missionary, near Feichen in the Chinese Province of Shantung. This was the outcome of disorders caused by anti-Christian Societies, with which the Governor of the Province himself sympathized.

On representations being made by the Ambassadors of Great Britain, America, France, and Germany, two of those concerned in the murder were executed, and various minor

offenders otherwise punished. Being informed, however, that the Governor, though removed from Shantung, had been appointed to the Governorship of another province, the British Government wrote on the 11th April, 1900, to the Chinese Government, stating that as this official was primarily responsible for the lawless condition of Shantung, they were unable to regard the incident as satisfactorily closed.

REFERENCES TO RULES ILLUSTRATED BY MODEL PRÉCIS

The précis of this correspondence serves to bring out the following points which are mentioned in the Rules :

- (a) The opening sentence of the précis introduces the main subject which is found in Telegram No. 1. Rule II.
- (b) The first and last paragraphs of No. 5 are formal. Rule IV.
- (c) No. 3 acknowledges a dispatch. Rule VI (a).
- (d) Intermediate dates are omitted. Rule VI (b).
- (e) Omission of details : e. g. in Letter 5. Rule VI (c).
- (f) No. 3 is disregarded, the subject it introduces not being mentioned again. Rule VI (d).
- (g) The exact date of the murder is not given. If we had been told that it took place (e. g.) in December 1899, we might have simplified the beginning of the précis and written, 'In December 1899 Mr. Brooks, an English missionary, was murdered near Feichen . . .' instead of beginning as above. Rule VIII (a).
- (h) The lawless condition of Shantung is mentioned in Nos. 1, 4, and 6. The précis must avoid such repetitions. Rule VIII.
- (i) The vague information contained in No. 2 is omitted. Rule X.
- (j) The scene of the murder is called Fei Ch'êng in No. 1, and Feichen in No. 5. Supposing it were necessary to repeat the name in the précis we should have to be careful not to vary the spelling. Rule XII.
- (k) The correspondents—Lord Salisbury, Sir C. MacDonald, Sir Chihchen Lofêngluh—are not mentioned. We use instead 'the British Government . . .', 'the Chinese Government . . .'. Rules XIII, XIV.

PRÉCIS OF MINUTES OF EVIDENCE

The essentials of a précis of Minutes of Evidence and similar matter are the same as those of a précis of Correspondence. The main difference is that whereas in the case of a Correspondence it is usually unnecessary to give personal names or to mention the writers of the letters, the names of witnesses often cannot and should not be suppressed in writing a précis of Minutes of Evidence.

PART I

EXERCISE I

MARSHAL MACDONALD, DUKE OF TARANTO, IN THE PENINSULA, 1811

WHEN Macdonald succeeded Augereau he found the troops in a state of insubordination, accustomed to plunder, and excited to ferocity by the cruelty of the Catalans and by the conduct of his predecessor; they were without magazines or regular subsistence, and lived by exactions, while the people, driven to desperation, were more like wild beasts than men. The war was repulsive to him in all its features. It was one of shifts and devices, and he better understood methodical movements; it was one of plunder, and he was a severe disciplinarian; it was full of cruelty on all sides, and he was of a humane and just disposition. Being resolved to introduce regular habits, Macdonald severely rebuked the troops for their bad discipline and cruelty, and endeavoured to soothe the Catalans, but neither were softened; the mutual injuries were too horrible and too recent to be forgiven. The soldiers, drawn from different countries, were without a common national feeling, and were irritated against a general who made them pay for wanton damages and punished them for plundering; and the Catalans, attributing his conduct to fear, because he could not entirely restrain the violence of his men, still fled from the villages and massacred his stragglers with unrelenting barbarity

EXERCISE II

SIR HENRY WOTTON

AFTER some stay in Florence, Sir Henry Wotton went the fourth time to visit Rome, where in the English college he had very many friends (their humanity made them really so, though they knew him to be a dissenter from many of their principles of religion); and having enjoyed their company,

and satisfied himself concerning some curiosities that did partly occasion his journey thither, he returned back to Florence, where a most notable accident befell him ; an accident that did not only find new employment for his choice abilities, but did introduce him to a knowledge and an interest with our King James, then King of Scotland ; which I shall proceed to relate.

Immediately after Sir Henry Wotton's return from Rome to Florence (which was about a year before the death of Queen Elizabeth), Ferdinand, the Great Duke of Florence, had intercepted certain letters, that discovered a design to take away the life of James, the then King of the Scots. The duke, abhorring this fact, and resolving to endeavour a prevention of it, advised with his secretary, Vietta, by what means a caution might be best given to that king ; and after consideration it was resolved to be done by Sir Henry Wotton, whom Vietta first commended to the duke, and the duke had noted and approved of above all the English that frequented his court.

Sir Henry was gladly called by his friend Vietta to the duke, who, after much profession of trust and friendship, acquainted him with the secret ; and, being well instructed, dispatched him into Scotland with letters to the king, and with those letters such Italian antidotes against poison, as the Scots till then had been strangers to.

EXERCISE III

CHARLES I AND THE UNIVERSITIES IN 1642

' It cannot be imagined how great advantage the king received by the parliament's rejecting the king's messages for peace, and their manner in doing it. All men's mouths were opened against them, the messages and answers being read in all churches ; they, who could not serve him in their persons, contrived ways to supply him with money. Some eminent governors in the universities gave him notice that all the colleges were very plentifully supplied with plate, which would amount to a good value, and lay useless in their treasuries, there being enough besides for their common use ; and there was not the least doubt, but that whensoever His Majesty should think fit to require that treasure, it would all be sent to him. Of this the king had long thought, and when he was at Nottingham, in that melancholique season, two gentlemen were dispatched away to Oxford and to Cambridge (two to

each), with letters to the several vice-chancellors, that they should move the heads and principals of the several colleges and halls, that they would send their plate to the king; private advertisements being first sent to some confident persons to prepare and dispose those, without whose consent the service would not be performed.

This whole affair was transacted with so great secrecy and discretion, that the messengers returned from the two universities in as short a time as such a journey could well be made; and brought with them all, or very near all, their plate, and a considerable sum of money, which was sent as a present to His Majesty from several of the heads of colleges out of their own particular stores; some scholars coming with it, and helping to procure horses and carts for the service; all which came safe to Nottingham, at the time when there appeared no more expectation of a treaty, and contributed much to raising the dejected spirits of the place.'

EXERCISE IV

CHARLES II AND THE DUKE OF BUCKINGHAM ¹

THE little man, precise in court etiquette, yet impatient of the king's delaying to attend to him, stood in the midst of the floor, most valorously pawing and prancing, like a Scots pony assuming the airs of a warhorse, waving meanwhile his little hat with the tarnished feather, and bowing from time to time, as if impatient to be heard.

'Speak on, then, my friend,' said Charles; 'if thou hast some poetical address penned for thee, out with it that thou mayest have time to repose these flourishing little limbs of thine.'

'No poetical speech have I, most mighty sovereign,' answered the dwarf; 'but, in plain and most loyal prose, I do accuse, before this company, the once noble Duke of Buckingham of high treason.'

'Well spoken, and manfully—Get on, man,' said the king, who never doubted that this was the introduction to something burlesque or witty, not conceiving that the charge was made in solemn earnest.

A great laugh took place among such courtiers as heard, and among many who did not hear, what was uttered by the dwarf; the former entertained by the extravagant emphasis and gesticulation of the little champion, and the others laughing

¹ See Introduction, Rules VI (c) and VII.

not the less loud that they laughed for example's sake, and upon trust.

'What matter is there for all this mirth?' said he, very indignantly—'Is it fit subject for laughing, that I, Geoffrey Hudson, Knight, do, before king and nobles, impeach George Villiers, Duke of Buckingham, of high treason?'

'No subject of mirth, certainly,' said Charles, composing his features; 'but great matter of wonder.—Come, cease this mouthing, and prancing, and mummary.—If there be a jest, come out with it, man; and if not, even get thee to the beaufet, and drink a cup of wine to refresh thee.'

'I tell you, my liege,' said Hudson, impatiently, yet in a whisper, intended only to be audible by the king, 'that if you spend over much time in trifling, you will be convinced by dire experience of Buckingham's treason. I tell you—I asseverate to your Majesty—two hundred armed fanatics will be here within the hour, to surprise the guards.'

EXERCISE V

LOUIS XIV¹

AND NOW the time for action had arrived. On the 18th of May Lewis left Versailles: early in June he was under the walls of Namur. The princesses, who had accompanied him, held their court within the fortress. He took under his immediate command the army of Boufflers, which was encamped at Gembloux. Little more than a mile off lay the army of Luxemburg. The force collected in that neighbourhood under the French lilies did not amount to less than a hundred and twenty thousand men. Lewis had flattered himself that he should be able to repeat in 1693 the stratagem by which Mons had been taken in 1691 and Namur in 1692; and he had determined that either Liege or Brussels should be his prey. But William had this year been able to assemble in good time a force, inferior indeed to that which was opposed to him, but still formidable. With this force he took his post near Louvain, on the road between the two threatened cities, and watched every movement of the enemy.

Lewis was disappointed. He found that it would not be possible for him to gratify his vanity so safely and so easily as in the two preceding years, to sit down before a great town, to enter the gates in triumph, and to receive the keys, without exposing himself to any risk greater than that of a stag-hunt at Fontainebleau. Before he could lay siege either to Liege

See Introduction, Rule VIII.

or to Brussels he must fight and win a battle. The chances were indeed greatly in his favour: for his army was more numerous, better officered and better disciplined than that of the allies. Luxemburg strongly advised him to march against William. The aristocracy of France anticipated with intrepid gaiety a bloody but a glorious day, followed by a large distribution of the crosses of the new order. William himself was perfectly aware of his danger, and prepared to meet it with calm but mournful fortitude. Just at this conjuncture Lewis announced his intention to return instantly to Versailles, and to send the Dauphin and Boufflers, with part of the army which was assembled near Namur, to join Marshal Lorges, who commanded in the Palatinate. Luxemburg was thunder-struck. He expostulated boldly and earnestly. Never, he said, was such an opportunity thrown away. If His Majesty would march against the Prince of Orange, victory was almost certain. Could any advantage which it was possible to obtain on the Rhine be set against the advantage of a victory gained in the heart of Brabant over the principal army and the principal captain of the coalition? The marshal reasoned: he implored: he went on his knees; but in vain; and he quitted the royal presence in the deepest dejection. Lewis left the camp a week after he had joined it, and never afterwards made war in person.

The astonishment was great throughout his army. All the awe which he inspired could not prevent his old generals from grumbling and looking sullen, his young nobles from venting their spleen, sometimes in curses and sometimes in sarcasms, and even his common soldiers from holding irreverent language round their watchfires. His enemies rejoiced with vindictive and insulting joy. Was it not strange, they asked, that this great prince should have gone in state to the theatre of war, and then in a week have gone in the same state back again? Was it necessary that all that vast retinue, princesses, dames of honour and tirewomen, equerries and gentlemen of the bedchamber, cooks, confectioners and musicians, long trains of wagons, droves of led horses and sumpter mules, piles of plate, bales of tapestry, should travel four hundred miles merely in order that the Most Christian King might look at his soldiers and then return? The ignominious truth was too evident to be concealed. He had gone to the Netherlands in the hope that he might again be able to snatch some military glory without any hazard to his person, and had hastened back rather than expose himself to the chances of a pitched field.

EXERCISE VI

WITCHCRAFT

Extract from the *Times* of August 26, 1811¹

WITCHCRAFT !—At the Bridgewater Assizes, *Betty Town-End*, a very old woman, aged seventy-seven, who for many years past has been considered by the superstitious as a *witch*, was tried for obtaining money of a child under the following circumstances :—The prosecutor, Jacob Poole, was a labouring man, residing in a hamlet of Taunton, in which parish the prisoner also resided, and had been in the habit of sending his daughter, aged about thirteen, with apples in a basket to market. About the 24th of January last, the old woman met the little girl, stopped her, and asked to see what she had in her basket ; which having examined she said to her, ‘ Hast got any money ? ’ The child said she had none. ‘ Then get some for me,’ said the old woman, ‘ and bring it to me at the Castle-door (a tavern in Taunton) or I will kill thee ! ’ The child, terrified at such a threat from a witch, procured two shillings, and carried it to her ; when the old woman said, ‘ ’Tis a good turn thou hast got it, or else I would have made thee die by inches.’ This was repeated seven times within five months, when Poole, the father, going to the shop of Mr. Bruford, a druggist in Taunton, to pay a little bill which he owed for medicine, found no less than seven different charges against him for money lent ; and on inquiry found that different small sums of two shillings, half a crown, five shillings, &c., had been borrowed by the little girl in her father’s name, for the purpose, as she said, of going to market, but carried as a peace-offering to the old woman. The whole was now discovered ; and Poole’s wife and another woman took the girl with them to the prisoner’s house, and interrogated her as to the facts. She admitted a knowledge of the girl, but on being reprehended for her conduct, raved and swore that if they dared to accuse her, she would make them ‘ die by inches’. ‘ No,’ said Mrs. Poole, who appears to have thought that she knew much better how to deal with a witch than her daughter, ‘ that thee shalt not—I’ll hinder that,’ and, taking a pin from her clothes, scratched the witch from her elbow to her wrist, in three places, to *draw her blood*, a process believed to be of unfailing efficacy as an antidote to witchcraft. The idea of this wicked woman’s power has had such an effect

See Introduction, Rule VII.

on the mind of the poor little girl, that she is now reduced to such a state of debility, that she is scarcely able to take any sustenance. The Jury found the prisoner guilty; and the Judge observed, that only her extreme old age prevented him from pronouncing on her the severest sentence the law would allow; she was sentenced to pay a fine of one shilling, and to be kept to hard labour in the House of Correction for six calendar months.

EXERCISE VII ¹THE DUKE OF MONTFORT AND THE CONSTABLE
OF CLISSON ²

THE Duke of Montfort in his hatred of the Constable de Clisson did not hesitate at treachery. Having received an invitation from Clisson to dine with him at Vannes, he excused himself on account of his rheumatism, but promised to come in at dessert. Having done so, he proposed that the party should adjourn to visit his new castle. Several of them, including Laval, Beaumanoir, and the constable himself, accepted the invitation. On their arrival the duke complained of fatigue, and suggested that Laval and the others should stay with him, while the constable, whose opinion he said he wished to have on the fortifications, inspected the keep. When Clisson arrived at the first flight he was seized by a party of soldiers, who closed the doors, threw him into irons and dragged him down to the vaults. Meanwhile the wild and guilty air of the duke alarmed Laval, and hearing the bang of the heavy door, he insisted on knowing what was the matter. Beaumanoir also came hurrying up, and demanded what had become of the constable.

'Beaumanoir,' said the duke, 'do you wish to be as your master is?'

'Yes, my lord.'

'Then away with you,' said the duke, 'you shall fare neither better, nor worse than he.' And he caused Beaumanoir to be dragged away to the same dungeon, and ironed like Clisson.

Laval and the others retired in burning indignation. The duke presently sent for a confidential knight, Bazvalen, and bade him that very night tie Clisson up in a sack and throw him into the river. Bazvalen remonstrated, but in vain. Just as he went sadly away, Laval came with a message from

¹ See Introduction, Rule VII.

² Set as an exercise in Reproduction by the Oxford and Cambridge School Examination Board, July 1909.

the barons, offering a high ransom for Clisson's release. The duke made no decisive answer, but sent Laval away with the words 'Night brings counsel'. As the night went on, he began to realize his error. His servants heard him weeping through the early morning, and as soon as the castle was astir he called for Bazvalen. With a shadow of hope he asked if his orders had been fulfilled.

'Yes, my lord,' said Bazvalen. 'As soon as the first stroke of twelve, my men put the Lord Constable in a sack, held him down in the water, and then lest the body should be found, I had it buried in the garden.'

Montfort broke out into loud lamentations. 'Why did I not listen to you?' he cried. 'Oh! were I but the poorest gentleman in my duchy, and in safety.' He spent the day weeping and praying, and refused to admit Laval, who besieged the doors. In the evening, when Bazvalen thought his master had undergone a sufficient lesson, he desired to be readmitted to his presence, and informed him that there was a remedy for his trouble.

'No remedy for death,' sighed the unhappy murderer.

'My lord,' said Bazvalen, 'the man whose death you mourn is alive and well, eating and drinking heartily, and in great haste to be elsewhere.'

The duke fell into transports of joy, and rewarded Bazvalen for his wise disobedience with 10,000 golden crowns.

EXERCISE VIII

SIEGE OF SYRACUSE

NIKIAS foresaw too well that he would have more to answer for at Athens than the simple fact of sanctioning retreat under existing circumstances. He could not but remember the pride and sanguine hopes under which he had originally conducted the expedition out of Peiræus, contrasted with the miserable sequel and ignominious close—even if the account had been now closed, without worse. He could not but be conscious, more or less, how much of all this was owing to his own misjudgement; and under such impressions, the idea of meeting the free criticisms and scrutiny of his fellow citizens (even putting aside the chance of judicial trial) must have been insupportably humiliating. To Nikias—a perfectly brave man, and suffering withal under an incurable disease—life at Athens had neither charm nor honour left. Hence, as much as from any other reason, he was induced to withhold the order for departure; clinging to the hope that some unforeseen boon

of fortune might yet turn up—and yielding to the idlest delusions from correspondents in the interior of Syracuse.

Nearly a month after the night-battle on Epipolæ, Gylippus and Sikanus both returned to Syracuse. The latter had been unsuccessful at Agrigentum, where the philo-Syracusan party had been sent into banishment before his arrival; but Gylippus brought with him a considerable force of Sicilian Greeks, together with those Peloponnesian hoplites who had started from Cape Taenarus in the early spring, and who had made their way from Kyrênê first along the coast of Africa, and then across to Selinus. Such increase of strength immediately determined the Syracusans to resume the aggressive, both by land and by sea. In the Athenians, as they saw the new allies marching in over Epipolæ, it produced a deeper despondency, combined with bitter regret that they had not adopted the proposition of departing immediately after the battle of Epipolæ, when Demosthenês first proposed it. The late interval of lingering hopeless inaction with continued sickness, had further weakened their strength, and Demosthenês now again pressed the resolution for immediate departure. Whatever fancies Nikias may have indulged about Syracusan embarrassments, were dissipated by the arrival of Gylippus; nor did he venture to persist in his former peremptory opposition—though even now he seems to have assented against his own conviction. He however insisted, with good reason, that no formal or public vote should be taken on the occasion—but that the order should be circulated through the camp, as privately as possible, to be ready for departure at a given signal.

This plan was proceeding successfully: the ships were made ready—much of the property of the army had already been conveyed aboard without awakening the suspicion of the enemy—the signal would have been hoisted on the ensuing morning—and within a few hours, this fated armament would have found itself clear of the harbour, with comparatively small loss—when the Gods themselves (I speak in the language and feelings of the Athenian camp) interfered to forbid its departure. On the very night before (the 27th August, 413 B.C.)—which was full moon—the moon was eclipsed. Such a portent, impressive to the Athenians at all times, was doubly so under their present despondency, and many of them construed it as a divine prohibition against departure until a certain time should have elapsed, with expiatory ceremonies to take off the effect. They made known their wish for postponement to Nikias and his colleagues; but their interference was superfluous, for Nikias himself was more deeply affected

than any one else. He consulted the prophets, who declared that the army ought not to decamp until thrice nine days, a full circle of the moon, should have passed over. And Nikias took upon himself to announce, that until after the interval indicated by them, he would not permit even any discussion or proposition on the subject.

EXERCISE IX

KING ARTHUR'S DEATH ¹

ON Trinity Mondaye in the morne,
 This sore battayle was doom'd to bee ;
 Where manye a knyghte cry'd, ' Well-awaye !'
 Alacke, it was the more pittle.

Ere the first crowinge of the cocke,
 When as the kinge in his bed laye,
 He thoughte sir Gawaine to him came,²
 And there to him these wordes did saye.

' Nowe, as you are mine unkle deare,
 And as you prize your life, this daye
 O meet not with your foe in fighte ;
 Putt off the battayle, if yee maye.

For sir Launcelot is nowe in Fraunce,
 And with him many an hardye knyghte :
 Who will within this moneth be backe,
 And will assiste yee in the fighte.'

The kinge then call'd his nobles all,
 Before the breakinge of the daye ;
 And tolde them how sir Gawaine came,
 And there to him these wordes did saye.

His nobles all this counsayle gave,
 That earlye in the morning, hee
 Shold send awaye an herauld at armes,
 To aske a parley faire and free.

Then twelve good knyghtes king Arthur chose,
 The best of all that with him were :
 To parley with the foe in field,
 And make with him agreement faire.

¹ See Introduction, Rules VI (c), VII, and IX.

² Sir Gawaine had been killed at Arthur's landing on his return from abroad.

The king he charged all his hoste,
In readinesse there for to bee :
But noe man sholde noe weapon sturre,
Unlesse a sword drawne they shold see.

And Mordred on the other parte,
Twelve of his knights did likewise bringe ;
The beste of all his companye,
To hold the parley with the kinge.

Sir Mordred also charged his hoste,
In readinesse there for to bee ;
But noe man sholde no weapon sturre,
But if a sworde drawne they shold see.

For he durste not his unkle truste,
Nor he his nephewe, sothe to tell :
Alacke ! it was a woefulle case,
As ere in Christentye befelle.

But when they were together mette,
And both to faire accordance broughte ;
And a month's league betweene them sette,
Before the battayle sholde be foughte ;

An addere crept forth of a bushe,
Stunge one o' th' king's knightes on the knee :
Alacke ! it was a woefulle chance,
As ever was in Christentie.

When the knighte found him wounded sore,
And sawe the wild-worme hanginge there ;
His sworde he from his scabberde drewe :
A piteous case as ye shall heare.

For when the two hostes sawe the sworde,
They joyned battayle instantlye ;
Till of soe manye noble knightes,
On one side there were left but three.

For all were slain that durst abide,
And but some fewe that fled awaye :
Ay mee ! it was a bloodye fielde,
As ere was foughte on summer's daye.

Upon king Arthur's own partye,
Onlye himselfe escaped there,
And Lukyn duke of Gloster free,
And the king's butler Bedevere.

KING ARTHUR'S DEATH

And when the king beheld his knightes,
 All dead and scattered on the molde ;
 The teares fast trickled downe his face ;
 That manlye face in fight so bolde.

' Nowe reste yee all, brave knights,' he said,
 ' Soe true and faithful to your trust ;
 And must yee then, ye valiant hearts,
 Be lefte to moulder into dust !

Most loyal have yee been to mee,
 Most true and faithful unto deathe :
 And, oh ! to rayse yee up againe,
 How freelye could I yield my breathe !

But see the traitor's yet alive,
 Lo, where hee stalkes among the deade !
 Nowe bitterlye he shall abyee :
 And vengeance fall upon his head.'

' O staye, my liege,' then sayd the duke ;
 ' O stay for love and charitie ;
 Remember what the vision spake,
 Nor meete your foe, if it may bee.'

' O, staye mee not, thou worthy wight,
 This debt my loyal knights I owe :
 Betide me life, betide me death,
 I will avenge them of their foe.'

Then strait he grasp'd his trustye speare,
 And on his horse then mounted hee :
 As his butler holpe him to his horse,
 His bowels gushed to his knee.

' Alas !' then sayd the noble king,
 ' That I should live this sight to see !
 To see this good knight here be slaine,
 All for his love in helping mee !'

He put his speare into his reste,
 And to sir Mordred loud gan crye ;
 ' Nowe sette thyself upon thy garde,
 For, traitor, nowe thy death is nye.'

Sir Mordred lifted up his sworde,
 And fierce to meet the king ran hee :
 The king his speare he through him thrust ;
 A fathom thorow his bodie.

When Mordred felt the stroke of death,
 And found that he was wounded soe ;
 He thruste himselfe upon the speare,
 And strucke the king a deadlye blowe.

Then grimmlye dyed sir Mordered,
 Presentlye upon that tree :
 And bloodye streames ranne from the kinge
 Ere to the duke returned hee.

Sir Lukyn then he thus bespake,
 ' Sir knighte, thou hast beene faithfulle tryde,
 Nowe take my sword Excalibar,
 That hangs so freelye by my syde :

O take my sword Excalibar,
 And there into the river throwe :
 For here, henceforth, benethe this tree,
 All use of weapons I foregoe.

And fare thee well, thou trustye sword,
 A better neer had valiant knighte,
 With thee full ofte, and manye a daye,
 Have I withstood my foe in fighte.

With this good fauchion in my hande,
 Oft have I reapt the bloodye feelde :
 But nowe the fatalle houre is come,
 That never more I may thee weelde.'

The duke to the river side he went,
 And there his owne sword in threwe he :
 But he kept back Excalibar,
 He kept it back in privitie.

For all of coleyne was the blade ;
 And all the hilte of precious stone :
 ' And ever alacke !' then sayd the knighte,
 ' Must such a sword awaye be throwne ?'

Then backe he came unto the kinge,
 Who sayd, ' Sir Lukyn, what did yee see ?'
 ' Nothing, my liege, save that the winde
 Blewe oer the waters faire and free.'

' O goe againe,' then said the kinge,
 ' O good sir Lukyn, goe againe :
 Into the rivere throwe my sword,
 Nor keepe me lingering here in paine.'

KING ARTHUR'S DEATH

The duke then to the river went,
 And the kings scabberd in threwe hee ;
 But hee kept backe Excalibar,
 And hid it undernethe a tree.

Then backe he came to tell the kinge,
 Who sayde, ' Sir Lukyn sawe ye oughte ? '
 ' Nothings, my liege, save that the winde
 Nowe with the angrye waters fought.'

' O Lukyn, Lukyn,' said the kinge,
 ' Twice haste thou dealt deceytfullye :
 Alacke, whom may wee ever truste,
 When suche a knighte soe false can bee ?

Saye, wouldst thou have thy master dead,
 All for a sword, that wins thine eye ?
 Nowe goe againe, and throwe it in,
 Or here the one of us shall dye.'

The duke, all shent with this rebuke,
 No aunswere made unto the kinge :
 But to the rivere tooke the sworde,
 And threwe it far as he coulde flinge.

A hande and an arme did meete the sworde,
 And flourishd three times in the air ;
 Then sunke benethe the renninge streme,
 And of the duke was seene noe mair.

All sore astonied stood the duke ;
 He stood as still, as still mote bee :
 Then hastend backe to telle the kinge ;
 But he was gone from under the tree.

But to what place he cold not tell,
 For never after hee did him spye :
 But hee sawe a barge goe from the land,
 And hee heard ladyes howle and crye.

And whether the kinge were there, or not,
 Hee never knewe, nor ever colde :
 For from that sad and direfulle daye,
 Hae never more was seene on molde.

EXERCISE X

MR. BOYD ALEXANDER'S DEATH

Extract from the *Morning Post*

ACCOMPANIED by M. Jose Lopes, his confidential Portuguese attendant, Mr. Boyd Alexander, after making Zoological collections in the Portuguese islands on the west coast of Africa, proceeded to Maifoni with the intention of crossing the Continent to Khartum. Some time was spent at Maifoni in preparing for the journey, and when it finally started the expedition was well equipped. A journey of 1,500 miles through a desert-like country, inhabited by tribes of Arabs, brought the explorer to the French post at Fort Lumi. 'Mr. Boyd Alexander,' said M. Jose Lopes, in relating the tragic ending of the expedition, 'was welcomed by the French Commandant, who, however, explained that the Tama district, through which our road lay, was in a very unsettled condition, and the natives were hostile. He therefore firmly forbade our further progress. Tama is British territory, but under the domination of the Sultan of Alfasha. The unrest in that area originated a month before we arrived. The local chiefs had made an organized attempt on the French posts, acting on the unfounded fear that their country was threatened with invasion.

'Feeling was undoubtedly very bitter, for while we were waiting at the French post a force of the natives entered the Aboisha district and raided several villages. The French Commandant requested Mr. Alexander, as an Englishman of position, to visit the raided villages and send a report of the result of his investigations to the British authorities at Maifoni. Mr. Alexander agreed, and the French Commandant supplied him with a force consisting of a chief and fifteen horsemen. When a few miles out we discovered that we were only 29 miles distant from the capital of Tama. Mr. Alexander urged the chief and his soldiers to accompany him that far. He was undeterred by the warnings of the French Commandant, and was under the impression that since they were under English leadership no harm would come to the party. The chief, however, refused to go on, as he had received no instructions to do so from the French Commandant. He accordingly returned to the fort. I strongly urged Mr. Alexander not to proceed, pointing out the dangers of the journey. I had a foreboding that some disaster would happen.

'On the morning of April 2 Mr. Alexander arose early, and

said that he was determined to push on. After a long and weary day we reached a small village three-quarters of a mile from the capital of Tama. We arrived at about 6.30 in the evening. It was very dark, and we were unable to carry out our wish to visit the capital and see the chief. Mr. Alexander then sent a headman, stating that we had arrived, that we were English, that we had no soldiers and no arms, and that all we wanted to do was to pass through Alfasha on our way to Khartum. This message was evidently safely delivered. A short time afterwards a headman, accompanied by native soldiers, came from the capital to welcome us. The headman said that if we were English all would be well, for Englishmen were their friends. He asked us to go with him back to the Sultan, but, as we had unloaded our camels and formed a camp under the trees and were very weary, Mr. Alexander said he would put off the visit until the following day. Later, about 8.30 in the evening, the same party returned and said that the chief wished us to go back with them that night. Mr. Alexander thanked the native headman, but kept to his refusal. The natives then left, but again returned late at night. I was then sitting on my bed and Mr. Alexander was in his chair.

'I was talking with the chief in Arabic, when suddenly four men seized me by the arms and forced me away. I protested that we were English, and friends. They said: "The Sultan wants you to-night." I said: "All right. We will go." But in the meantime other men had seized Mr. Alexander. He freed his right arm, and in the struggle struck one of the native soldiers. Then another of the soldiers fired a gun at close quarters, and shot him dead. The servants as they ran away shouted: "The master is shot." From what I learned afterwards the men came to take us prisoners with the idea that we were French. They did not mean to kill Mr. Alexander. It was just bad luck.'

EXERCISE XI

SELF-STYLED JAPANESE SOCIALISTS

Extract from the *Oriental Economic Review*

COMMENTING last year (1909) on the recent activities of the self-styled socialists of Japan, the Tokyo *Asahi*, an influential newspaper, declared that they were in reality anarchists. It said: 'Anarchism has entered Japan just as once the plague did, and we must treat the one disease as we did the other. It unfortunately seems to be a fact that at least a portion of the

Japanese socialists have become affected, judging from the nature of the *direct action* they propose, by anarchistic beliefs and doctrines, included in which is a repudiation of all the machinery of government. The anarchists of the Occidental countries have declared that "the best government is the worst", and for the purposes of their propaganda have, within recent years, assassinated several monarchs and rulers of countries. Their victims have included President Carnot of France (1894), Empress Elizabeth of Austria (1898), King Humbert of Italy (1900), and President McKinley of the United States (1901).

'It seems evident from the Supreme Court's decision in the preliminary examination of certain Japanese anarchists that they had aimed at the Crown, and fortunate indeed is it for our country that the plans and plots of these madmen were discovered in time to prevent their consummation. European countries place the anarchists in the category of public enemies, and for the past twenty years or more, have sought their destruction with every means in their power. So, too, have they sought just as vigorously to stamp out the abhorrent doctrine of the anarchist by the severest and most drastic punishments, when an individual has been apprehended, with the result that there has been no *direct action* of anarchistic initiative during the past eight or nine years.

'The recent startling discovery of plotters in Japan, who under the cloak of socialism are still evidently anarchists, is thus an evidence of the length of time required for the spread of this pestilence from the Western countries to those of the East.

'Small, indeed, in the entire civilized world, is the membership of this diabolical society, for its theories are unappealing to the sensible human animal. It was, for example, found in the unravelling of the plot which led to the assassination of Alexander II of Russia in 1887, that the actual conspirators numbered not more than eighteen, though a far greater number of nihilists were for governmental reasons exiled. After the Carnot assassination, there were bomb outrages nearly every night in Paris, but after a few persons had been arrested and imprisoned, the reign of terror came to a sudden and complete end. It may be frankly doubted if at this time there were ten anarchists in all France.

'We can but sincerely hope that this anarchistic seed will find the soil of our land unsuited to its rank, poisonous growth.'

EXERCISE XII

MR. WICKHAM'S DISAPPOINTMENT

'OH no—it is not for *me* to be driven away by Mr. Darcy,' said Mr. Wickham. 'If *he* wishes to avoid seeing *me*, he must go. We are not on friendly terms, and it always gives me pain to meet him, but I have no reason for avoiding *him* but what I might proclaim to all the world—a sense of very great ill usage, and most painful regrets at his being what he is. His father, Miss Bennet, the late Mr. Darcy, was one of the best men that ever breathed, and the truest friend I ever had; and I can never be in company with this Mr. Darcy without being grieved to the soul by a thousand tender recollections. His behaviour to myself has been scandalous; but I verily believe I could forgive him anything and everything, rather than his disappointing the hopes and disgracing the memory of his father.'

'The late Mr. Darcy,' continued Mr. Wickham, 'bequeathed me the next presentation of the best living in his gift. He was my godfather, and excessively attached to me. I cannot do justice to his kindness. He meant to provide for me amply, and thought he had done it; but when the living fell, it was given elsewhere.'

'Good heavens!' cried Elizabeth; 'but how could *that* be? How could his will be disregarded? Why did not you seek legal redress?'

'There was just such an informality in the terms of the bequest as to give me no hope from law. A man of honour could not have doubted the intention, but Mr. Darcy chose to doubt it—or to treat it as a merely conditional recommendation, and to assert that I had forfeited all claim to it by extravagance, imprudence, in short, anything or nothing. Certain it is that the living became vacant two years ago, exactly as I was of an age to hold it, and that it was given to another man; and no less certain is it, that I cannot accuse myself of having really done anything to deserve to lose it. I have a warm, unguarded temper, and I may perhaps have sometimes spoken my opinion *of* him, and *to* him, too freely. I can recall nothing worse. But the fact is, that we are very different sort of men, and that he hates me.'

'This is quite shocking! He deserves to be publicly disgraced.'

'Some time or other he *will* be—but it shall not be by *me*. Till I can forget his father, I can never defy or expose *him*.'

Elizabeth honoured him for such feelings, and thought him handsomer than ever as he expressed them.

'But what,' said she, after a pause, 'can have been his motive? what can have induced him to behave so cruelly?'

'A thorough, determined dislike of me—a dislike which I cannot but attribute in some measure to jealousy. Had the late Mr. Darcy liked me less, his son might have borne with me better; but his father's uncommon attachment to me irritated him, I believe, very early in life. He had not a temper to bear the sort of competition in which we stood—the sort of preference which was often given me.'

Elizabeth was again deep in thought, and after a time exclaimed, 'To treat in such a manner the godson, the friend, the favourite of his father!' She could have added, 'A young man, too, like *you*, whose very countenance may vouch for your being amiable.' But she contented herself with—'And one, too, who had probably been his own companion from childhood, connected together, as I think you said, in the closest manner.'

'We were born in the same parish, within the same park; the greatest part of our youth was passed together: inmates of the same house, sharing the same amusements, objects of the same parental care. *My* father began life in the profession which your uncle, Mr. Philips, appears to do so much credit to; but he gave up everything to be of use to the late Mr. Darcy, and devoted all his time to the care of the Pemberley property. He was most highly esteemed by Mr. Darcy, a most intimate, confidential friend. Mr. Darcy often acknowledged himself to be under the greatest obligations to my father's active superintendence; and when, immediately before my father's death, Mr. Darcy gave him a voluntary promise of providing for me, I am convinced that he felt it to be as much a debt of gratitude to *him* as of affection to myself.'

PART II

EXERCISE I

CORRESPONDENCE RESPECTING THE INSURRECTIONARY MOVEMENT IN CHINA

*Père Favier to M. Pichon.*¹

Apostolic Mission of Peking and North Chih-li,

Peking, May 19, 1900.

M. le Ministre,

The situation becomes daily more and more serious and threatening. In the Prefecture of Paoting-fu more than seventy Christians have been massacred, three other neophytes have been cut to pieces. Several villages have been looted and burnt, a great number of others have been completely deserted. Over 2,000 Christians are fugitives, being without food, clothes, or shelter; in Peking alone about 400 refugees—men, women, and children—have already been given shelter by us and the Sisters of Charity; in another week's time we shall probably have several thousands to look after; we shall be obliged to disband the schools, colleges, and all the hospitals, to make room for these unfortunate people. On the east pillage and incendiarism are imminent; we receive more and more alarming news every hour. Peking is surrounded on all sides; the Boxers are daily approaching the capital, being only delayed by their measures for exterminating all Christians.

I beg you will be assured, M. le Ministre, that I am well informed and am making no statements at random. The religious persecution is only a blind, the main object is to exterminate the Europeans, and this object is clearly indicated and written on the Boxers' standards.

Their accomplices in Peking are awaiting them; they are to begin by an attack on the churches, and are finally to assault the Legations. For us, indeed, here at Pei-t'ang, the day of attack has actually been fixed; the whole town knows it, everybody is talking about it, and the popular excitement is clearly manifest. Last night, again, forty-three poor women, with their children, flying from massacre, arrived at the Sisters' Home; over 500 people accompanied them,

¹ French Ambassador at Peking.

telling them that, although they had succeeded in escaping once, they would soon all perish here with the rest.

I will not speak of the numberless placards, M. le Ministre, which are posted in the town against Europeans in general; new notices appear daily, each more clearly expressed than the last.

People who were present at the massacres in Tien-tsin thirty years ago are struck by the similarity of the situation then with that of to-day; there are the same placards, the same threats, the same notices, and the same want of foresight. Then also, as to-day, the missionaries wrote and begged, foreseeing the horrible awakening.

In these circumstances, M. le Ministre, I think it is my duty to request you to send us, at least to Pei-t'ang, forty or fifty sailors, to protect us and our belongings. This has been done on much less critical occasions, and I trust you will favourably consider my humble supplication.

I have, &c.

(Signed) ALPH. FAVIER, *Ev. Vic. Ap. de Pékin.*

EXERCISE II

FURTHER CORRESPONDENCE RELATING TO THE PRESERVATION OF WILD ANIMALS IN AFRICA

Foreign Office to Colonial Office.—(Received July 21, 1909.)

Sir, *Foreign Office, July 20, 1909.*

With reference to your letter of April 24 last, respecting the trade in elephant tusks in the Cameroons, I am directed by Secretary Sir E. Grey to state, for the information of the Earl of Crewe, that he has received a dispatch from His Majesty's Chargé d'Affaires at Berlin on the subject.

Count de Salis reports that the Secretary of State of the German Colonial Office has thoroughly discussed with the Governor of the Cameroons, who is at present in Germany on leave, the question of the raising of the minimum export weight of ivory in the German Protectorate. The Governor was of opinion that a raising of the weight could only have a chance of succeeding in its object if the neighbouring Spanish, French, and Belgian colonies were to lend their support to the measure.

The Governor emphatically stated that, in his opinion, the lately introduced game law, and more especially the prohibition, which has been in existence for several years, of the import of arms and ammunition for sale to the natives, would constitute a far more effective protection of the stock of elephants than any raising of the minimum weight of the

tusks. Experience had shown that the hunting of elephants, and especially of young and female elephants, was carried on by the natives for the flesh and not for the ivory.

The Imperial Secretary of State agrees with the Governor that an effective means of preventing the extermination of elephants would be found if His Majesty's Government would, together with the two Colonies of North and South Nigeria, join the Brussels Agreement of July 22, 1908, respecting the prohibition of the import and sale of firearms and ammunition to natives, and if they would, moreover, move the Spanish, French, and Belgian Governments to join in raising the minimum export weight of tusks.

Sir E. Grey will be glad to learn in due course what reply Lord Crewe would wish to be returned to the German Government, apart from the fact, of which they are meanwhile being reminded, that Great Britain is actually a party to the Agreement of July 22, 1908.

I am, &c.,
W. LANGLEY.

EXERCISE III

DISPATCH FROM THE BRITISH DELEGATE AT THE INTERNATIONAL CONFERENCE AT ALGECIRAS TO THE FOREIGN OFFICE.

Sir A. Nicolson to Sir Edward Grey.—(Received April 19.)

Sir, *Algeciras, April 7, 1906.*

In accordance with your instructions to bring before the Conference the question of limiting the importation into, and sale of alcoholic drinks in Morocco, it seemed to me that the best course to take would be for me to address a letter to the President of the Conference on the subject. I have the honour to transmit a copy of the communication which I made to the Duke of Almodóvar.

His Excellency read my letter at the sitting of the Conference on March 29, and I suggested that the question should be referred to the Diplomatic Body at Tangier, who would be best able to deal with it. This proposal was unanimously adopted, and at the suggestion of the Duke of Almodóvar it was decided, in communicating the letter to the doyen of the Diplomatic Body, to add that the proposals contained in it and the views which were expressed, met with the entire concurrence of the Conference.

I have, &c.,
(Signed) A. NICOLSON.

Inclosure

Sir A. Nicolson to President of Moroccan Conference.

Mr. President, *Algeciras, March 24, 1906.*

I have the honour to request you to be good enough to bring before the Conference, when the question of the surtax is again discussed, a proposal, which I wish to submit to the favourable consideration of the honourable Deputies, respecting the trade in alcoholic drinks in Morocco. At the Brussels Conference, in 1890, certain measures restricting the trade in spirituous liquors were agreed upon and a zone was created, within the limits of which the entry of distilled drinks was prohibited. Morocco is undoubtedly outside the limits of this zone, and I do not wish to propose that the Regulations contained in the Act of the Brussels Conference should be applied in their entirety.

The consumption of alcoholic drinks is unfortunately somewhat on the increase amongst the natives resident in the ports or their neighbourhood, contrary as it is to their religion and detrimental to their morality.

It would be desirable if some measures could be taken to prevent or lessen the growth of this evil; and I should be glad if the honourable Delegates would be good enough to take into consideration a proposal to limit the introduction of distilled drinks to those destined for the consumption of the extraneous population, and at the same time to request the Moorish Government to prohibit the manufacture of distilled drinks in Morocco. The Diplomatic Body at Tangier could, perhaps, deliberate on the best means of restricting the introduction into Morocco of alcoholic drinks.

I have, &c.,
(Signed) A. NICOLSON.

EXERCISE IV

CORRESPONDENCE RELATING TO THE POLITICAL
CONDITION OF MALTA

Sir, *Valletta, April 13, 1904.*

We have, on the 6th instant, been informed by the Lieutenant Governor that you have received our letter of February 25 last, but it seems you have deemed it not worth while to reply to it.

We had indulged in the hope that you would, without hesitation, apply to this Colony the governing principle laid

down by you in your famous speech at Leamington, namely, to leave to this community the widest possible freedom to manage their own local affairs.

Unfortunately, the policy of the Imperial Government which was enunciated by you to your constituents, that the Colonial Minister should ascertain and consult the wishes of the inhabitants of a Crown Colony, and allow them to administer their affairs in the manner they would choose has, with regard to Malta, been set aside.

Sir, you must be well aware that the present constitution is looked upon by the intelligent and independent class of these Islands as one of the narrowest and most oppressive oligarchies that ever mocked the form of free Government. Why, then, refuse to take any action concerning these Islands, in accordance with the sound constitutional principles that should govern a Crown Colony as laid down by you ?

Reason and experience amply prove that there is no people on the face of the globe that does not like the practical benefits of a good Government, and that does not gradually get well affected in proportion as these benefits become recognized.

Reason and experience should also convince you that if there be one unwise error on the part of a Government it is that of inviting a prolonged contest between the Government and the Electorate.

Backed by the general feeling of this community, we have, yesterday, been elected their Representatives.¹

This is the sixth General Election since the abolition of the Constitution of 1887, and for the sixth time we have been returned unopposed.

Yes, Sir, no candidate has been brought out against us. Most decidedly this manifestation of public feeling means that we have not forfeited the confidence of the people; that our conduct has their full approval; and that they are determined to use all constitutional means for the attainment of their rights and privileges of which they are unfairly deprived.

Sir, you may rest assured they shall never cease to pursue the assertion of their claims, until they obtain a full recognition of their rights. The people are united because they are aggrieved.

The Maltese, in placing themselves spontaneously under the British protection, sealed not a compact of servitude, nor abjured the rights of citizens.

We, therefore, once more call upon you to accede to the demands constitutionally expressed by the Maltese people—

¹ On the Council of Government of Malta.

strictly their due, because strictly confined within the limits of equity—and let it not be said that Malta is the only spot in Europe where representative institutions are a mockery and a delusion.

We have, &c.,
 DR. AND. PULLICINO.
 P. SAMMUT.
 F. AZZOPARDI, P.L.
 AVV. BEN BONNICI.
 S. CACHIA ZAMMIT.
 F. WETTINGER.
 ALFONSO M. MICALLEF.
 AVV. FORTUNATO MIZZI.

The Right Honourable
 Alfred Lyttelton, M.P.,
 His Majesty's Secretary of State for the Colonies,
 &c., &c., &c.,
 London.

EXERCISE V

CORRESPONDENCE RESPECTING THE PREVENTION OF EPIDEMIC DISEASE

*Local Government Board,
 Whitehall, S.W.,*

Sir,
 November 10, 1910.

I am directed by the Local Government Board to state that, in consequence of the occurrence of cases of plague in rats in certain parts of England, they have deemed it desirable to confer upon local authorities in England and Wales powers with regard to the destruction of rats, in districts where plague in rats is present or suspected or in which there is an unusual mortality among rats.

The Board have accordingly, in pursuance of their powers for the prevention of epidemic diseases, issued an Order, copies of which are enclosed, authorizing the local authority to take measures for the destruction of rats, and for preventing their entrance into buildings and other premises.

The Board are glad to learn that in many localities active steps are being taken by owners and occupiers for the extermination of rats. They trust that these steps will not be abated, and that all individuals will do their utmost to co-operate with and assist the local authorities in carrying out the Regulations.

The Order refers not only to the destruction of rats but to the prevention of their entrance into buildings and other premises. Inasmuch as the risk of infection from plague-stricken rats arises mainly through fleas, it is obviously to the interest of all persons to do what they can to prevent their entry into dwellings and to remove from the proximity of dwellings accumulations of material or rubbish which may harbour them. In this way, as well as by action by the local authority under the Regulations, much may be done to further the object in view.

Copies of a Memorandum on Plague, which has been prepared by the Board's Medical Officer, will be forwarded in a day or two.

The Order and this Circular will be placed on sale, so that copies may shortly be obtained either directly or through any bookseller from Messrs. Wyman & Sons, Limited, Fetter Lane, E.C.

I am, Sir,

Your obedient Servant,

H. C. MONRO,

Secretary.

The Clerk to the Port Sanitary Authority,

or

The Town Clerk,

or

The Clerk to the Urban District Council,

or

the Rural District Council.

Regulations of the Local Government Board, dated November 10, 1910, as to the Destruction of Rats, and for preventing their Entrance into Buildings and other Premises.

To the Mayor, Aldermen, and Commons of the City of London ;—

To the Councils of the several Metropolitan Boroughs ;—

To the Councils of the several Municipal Boroughs and other Urban Districts ;—

To the Councils of the several Rural Districts ;—

To the several Port Sanitary Authorities ;—

And to all others whom it may concern.

Whereas We, the Local Government Board, are empowered by the Public Health Act, 1875, as extended to London by the

Public Health (London) Act, 1891, and as amended by the Public Health Act, 1896, from time to time to make, alter, and revoke such Regulations as to Us may seem fit, with a view to the treatment of persons affected with Cholera, or any other epidemic, endemic, or infectious disease, and preventing the spread of Cholera and such other diseases, as well on the seas, rivers, and waters of the United Kingdom, and on the high seas within three miles of the coasts thereof, as on land, and for guarding against the spread of disease; and may provide for the enforcement and execution of such Regulations:

Now therefore, We, the Local Government Board, do, by this Our Order, and in the exercise of the powers conferred on Us by the Public Health Act, 1875, the Public Health (London) Act, 1891, and the Public Health Act, 1896, and every other power enabling Us in that behalf, make the following Regulations, and Declare that the said Regulations shall apply and have effect throughout England and Wales, and shall be enforced and executed by the Authorities, Officers, and Servants herein-after mentioned:—

Article I.—In this Order—

The expression 'Local Authority' means the Common Council of the City of London, the Council of each Metropolitan Borough, the Council of each Municipal Borough or other Urban District, the Council of each Rural District and each Port Sanitary Authority;

The expression 'District' means the District of a Local Authority.

Article II.—In any district in which a representation is made to the Local Authority that rats in the district are infected or threatened with Plague, or that there is an unusual mortality among rats in the District, the Local Authority shall report the matter to Us, and shall take measures (*a*) for the destruction of all rats in the district and (*b*) for preventing the entrance of rats into buildings and other premises in the district.

Article III.—For the purposes of these Regulations the Local Authority may appoint such additional officers or servants as they may deem necessary, and may delegate to such officers or servants any powers under these Regulations.

Article IV.—The expenses incurred by a Local Authority in the execution of these Regulations shall be defrayed in the case of a Local Authority which is a Sanitary Authority for the execution of the Public Health (London) Act, 1891, as part of their expenses in the execution of that Act, and in the

case of any other Local Authority as part of their general expenses in the execution of the Public Health Acts.

Given under the Seal of Office of the Local Government Board, this Tenth day of November, in the year One thousand nine hundred and ten.

JOHN BURNS,
President.

EXERCISE VI

CORRESPONDENCE WITH THE FRENCH GOVERNMENT IN 1885 RESPECTING THE TREATMENT OF RICE AS CONTRABAND.

No. 1

M. Waddington to Earl Granville.—(Received February 20.)

My Lord, London, February 20, 1885.

The conditions under which the war with China is being carried on at the present moment have determined the Government of the Republic to exercise the right which belongs to it, to consider henceforth and to treat rice as contraband of war. In consequence, I am charged to notify officially to your Lordship that orders have been given for the execution of this measure from February 26 by the commanders of the French naval forces.

My Government, in making choice of the date specified, has wished to allow time to the neutral Powers to issue the necessary notifications to traders.

Accept, &c.
WADDINGTON.

No. 2

M. Waddington to Earl Granville.—(Received February 24.)

My Lord, London, February 24, 1885.

My Government has recognized the possibility of admitting, in the interest of the commerce of neutrals, an alleviation of the measure which I had the honour to notify to your Lordship on the 20th instant.

In consequence, I am charged to announce to the Government of Her Majesty the Queen that shipments of rice destined for Canton and the southern Chinese ports will be allowed to pass freely from the 26th instant. Shipments of rice destined for Chinese ports north of Canton will alone be prohibited and treated as contraband of war.

Accept, &c.
WADDINGTON.

No. 3

Earl Granville to M. Waddington.

M. l'Ambassadeur, *Foreign Office, February 27, 1885.*

I have the honour to acknowledge the receipt of your Excellency's notes of the 20th and 24th instant, in the former of which you announce that, in view of the conditions under which war with China is now being carried on, it is the intention of the Government of the French Republic to treat rice generally as contraband of war, and in the latter, that only those cargoes of rice which are destined for Chinese ports to the north of Canton will be so treated, but that those having destination for Canton and the southern Chinese ports will be allowed to pass freely.

I regret to have to inform you, M. l'Ambassadeur, that Her Majesty's Government feel compelled to take exception to the proposed measure, as they cannot admit that consistently with the law and practice of nations, and with the rights of neutrals, provisions in general can be treated as contraband of war. Her Majesty's Government do not contest that under particular circumstances provisions may acquire that character, as, for instance, if they should be consigned direct to the fleet of a belligerent, or to a port where such fleet may be lying, and facts should exist raising the presumption that they were about to be employed in victualling the fleet of the enemy. In such case it is not denied that the belligerent would be entitled to seize the provisions as contraband of war, on the ground that they would enable warlike operations to be carried on.

But Her Majesty's Government cannot admit that if such provisions were consigned to the port of a belligerent (even though it should be a port of naval equipment), they could therefore be necessarily regarded as contraband of war.

In the view of Her Majesty's Government the test appears to be whether there are circumstances relative to any particular cargo, or its destination, to displace the presumption that articles of this kind are intended for the ordinary use of life, and to show, *prima facie*, at all events, that they are destined for military use.

No such qualification, however, is contained in the announcement made by your Excellency in respect of the destination of the rice, or of the purposes to which it is intended to be applied.

I have, therefore, the honour to state to your Excellency that Her Majesty's Government cannot assent to the right

of the Government of the French Republic to declare rice generally to be contraband of war, if carried to any port north of Canton.

I beg leave to add that Her Majesty's Government could not, under any circumstances, acquiesce in that portion of your Excellency's note in which it is stated that the notification in question will take effect from the 26th instant, as many vessels laden with rice may have already commenced their voyages.

I have, &c.
GRANVILLE.

EXERCISE VII¹

CORRESPONDENCE WITH THE FRENCH GOVERNMENT IN 1885 RESPECTING THE TREATMENT OF RICE AS CONTRABAND.

No. 4

M. Waddington to Earl Granville.—(Received March 11.)

My Lord,

London, March 10, 1885.

In your letter of the 27th ultimo you have been good enough to reply to the communication which I had the honour to address to you on the 20th of the same month, in order to notify to Her Majesty's Government the intention of the Government of the Republic to treat rice henceforward as an article of contraband of war during their conflict with China.

In that reply your Excellency does not contest that besides articles which, by their essence, constitute contraband of war, there are others, such as commodities and provisions, which under exceptional circumstances may be brought into the same category, by reason of their destination, and of the use to which belligerents may put them. Nevertheless, your Excellency adds that such an extension of the term can only be admitted in exceptional cases determined by special circumstances, the nature of which you are good enough to indicate, and that it cannot be applied in a general manner.

The doctrine which admits that besides contraband of war by nature there may also be contraband of war by destination has been long professed in England. Thus the Attorney-General, having occasion to speak on this subject in the House of Commons on March 30, 1854, after having recognized that

¹ Continuation of Correspondence given in Exercise VI.

the definition of what articles are contraband of war was one of the most difficult and complicated questions of international law, expressed himself as follows:—

‘Contraband of war may in general be classed as follows, in two categories :

1. Articles which, by their nature, are of direct use in war, such as arms and ammunition ;

2. Articles which may be of indirect use in war, by permitting a continuance of hostilities, such as provisions.’

Being forced, by pressing necessity, to apply this doctrine, my Government had fully expected, in view of this jurisprudence, not to encounter any objection on the point of principle from Her Majesty’s Government. The only point on which any difference of opinion exists between our two Governments is the definition of the circumstances which may permit rice to be classed amongst articles contraband of war. But even as regards this, we have reason to believe that no divergence of views will arise between England and France. It appears, in fact, that hitherto English statesmen have themselves abstained from categorically defining what circumstances authorize belligerents to effect the seizure of merchandise which, under certain conditions, may become contraband of war, such especially as coal. They have admitted that the prize court of the capturing country is alone competent to decide what is and what is not contraband of war.

Such especially has been the view taken by Mr. Gladstone in debate of the 22nd July, 1870, when he cited in support of his opinion an official letter of Lord Malmesbury dated the 18th May, 1859, and which contains the following passage:—

‘I should state that Her Majesty’s proclamation does not specify—and could not, in fact, specify—what articles are or are not contraband of war ; and that the passages relating to contraband of war are not intended to prevent the export of coal, nor of any other article, but simply to warn Her Majesty’s subjects that if they convey, for the use of either belligerent, articles which are held to be contraband of war, and if their property be seized by either belligerent, Her Majesty’s Government will not take upon itself to intervene on their behalf against a seizure of this kind, or against its consequences. I should add that the prize court of the country which has made the seizure is competent to decide the case.’

In the House of Commons on August 1, 1870, the Attorney-General, speaking on the same subject, declared that the duties of neutrals were exactly defined in a letter signed ‘Historicus’ which had been published in the *Times* of July 30 preceding.

Now this letter, of which the Attorney-General thus accepted the doctrine, contained the following declaration :—

'It is not for a neutral State to define what is or what is not contraband of war. It appertains alone to the prize court of the belligerent which has effected the capture to take cognizance of that question.'

More recently, in the month of May, 1877, Mr. Burke stated the same theory by declaring that articles other than arms and ammunition 'which may in certain cases be employed in military operations have been considered as contraband of war, according to their destination and to other circumstances of which the prize court must judge.'

The particular circumstances under which the hostilities against China are carried on have determined my Government to take the step with regard to which your Excellency has thought fit to formulate reserves. But the Queen's Government cannot be ignorant of these special circumstances of which the French authorities are the best judges, and with regard to which the French courts will have to give an authoritative decision, should occasion arise. The importance of rice in the feeding of the Chinese population and army does not allow my Government to authorize its transport in the north of China without the risk of depriving themselves of one of the most powerful means of coercion they have at their disposal.

Accept, &c.,
WADDINGTON.

EXERCISE VIII

REPORT OF THE WAR OFFICE COMMITTEE APPOINTED TO DISCUSS CERTAIN MILITIA QUESTIONS WITH REPRESENTATIVE OFFICERS OF MILITIA.

To the Secretary of State for War.

Sir,

We have the honour to report that, in accordance with your wishes, we attended at the War Office on June 26 and 27, to meet fourteen representative Officers of Militia who had been invited by Major-General Mackinnon to discuss, under your instructions, certain Militia questions.

The main object was to ascertain from them whether, in their opinion, the Militia would be prepared to take a new form of enlistment, which would subject them to service

oversea in the event of war, and if so, what conditions, if any, should be attached to the new form of enlistment.

In the course of our discussion we thought it desirable to make as plain as possible to the Militia Officers the functions which the Army Council and General Staff desire that force to fulfil. We thought it very undesirable to leave room for any misunderstanding in future of the intentions of the Army Council, or of the aspirations of the Militia Officers.

We, therefore, invited Sir Frederick Stopford, Director of Military Training, to explain the rôle which, in the opinion of the Army Council, the Militia would in future have to play.

The gist of these explanations was that 'the Militia should not form part of the Territorial Army: that the Militia should be drawn closer to the Regular troops: that it should be liable to service abroad in case of emergency; and that, in the event of its being sent abroad, it was desirable that it should go out, as far as possible, in complete battalions or companies under their own Officers, but that this should not preclude its being utilized to furnish drafts to the Regular Army in the field when necessary.'

To these conditions the Militia Officers strongly demurred, on the ground that past experience showed that any attempt to use the Militia as drafts for the Line, and especially for Line battalions other than those of the territorial regiment, rendered service in the Militia highly unpopular with Officers and men, and that if these conditions were enforced it would be impossible to enlist Militiamen for service oversea.

After considerable discussion, the accompanying resolution, marked A, was signed by all the Militia Officers, and a rider to it, marked B, was signed by a minority of them.

We think it advisable to point out that the difference between the views of the Army Council and the Militia Officers is fundamental, and that while the latter desire that the Militia Infantry should be used only in battalion units for the purpose of expansion in time of war, the former, while not altogether precluding the use of the Militia in battalion units, desire to have the power of using them as an Army reserve for the purpose of finding drafts should circumstances require it to make good the wastage of war in the Regular battalions of the Line.

By way of finding a compromise we suggested that a certain number of battalions of Militia should be specially recruited for service oversea in time of war, and that these battalions should be territorially affiliated to the regiments of the Line; that on mobilization they should enjoy all the privileges which attach to the battalions of the Regular Army while incurring

similar obligations, and that they should become in theory and in fact the third battalions of their affiliated territorial regiments.

We regret to have to inform you that these suggestions did not meet with a very favourable response.

A number of resolutions, amounting to eleven, appended herewith, and marked C,¹ were agreed to by all the Militia Officers present, and they give a clear idea of some of the privileges to which Officers of Militia believe the Force to be entitled. We think it right to bring them to your notice as being the unanimous opinion of the Militia Officers, for your consideration in the event of it being found possible to impose upon the Militia the obligation of oversea service in time of war upon such conditions as the Army Council will accept.

We have the honour to remain,

Your obedient Servants,

ESHER (*Chairman*).

G. F. ELLISON, *Colonel*.

D. HAIG, *Major-General*.

H. MACKINNON, *Major-General*.

METHUEN, *General*.

ROBERTS, *Field-Marshal*.

STANLEY.

F. STOPFORD, *Major-General*.

LUCAS, *Secretary*.

July, 1906.

A.—(*Resolution*.)

If the Militia are to be enlisted for service oversea, the Infantry should go on foreign service in their battalion units.

B.—(*Rider to A.*)

But should exceptional circumstances require it, drafts of not less than company units, under their own Officers, may be sent to join the Regular battalions of their territorial regiment.

¹ Not printed.

EXERCISE IX

CORRESPONDENCE RESPECTING THE INSURRECTIONARY MOVEMENT IN CHINA

No. 1

Consul Carles to the Marquess of Salisbury.—(Received June 15.)
(Telegraphic.) *Tien-tsin, June 15, 1900.*

On the evening of 13th June the Boxers entered Peking and destroyed the old Custom-house quarters and the establishments of several Missions.

It appears that many Chinese were massacred, but that there were no casualties among the Europeans.

No. 2

Acting Consul-General Warren to the Marquess of Salisbury.—
(Received July 1.)

(Telegraphic.) *Shanghai, July 1, 1900.*

This morning news has been received here from Peking up to the 26th ultimo; all the power is in the usurper Tuan's hands, and the situation is very grave. The Empress-Dowager and the Emperor are both in Peking, but powerless. Tung-fu-hsiang, the Mahommedan General, with 15,000 well-drilled Kansu men, and Tuan with Manchu troops, are determined to resist foreign troops. News has reached Shêng from Paoting-fu that German Minister has been murdered. I consider the position of foreigners in Peking extremely critical. They are said to have taken refuge at the British Legation.

No. 3

Acting Consul-General Warren to the Marquess of Salisbury.—
(Received July 1.)

(Telegraphic.) *Shanghai, July 1, 1900.*

I telegraphed to-day to Yuan-shih-Kai, Governor of Shantung, for the purpose of urging him to follow the example of the three great Viceroy's in standing firm in the cause of order.

His reply is as follows:—

'With regard to your telegram of to-day: My views are the same as those of the Viceroy's. The rebels have reached Peking, have for a long time interrupted communication, and have overrun the country. A messenger reached me on the 26th June with information that the foreign Representatives were still in the capital.'

No. 4

Consul Tratman to the Marquess of Salisbury.—(Received July 1.)

(Telegraphic.) *Chefoo, July 1, 1900.*

On the 13th June the German Minister at Peking was murdered by native troops. On the 23rd June there were only three Legations remaining. It is not stated which they were.

No. 5

Admiralty to Foreign Office.—(Received July 2.)

Sir, *Admiralty, July 2, 1900.*

I am commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, a copy of a telegram, dated the 1st July, from Rear-Admiral Bruce, relative to the crisis in China.

I am, &c.,
(Signed) EVAN MACGREGOR.

Inclosure in No. 5

Rear-Admiral Bruce to Admiralty.

(Telegraphic.) *Chefoo, July 1, 1900.*

German Admiral reports Chinese runner, three days from Peking, arrived Tien-tsin yesterday; brought dispatches to say all Europeans in great distress; situation desperate; hoping for relief every hour. German Minister has been murdered by Chinese regular troops, and large Chinese army advancing on Tien-tsin. Have had long conversation with Russian Governor-General. He agrees with me that, with all reinforcements expected, Russian and Japanese, it will only bring total to about 20,000 men, which would enable us to hold the base from Tuku, Tien-tsin, and probably Pei-ta-ho, but impossible to advance beyond Tien-tsin. 4 p.m., 30th June.

No. 6

Sir C. Scott to the Marquess of Salisbury.—(Received July 4.)

(Extract.) *St. Petersburg, June 29, 1900.*

The Russian Foreign Office is still without any official news of the safety or present whereabouts of the Legations in

China, but seem to attach credit to the Chinese reports that they are still in safety in Peking.

Communication with Port Arthur, I understand, can only now be had by telegraph to Chefoo and thence by water, and I believe that the Imperial Government is seriously alarmed by some news received to-day of serious disturbances in the vicinity of the Manchurian line, and it is rumoured that the Boxers are attacking and destroying the line north of Mukden and have cut off telegraphic communications with Vladivostock.

No. 7

Consul Carles to the Marquess of Salisbury.—(Received July 4.)
(Telegraphic.) *Tien-tsin, via Chefoo, June 29, 1900.*

This morning the following written message was received, addressed to 'Officer Commanding any European troops,' signed 'R. Hart,' and dated Sunday, 4 p.m. :—

'Foreign community besieged in British Legation.

'*Situation desperate.*

'*Make haste.*'

No. 8

Consul Carles to the Marquess of Salisbury.—(Received July 4.)
(Telegraphic.) *Tien-tsin, via Chefoo [undated].*

My telegram of 29th instant.

The runner who brought Sir R. Hart's message states that several of the Legations have been destroyed, and only two or three remain standing. The German Minister was murdered outside the Tsung-li Yamên by Kansu troops.

The Consular Body held a meeting to-day, and decided that, under the circumstances, the military authorities must now take control and take such measures as they thought necessary.

Admiral Seymour and General Dorward were both present at the meeting.

No. 9

Viceroy of Nanking to Chinese Minister.—(Communicated by
Sir Chihchen Lofêngluh, July 4.)
(Telegraphic.) *Nanking, July 3, 1900.*

We, the Viceroys of the Liang Kiang and Liang Hu Provinces, undertake to hold ourselves responsible for the security of foreign life and property within our respective jurisdictions,

as well as in the Province of Chekiang, so long as the Treaty Powers do not land troops in either the Yang-tsze Valley or the Province of Chekiang.

(Signed) LIEU KUN YIH.
CHANG CHITUNG.

No. 10

Vice-Admiral Sir E. Seymour to Admiralty.—(Communicated by Admiralty, July 4.)

(Telegraphic.) *Tien-tsin, June 30, via Chefoo, July 3, 1900.*

Chinese couriers arrived from Peking with short message dated 24th June, stating that condition there desperate, and asking for help at once. Couriers interrogated state all Legations except British, French, German, and part of Russian destroyed. Europeans gathered in British Legation have provisions, but ammunition scarce. General health good. All agreed that no advance on Peking possible for many days at least, owing to want of force and transport.

No. 11

Acting Consul-General Warren to the Marquess of Salisbury.—(Received July 4.)

(Telegraphic.) *Shanghai, July 4, 1900.*

Sheng Taotai has received following from Yuan Shih Kai:—
'A messenger has reached here who started on the 27th June from Peking. He stated that the Legations were being attacked by rioters and soldiers, over 100,000 in number, who had surrounded them, but had not yet succeeded in breaking through their defence. The Boxer Society has been joined by those connected with the Palace inside, as well as outside of it, even to the Princes.

'The city gates are half-opened daily during half the day, and every one is worshipping the god of Boxers.'

No. 12

The Marquess of Salisbury to Mr. Whitehead.

(Telegraphic.) *Foreign Office, July 4, 1900.*

Following just received from Admiral Seymour:—

[Repeats Admiral Seymour, 30th June, communicated by Admiralty, 4th July.]

This indicates a position of extreme gravity. You should

communicate telegram at once to Japanese Ministers. Japan is the only Power which can send rapid reinforcements to Tien-tsin. No objection has been raised by any European Power to this course.

No. 13

Vice-Admiral Sir E. Seymour to Admiralty.—(Communicated by Admiralty, July 5.)

(Telegraphic.) *Tien-tsin, July 2, via Chefoo, July 4, 1900.*

Have been forced to conclusion that quite 40,000 troops will be required for advance on Peking and to keep communications.

Forces now in Tien-tsin :—American, 218 ; British, 1,940 ; French, 840 ; German, 650 ; Japanese, 1,095 ; Russian, 4,480. Total, 9,223.

No. 14

Mr. Whitehead to the Marquess of Salisbury.—(Received July 6.)

(Telegraphic.) *Tokio, July 6, 1900.*

With reference to your telegram of the 4th July, I have just received a visit from the Japanese Minister for Foreign Affairs, who informs me that reinforcements to make up the Japanese force to 20,000 men will be sent as rapidly as possible.

EXERCISE X

APPENDIX TO REPORT UPON THE STATE OF THE HOSPITALS OF THE BRITISH ARMY IN THE CRIMEA AND SCUTARI.

INSTRUCTIONS TO THE COMMISSIONERS

Gentlemen, *War Department, October 23, 1854.*
The Duke of Newcastle's attention having been called to various statements which have been made as to the condition of the wounded and sick soldiers of Her Majesty's Army in the East, and the inadequacy of the hospital accommodation, medicines, medical attendance, stores, and comforts provided for the soldiers so disabled for active service, I am desired by his Grace to request that you will undertake, on the part of

Her Majesty's Government, to visit Constantinople, Scutari, Varna, Gallipoli, and the Crimea at the earliest practicable opportunity, and that you will make a combined and personal examination and inquiry into the following subjects:—

1. The present condition and wants of the sick and wounded officers and soldiers of the British army now serving in the East, and who at the present time are by such wounds, injuries, or disease, disabled for active service with the Queen's troops.
2. Into the state and condition of the hospital accommodation provided for the British army in the East, especially at Scutari, Varna, Gallipoli, and the Crimea.

It only remains for me, under his Grace's commands, to impress upon you the urgent necessity of your prosecuting the responsible duties of the inquiry now committed to you with the least possible delay, and of furnishing his Grace with your report thereon at the earliest period consistent with a due fulfilment of the trust imposed upon you, and which you have severally consented to undertake at his Grace's request.

I have, &c.,
(Signed) H. ROBERTS.

Alex. Cumming, Esq., M.D.
Thomas Spence, Esq., M.D.
P. B. Maxwell, Esq.

LETTER ADDRESSED TO SURGEONS OF REGIMENTS

Sir,

Scutari, December 3, 1854.

Having been instructed by the Duke of Newcastle to make certain inquiries into the condition of the sick and wounded officers and soldiers of the British army in the East, we have to request that you will favour us at your earliest convenience with the following information:¹

We shall feel obliged by any further information and suggestions which you can give us bearing in any way upon the subject of the above questions.

We have, &c.,

(Signed) A. CUMMING, Inspector-General of Hospitals.
P. BENSON MAXWELL.
P. SINCLAIR LAING.

To the Medical Officer in
charge of — Regiment.

¹ The questions put to the Surgeons of Regiments are not printed.

CORRESPONDENCE BETWEEN THE ADJUTANT-GENERAL OF THE
ARMY IN THE EAST AND MEMBERS OF THE COMMISSION
RESPECTING THE ABOVE LETTER.

Letter from the Adjutant-General to Dr. Cumming.

Sir, *Camp before Sebastopol, December 26, 1854.*

The officer commanding the division to which the 46th Regiment is attached has sent to me certain papers of questions, which had been addressed to the officer commanding the 46th Regiment by you. The general officer commanding the division has done so with a view to the papers being submitted to the Commander of the Forces, and in order to obtain his Lordship's sanction before the questions were answered.

I am instructed by Lord Raglan to inform you that his Lordship has approved of the course taken by the officer commanding the 46th Regiment and the general officer commanding the division, it being strictly in accordance with the rules and practice of the service; but I have desired that the commanding officer and the surgeon may afford you the fullest information upon all the points to which you have directed their attention.

I am further instructed to assure you and the Commission of which you are the head, that every facility shall be given to you to ascertain all particulars relative to the subject you are charged to investigate; but his Lordship requires that your questions shall be communicated through me, and submitted by me to his Lordship, for his information and sanction, and that you may not address any individual of this army, of whatever rank, direct, without his Lordship's special permission.

I have, &c.,

(Signed) J. B. BUCKNALL ESTCOURT,

Adjutant-General.

Dr. Cumming,
&c. &c.

Letter from Dr. Cumming to the Adjutant-General.

Sir, *Balaklava, December 31, 1854.*

I have the honour to acknowledge the receipt of your letter of the 26th instant, which, while assuring my colleagues and myself that every facility shall be given to us to ascertain all particulars relative to the subjects which we are charged to investigate, requires us at the same time to communicate our questions in the first instance to you, with the view of their

being submitted to the Commander of the Forces for his information and sanction.

As the task of examining witnesses has been, by the terms of our Commission, specially entrusted to the legal member of our body, I communicated your letter to him, and I beg leave to state that he expresses himself unable to comply with this condition.

Independently of the difficulty which, he says, he would feel in conducting, under the control of any other person, an inquiry entrusted to his own judgement, he observes that the delay and labour of reducing to writing the numberless questions which he might find it desirable to put to the different witnesses, would be far greater than he ever contemplated or could encounter.

As you are good enough to state that every facility shall be given to us for the prosecution of our inquiry, my colleagues desire me to unite their request to mine that the Commander-in-Chief will permit, and if necessary require, all persons, of whatever rank, under his Lordship's command, to furnish us with all such information as we may demand, and to answer all such questions, whether verbal or written, as we may put to them, direct, connected with the subjects of our inquiry; and further, that his Lordship will dispense with the submission of our questions for his sanction before being put to the witnesses.

I have, &c.,
(Signed) A. CUMMING,
Inspector-General of Hospitals.

The Adjutant-General,
&c. &c.

Letter from the Adjutant-General to Dr. Cumming.

Sir, *Head Quarters, Camp, January 1, 1855.*

I have the honour to inform you that I have submitted your letter, which I received yesterday, to the Commander of the Forces.

His Lordship is desirous that the Medical Commission should have every facility given to it to enable it to make the inquiry entrusted to it; but at the same time it is necessary that the calling of witnesses, without reference to those who are conducting the military duties of this army, would be very inconvenient and improper.

His Lordship therefore desires me to say that, whilst he has no objection to any questions being put to those the Commission may wish to examine, nor to the questions which may be proposed in writing being answered without reference

to his Lordship, yet that the Commission will be required to send the names of those they wish to examine to me, with the day and hour when it is wished they should attend. I will then instruct them to appear before you, if their military duties will admit of their doing so.

This letter will be presented to you by Mr. Romaine, the Deputy Judge Advocate, who will call upon you and will give you any further information respecting Lord Raglan's views that you may desire.

I have, &c.

(Signed) J. B. BUCKNALL ESTCOURT,

Dr. Cumming,
&c. &c.

Adjutant-General.

Letter from Dr. Cumming to the Adjutant-General.

Sir, *Golden Fleece, January 2, 1855.*

I have the honour to acknowledge the receipt of your letter, dated January 1st, and beg that you will tender to the Commander of the Forces my respectful thanks, and those of my colleagues, for the facilities his Lordship has given us for making the inquiries with which we are entrusted.

We propose, in the first instance, making a personal inspection of the field hospitals; and as we shall probably have to ask, without the formality of an examination, many questions of surgeons and other persons whom we may find on the spot, we hope that his Lordship will not think it necessary that we should return the names of such persons to his Lordship.

After this inspection shall have been concluded, we shall probably have to examine some gentlemen, and take down their evidence in writing in the regular way, and we shall gladly submit their names in due time to his Lordship, in order that we may obtain their attendance.

We are expressly enjoined by our commission to consult the personal convenience of those whose evidence we require, and we are most desirous of observing this injunction on every occasion.

I have, &c.

(Signed) A. CUMMING,

The Adjutant-General, Inspector-General of Hospitals.
&c. &c.

Letter from the Adjutant-General to Dr. Cumming.

Sir, *Head Quarters Camp, January 2, 1855.*

You are quite at liberty to take the course you propose; to visit the hospitals in the field, and to ask questions of those you find on the spot.

When you come to the after-examination, and require attendance of officers and others at a distance from their camp and duties, the course which has been pointed out by me, and which meets your concurrence, will be the most convenient, and afford you every facility you may desire. In case, unexpectedly, you should meet with any difficulty, I would beg of you to give me information of it.

I have, &c.

(Signed) J. B. BUCKNALL ESTCOURT,
 Dr. Cumming, Adjutant-General.
 &c. &c.

Letter from P. Benson Maxwell, Esq., to the Adjutant-General.

Sir, *Camp, January 8, 1855.*

In the course of my inspection of the field hospitals this day, in conjunction with my colleague, Dr. Laing, I was informed by one of the medical officers, that several surgeons and commanding officers in the second division had been restrained from answering a series of questions addressed to them by us, by the following order issued, I was told, by Major-General Buller,—

‘Memo.

December 22, 1854.

‘Officers commanding regiments, and medical officers doing duty with them, will be good enough not to furnish answers addressed to them upon the hospital arrangements, &c., &c., by any person, unless under authority proceeding from his Lordship the F. M. commanding the Forces in the Crimea.

‘The above refers to civilians, and unknown without such authority.’

I have to request that you will favour me by submitting this order to F. M. the Commander of the Forces, with the view of his removing this obstacle to the progress of our inquiry.

I have, &c.

(Signed) P. BENSON MAXWELL.
 The Adjutant-General,
 &c. &c.

Letter from the Adjutant-General to P. Benson Maxwell, Esq.

Sir, *Head Quarters, Camp, January 10, 1855.*

I have laid your letter before the Commander of the Forces and I am desired to express his Lordship’s regret that you should have met with any difficulty in prosecuting your inquiry.

His Lordship has desired me to communicate to all the Generals of Divisions that he wishes every facility to be given you in the duty with which you are charged.

I have, &c.

(Signed) J. B. BUCKNALL ESTCOURT,
To P. Benson Maxwell, Esq. Adjutant-General.
&c. &c.

Letter from the Adjutant-General to Dr. Cumming.

Sir, *Head Quarters, Camp, January 10, 1855.*

I am extremely sorry that your letter has not reached me in time to admit of Dr. Hall attending you to-day. But presuming that to-morrow will not be inconvenient to you, I have ventured to beg him to be with you to-morrow.

I am sorry also that at the Second Division you should have met with any obstacle to your inquiry; but I am directed to desire that you may not be impeded in any way, and that those you may choose to address may be directed to answer you.

I have, &c.

(Signed) J. B. BUCKNALL ESTCOURT,
Dr. Cumming, Adjutant-General.
&c. &c.

PS. By a communication this morning with Dr. Hall, I am enabled to say that he will be with you to-morrow at twelve o'clock.

EXERCISE XI¹

CORRESPONDENCE WITH RESPECT TO OUTRAGES
ON PERSONS IN THE SOUTH AFRICAN RE-
PUBLIC.

No. 1

High Commissioner Sir W. F. Butler to Mr. Chamberlain.

(Received December 24, 1898.)

(Telegram.)

24th December. British subject shot by policeman at Johannesburg; details not yet reported. British Agent in South African Republic has question in hand, and charge of

¹ Paper set by the Army Qualifying Board in the examination for Qualifying Certificates, March 1910. Time allowed, $\frac{3}{4}$ hour.

murder has been entered against prisoner. Case appears to excite considerable feeling in Johannesburg. Will be closely watched by me.

No. 2

High Commissioner Sir W. F. Buller to Mr. Chamberlain.

(Received December 27, 1898.)

(Telegram.)

27th December. Referring to my telegram of 24th December, British Agent in South African Republic reports that at meeting held Johannesburg, Saturday, petition to Her Majesty the Queen was adopted, which will be sent by post. Demonstration passed without serious incident. Particulars of shooting of Edgar go home by to-morrow's mail; a street brawl at night was followed by police breaking into house, when Edgar was shot by policeman inside his own door.

No. 3

High Commissioner Sir W. F. Buller to Mr. Chamberlain.

(Received January 16, 1899.)

Government House, Capetown.

December 28, 1898.

With reference to my telegrams of the 24th and 27th instant, respecting the shooting of a British subject named Edgar by a policeman at Johannesburg, I have the honour to transmit to you, for your information, a copy of correspondence with Her Majesty's Acting Agent at Pretoria on the subject.

Enclosure 1 in No. 3

Her Majesty's Acting Agent, Pretoria, to the High Commissioner, Capetown.

(Telegram.)

24th December, 1898. Johannesburg Vice-Consul informs me British subjects will make representations to him this afternoon at Consulate in a body, and *Star* newspaper calls upon British subjects to assemble in numbers for this purpose. Proposed representations relate to Edgar murder case and persecution of our coloured people. I have informed Vice-Consul that British subjects have perfect right to make representations to him, either singly or in a body, but that

they should avoid anything in nature of a public meeting outside, especially as this seems unnecessary for purposes of official representations to him, either on Edgar case, in which first satisfaction has already been given by State Attorney, informing me that policeman who murdered Edgar had been re-arrested yesterday, and would not be released again before trial begins, or in case of persecution of our coloured people, in which I have already obtained suspension of Field Cornet by verbal representations. I have requested Vice-Consul to inform Edgar Committee. Agitation reported assuming formidable proportions.—FRASER.

Enclosure 2 in No. 3

Her Majesty's Acting Agent, Pretoria, to the High Commissioner, Capetown.

Sir,

Pretoria, December 23, 1898.

On the night of Sunday, the 18th instant, a Johannesburg policeman entered the house of an Englishman, named Edgar, without a warrant, by breaking open the door by force (after what was apparently only a slight quarrel with some person unknown, on the street outside, in which Edgar is supposed to have been implicated) and—without any sufficient provocation—shot Edgar dead in the presence of his wife. The policeman was at once arrested, although he ran away, and was charged and remanded next day for trial on the count of murder. Public opinion, which had reached a high pitch of excitement in Johannesburg, where Edgar, a boilerman to a leading firm, was well known and respected, was thus momentarily satisfied; but, to the astonishment of even the Government itself, the Public Prosecutor on the next day released the policeman on bail, on the plea that only a charge of culpable homicide could be sustained. The bail, moreover, was fixed at only £200, and it was publicly announced in the press that the bail had not been paid in cash, but had been accepted in the form of monthly deductions to be made from the pay of the other policemen in Johannesburg. Indignation meetings were held by the British residents at Johannesburg, and a committee was formed of eight leading Englishmen, all of them known to me personally, who waited on the Vice-Consul, and asked him to represent the case to me. As a mass meeting has been summoned for to-morrow (Saturday), I saw that no time must be lost in taking action, and therefore at once called the attention of the State Attorney and the State Secretary to the gravity of the situation. The State Attorney

at once admitted that the Public Prosecutor had certainly been guilty of a grave error of judgement in acting as he had done, for the present evidence all pointed to a simple charge of murder as the only proper one. As to the bail, he agreed with me that the amount and method of payment were scandalous. As to the ultimate charge to be brought against the policeman, the State Attorney was doubtful whether the charge had not better be one of culpable homicide for the reason that, in presence of a Boer jury, his counsel would have a much easier task in getting him off under a charge of murder than for culpable homicide. But the chances of a Boer jury convicting him at all are so small that I said that I should not assent to either charge until I had seen what rebutting evidence the Public Prosecutor brought. I have informed the committee accordingly.

I have, &c.

EDWARD FRASER.

PS.—Since I wrote the above the State Attorney has informed me of the re-arrest of the policeman, and that he will not again be released until his case comes on for trial. The only pretext at present offered for not indicting the policeman for murder is that Edgar defended himself with a stick when the house door was broken in, and the Public Prosecutor has admitted now that he gave orders for the release of the prisoner on an insufficient inquiry through a detective. I have already informed your Excellency by telegraph of the agitation to which this incident of releasing the policeman on bail has given rise in Johannesburg, and of my endeavours to avoid a public meeting now that satisfaction has been given by his re-arrest.

EXERCISE XII

THE PERLEBERG MYSTERY

Extract from the *Morning Post* of December 20, 1910.

In view of what has been published respecting the recent discovery of a skeleton in the forest of Perleberg, near the high road between Berlin and Hamburg, and the disappearance of Benjamin Bathurst in that district on November 25, 1809, it may be interesting to reproduce from the *Morning Post* what was said in its columns a hundred years ago on the subject of the mystery. The first reference to Mr. Bathurst's journey from Budapest to Hamburg is contained in an extremely brief dispatch from Dresden, published on December 30, 1809.

From the *Morning Post* of December 30, 1809.

Dresden, December 2nd.—Mr. Bathurst, the English Minister, who has left Ofen (Budapest), has prosecuted his journey by way of Berlin.

From the *Morning Post* of January 1, 1810.

An article from Berlin of the 10th ult. states what we hope and trust will prove to be unfounded—namely, the premature death of Mr. Bathurst, late British Envoy to the Court of Austria. The last advices from that much respected gentleman are, we believe, of a later date than that of his reported demise.

From the *Morning Post* of January 3, 1810.

Mr. Bathurst, Envoy Extraordinary from Great Britain to the Court of Austria, we are happy to state, was in perfect health and understanding on the 13th of November.

From the *Morning Post* of January 4, 1810.

We are happy to state for the comfort and satisfaction of the friends of that superior and excellent young man, Mr. Bathurst, our Minister at the Court of Austria, that private letters, to which the greatest credit may be attached, have been received from Berlin stating that on the 13th November he was there in the most perfect health and in the most composed state of mind; and the reports which have been circulated to the contrary, being of a much earlier date, give us every reason to hope that they are totally without foundation, and either circulated by his friends to facilitate his escape or from a spirit of mean retaliation if he has already effected it.

From the *Morning Post* of January 20, 1810.

It is with grief we state that the hopes entertained of the safety of Mr. Bathurst, the late British Envoy to the Court of Vienna, have not been realized. It is generally supposed that that gentleman was murdered by the French at a town between Hamburg and Berlin. His body has not been found, though a reward was offered for the discovery of it. Part of his dress, with a letter to his wife, were all that could be found. The Prussian Government has conducted itself with great zeal and humanity on this occasion. There is not the least reason to believe that this melancholy event was the result of any rash act, as at first reported. He left Berlin with passports from the Prussian Government, and was in excellent health both of

mind and body. He was to proceed to Hamburg, to embark for this country—but Hamburg he never reached. At some town near the French territories he was seized, as is supposed, by a party of French soldiers. What happened afterwards is not accurately known. His pantaloons have been found near the town where he was seized, and a letter in them to his wife ; but nothing else. The Prussian Government upon receiving the intelligence evinced the deepest regret, and offered a large reward for the discovery of his body. No success, however, has yet attended the offer.

Further extract from the *Morning Post* of December 20, 1910.

The above leading article of January 20, 1810, was based doubtless on the best information available at the time it was written. In the light, however, of subsequent knowledge it gave too much credit to the Prussian authorities for their efforts to solve the mystery. As was stated last Tuesday, suspicions as to the real fate of Mr. Bathurst were strengthened by the fact that demur was offered to granting him a passport, and also by the leisurely manner in which the Prussian Government, acting presumably under pressure from Napoleon, conducted its alleged efforts to clear up the mystery. Governor Klitzing, moreover, is known to have mysteriously left Perleberg on the evening following the crime, and to have returned as mysteriously the following day. To the day of his death he is declared to have been reticent on the whole subject of Bathurst's mysterious end.

Further extract from the *Morning Post* of December 20, 1910.

The following is the text of the footnote added to the page of Napoleon's organ, the *Moniteur*, of January 29, 1810, the date on which it reproduced the paragraph published in the *Times* of January 20, 1810, accusing Napoleon of the murder of Bathurst :

' L'Angleterre seule, parmi les peuples civilisés, renouvelle l'exemple de soudoyer des brigands et d'encourager des crimes. Il paraît par la relation de Berlin que M. Bathurst était fou. C'est la coutume du Cabinet britannique de donner des missions diplomatiques à ce que la nation produit de plus inepte ou de plus insensé. Le corps diplomatique anglais est le seul où l'on trouve des exemples de pareilles folies.'

The footnote plainly contains no reasoned imputation of mental affection in the case of Bathurst. It is apparently merely the rancorous and undignified comment of one who has been stung to the quick by the charge made in the English

journal. There is, indeed, no proof that Napoleon inspired it, and it may have been published on the initiative of an official commentator who felt himself in duty bound to make at least some effort to rebut a serious accusation.

EXERCISE XIII

MINUTES OF EVIDENCE AT THE INQUEST ON TWO BODIES RECOVERED AFTER A FIRE AT 100 SIDNEY STREET, HOUNDSDITCH, ON 3RD JANUARY, 1911

Extract from the *Times* of January 10, 1911.

The inquest on the bodies of two supposed anarchists which were recovered from No. 100 Sidney Street, after the siege by police and soldiers, and the subsequent fire on Tuesday, January 3, 1911, was held in the Coroner's Court at Stepney, by Mr. Wynne-Baxter, the East London coroner. Mr. Bodkin was present on behalf of the Crown.

Before evidence was called, Mr. Bodkin made a statement in defence of the action of the authorities in summoning the assistance of a military force in what he described as wholly exceptional circumstances.

The medical evidence threw light on the way in which the two men met their death. Dr. Grant expressed the opinion that one of the men died from a bullet wound in the head, which was not self-inflicted, and that the other had been suffocated.

Station Officer A. E. Edmunds said that when he asked for an explanation why the Fire Brigade was not allowed to reach the scene of the fire, an official informed him that the Home Secretary was in attendance and had charge of the operations.

The Coroner: Did you go to the Home Secretary?—Yes, I went straight to him.

He was only two yards in front of you?—Yes; at the corner of the street.

You told him that you wanted instructions?—I told him that I represented the Fire Brigade and wanted some instructions.

And did the Home Secretary tell you that the Brigade could do nothing at that time?—He certainly gave me to understand that.

Superintendent Stark, interposing, stated that at the time he was at the side of the Home Secretary and gave the instruction.

The Coroner: Do you know the Home Secretary?

Station Officer Edmunds: Oh, yes, sir. I don't say I have his personal acquaintance. (Laughter.)

What were the Home Secretary's actual words?—I understood from him that we could not do anything at that time. He distinctly told me.

When did you advance?—About an hour later.

Did you know there were men shooting?—Not on my arrival.

Do you think you would like to have gone to the fire under those circumstances?—Had I known what was going on I should not have liked to advance. When I knew the position I thought it would be discreet not to advance.

Having regard to the water pressure, what would be the range at which you could pour water effectively into the room?—Sixty or seventy feet.

Having regard to that, and knowing the range of the weapons which were being fired inside the house, would it have been possible for you to have got within range and to have kept your lives?—I cannot say.

A jurymen: Do I understand you definitely received instructions from the Home Secretary not to proceed?

The witness: No. There were several gentlemen with him, and I do not say definitely he told me; but either he or the gentlemen with him gave me to understand that the Fire Brigade could not do anything at that time.

You do not say it was the Home Secretary personally?—No.

Mr. Bodkin said he should like to recall Superintendent Stark on this point.

Superintendent Stark, recalled, said he was standing by the Home Secretary when Station Officer Edmunds came up, and it was he who warned him not to go nearer or they would be shot.

Mr. Cyril C. B. Morris, divisional officer of the Metropolitan Fire Brigade, handed in a table showing the times at which calls were received and appliances sent off on Tuesday last. He stated that on arrival in Sidney Street, where he was in charge, he was informed that the Home Secretary—

Mr. Bodkin interposed a remark which was inaudible.

The witness repeated the words with the omission of the Home Secretary's name. He said he was informed on arrival that no one was to approach the fire. That order was cancelled when the front of the building became involved, about a quarter past two o'clock. The firemen were about ten minutes in getting the flames under.

A jurymen: Is it a matter of importance that the jury should know whether the Home Secretary gave instructions, or whether the inspector did?

The Coroner: As I understand it, the police accept responsibility.

The jurymen: It does not affect the jury?

The Coroner said it had been given in evidence that one of the men apparently died from suffocation, and of course it had to be justified that he was allowed to die of suffocation. It was important to know who was responsible; that was the position.

Mr. Bodkin: It was open to anybody in that house to have walked out of it. So far as the police are concerned no one wants to decline responsibility for preventing the Fire Brigade, or any of its officers, from being killed. That is what they were doing, and Officer Edmunds clearly did not understand the position until the police explained it to him.

EXERCISE XIV

MINUTES OF EVIDENCE TAKEN AT THE TRIAL OF CAPTAIN TRENCH AND LIEUTENANT BRANDON

Extract from the *Morning Post* of December 22, 1910.

Leipzig, December 21, 1910.

After having been in custody for the past four months, the British officers, Captain Trench and Lieutenant Brandon, R.N., appeared to-day before the German Imperial Court here to answer charges of espionage amounting to high treason, alleged to have been committed at Cuxhaven, Borkum, and other places at the mouth of the Elbe. The trial took place in the so-called Great Court of the Reichsgericht, an oak-panelled hall of modest dimensions, the walls of which are adorned with life-size portraits of the first two German emperors.

The court was filled as soon as the doors were opened, the witnesses' seats being occupied by a number of naval and military officers in brilliant uniforms.

The prisoners, who were both dressed in black, took their places at ten minutes to nine o'clock, and ten minutes later Dr. Menge, the Presiding Judge, opened the sitting. Dr. Arthur Zweigert, the Imperial Prosecutor, appeared for the prosecution, and Captain Trench and Lieutenant Brandon were represented by Judicial Counsellor von Gordon.

INTERROGATIONS COMMENCED.

The prisoners were then formally interrogated by the Court. They gave their replies in German, and their demeanour was calm throughout. The President of the Court first examined

them as to their origin and past service. They both declared that they had read the indictment against them.

Captain Trench described his previous visits to Germany.

Lieutenant Brandon, in reply to the Court, said that he was in the Admiralty Survey Service. He had never travelled abroad with Captain Trench before. He intended to collect information and place it at the disposal of a third person.

The President: Who was this person?

Lieutenant Brandon: I will call him 'Reggie', though that is not the person's name. He then spelled the name out to the President.

The President: You do not wish to designate 'Reggie' more nearly?—Lieutenant Brandon.—No.

Captain Trench was then examined. He said: The plan originated with me. I first came to Denmark. Lieutenant Brandon was then still in London.

The President then inquired into the identity of a person who figures under the name of 'Charles' in one of the letters of the case. Lieutenant Brandon had said that it meant himself. This Captain Trench confirmed, adding that the 'John Birch' who figured in their correspondence referred to himself. A letter was then read in court, in which both these names occurred.

Captain Trench: 'Reggie' is connected with the Intelligence Bureau of the Admiralty.

Pressed further on the point, Captain Trench refused to say what that connexion was.

Questioned as to the report on Cuxhaven, Captain Trench said: I wrote it while in England. It was compiled from a book—a sort of naval Baedeker. I do not wish to say how I got the book. It cannot be bought. Only officers can get it.

Captain Trench then related how he went to Bremen by way of Bremerhaven. He inspected the position of the fortifications at the mouth of the Weser, and then went on a journey to the island of Sylt.

Lieutenant Brandon described how he went with a guide to Heligoland, and made notes concerning the new harbour there. Asked why he noted his observations on postcards instead of in his notebook, and whether the cards were sent to England, Captain Trench denied that he had forwarded the cards. It was merely as a matter of convenience that he made notes on cards. He went to Sylt to get information with regard to different matters, including the economic condition of the inhabitants for the naval Baedeker before alluded to, and the places where meat could be bought, the connexions between

the island and England, &c. Captain Trench then went for two or three days to Norderney, where he made observations. On August 16 he went to Wangeroog.

'What was interesting there?' asked the Presiding Judge.

Captain Trench answered: 'There is a church tower at the end of the island which is curious, as that is an uninhabited part of the island.'

Counsel for the defence here mentioned the novel, *The Riddle of the Sands*, relating to espionage on the German North Sea coast, in which a church tower is mentioned. Counsel produced the book, which Captain Trench said he had read three times.

The two officers throughout the morning followed the questions of the President with the closest attention. Their answers to the Court were prompt, though occasionally the meaning of a question was misunderstood and the interpreter had now and then to help out Lieutenant Brandon. These slight difficulties were greatly added to by the extremely faulty nature of the acoustics of the court-room.

EXERCISE XV

MINUTES OF PROCEEDINGS OF THE COLONIAL CONFERENCE, 1907

NINTH DAY

*Held at the Colonial Office, Downing Street, Wednesday, May 1,
1907.*

PRESENT :

- The Right Honourable The Earl of Elgin, K.G., Secretary of State for the Colonies (President).
- The Right Honourable Sir Wilfrid Laurier, G.C.M.G., Prime Minister of Canada.
- The Honourable Sir F. W. Borden, K.C.M.G., Minister of Militia and Defence (Canada).
- The Honourable Alfred Deakin, Prime Minister of the Commonwealth of Australia.
- The Honourable Sir Joseph Ward, K.C.M.G., Prime Minister of New Zealand.
- The Honourable L. S. Jameson, C.B., Prime Minister of Cape Colony.
- The Honourable Dr. Smartt, Commissioner of Public Works (Cape Colony).

The Honourable F. R. Moor, Prime Minister of Natal.
 General The Honourable Louis Botha, Prime Minister of the
 Transvaal.
 &c., &c.

ALSO PRESENT :

The Right Honourable H. H. Asquith, M.P., Chancellor of the
 Exchequer.
 The Right Honourable D. Lloyd George, M.P., President of
 the Board of Trade.
 Mr. W. Runciman, M.P., Financial Secretary to the Treasury.
 &c., &c.

Dr. JAMESON : I have only been three weeks in England, but I have received from various associations throughout England I believe a little over 700 resolutions in favour of tariff reform.

Mr. DEAKIN : I have had hundreds.

Dr. JAMESON : I had them counted the day before yesterday, and it was 680 then.

Mr. ASQUITH : Where from ?

Dr. JAMESON : From different parts of the country—from England. A large number of those, I am glad to say, are from working men's associations. As Sir Joseph Ward said just now, and I quite agree, this thing must work slowly, but it is working slowly, and the working man is waking up to it. When Mr. Asquith interpolated yesterday while Mr. Deakin was speaking, and asked him how much of their goods go to Germany, and how much come back, I think the working man would have answered that question very well, and said : ' Quite true, we could use all that wool in England '—and that is what the working man is learning—' and we would be employed to manufacture it.' If you only put a tariff against Germany, probably it would be worth while for England to buy all that wool with that tariff against it, and the workman is, I think, beginning to think a good time would be coming for him. I agree with Sir Joseph Ward that none of us would be in favour of protection which would bear hardly on the working man here—an argument frequently used, but if that argument were carried out, and the workman had to pay a little more for some things, he might be better off.

Mr. ASQUITH : Does wool come within the subject matter as to which you think preference ought to be given ?

Dr. JAMESON : Wool is a raw material, and we do not want to put anything on it, but if you do not allow throughout the Empire the manufactured article from another country which gets wool cheap to come in on the same terms, probably the

British will have the bigger market and bigger demand for the wool, and can pay more for the wool.

Mr. ASQUITH : You represent Cape Colony, a country which exports a large quantity of wool to this country, and which exports no food to this country, and I am thinking in my own mind how we are to give a preference to South Africa.

Dr. JAMESON : We are rather, in South Africa, in the position of doing a great good and expecting to get very little back, but we expect to grow, as Sir Joseph Ward said sympathetically just now, in South Africa. We do expect to be federated. We do expect to have other things to export besides the few articles that we now export. We certainly cannot get much benefit at the present moment. There are some things we can get benefit from. The two main things are wine and tobacco. You say that is so small it does not matter, but take the wine alone ; supposing we return to the old conditions before 1862, it would be a very great benefit to South Africa. In 1862 the United Kingdom were establishing Free Trade, and at the same time wanted a market for their goods, and so they reduced the tariff on French wines to the level of the Cape wines. The French wines were better then. I do not think they are now. We think we are going to produce as good wines.

Mr. ASQUITH : You are going to.

Dr. JAMESON : I think we do now, but we are going to do better. At that time the tariff came down. For a little colony like the Cape at that time, fifty years ago, to get £130,000 a year for its wine was a very considerable item, but it came down to 2s. 9d. on French wines, which was the duty on Cape wine at the time, and in a few years it was down to £80,000 ; at present it is nothing at all. We have developed enormously since that, and are producing infinitely better wine, and if we get a preference on Cape wine it would give an enormous impetus to one of our most important interests in Cape Colony. I may say, when I came into office at the Cape, I sent a long and elaborate memorandum to the then Government, and they gave me the usual sympathy, but they gave me nothing else. We know Governments are not all the same, and we still hope that because the former Government refused it, that is no reason why the present Government should, and we may get something.

Mr. ASQUITH : Do you know any British Government which gives a preference to any form of alcohol ?

Mr. DEAKIN : We give it to South Africa.

Sir WILFRID LAURIER : We do not.

Sir JOSEPH WARD : We do, I think, in reference to wines.

Mr. ASQUITH : As between yourselves ?

Sir JOSEPH WARD : Yes, with South Africa ; not spirits but wine.

Dr. SMART : Canada gives a preference on wine also, I think.

Sir FREDERICK BORDEN : No.

Dr. JAMESON : For brandy the ordinary rate of duty in Australia is 14s. per gallon, and the rate to colonies under the South African Customs Union is 10s. 3d. to 13s. per gallon. I believe the proposition before the conference is—I know it is the proposition of Canada—that we give, irrespective of the United Kingdom giving anything at all, a certain preference, but when the United Kingdom reciprocates, then we are all prepared to come forward and give more. Paragraph 2 of the Cape resolution is, ‘ The Conference, while adhering to the principle of preferential treatment of the products and manufactures of the United Kingdom, desires to impress upon His Majesty’s Government the opinion that the continuance of such preferential treatment to the producers and manufacturers of Great Britain is largely dependent upon the granting of some reciprocal privileges to British Colonies.’ I wish to say at once, and emphatically, that there is no question of a threat there at all. What we are doing is giving a warning from our own experience. I am giving my experience that I have had at the Cape that the majority, as evidenced by the Customs Union, are in favour of preference. I know that in my Cape Parliament there is a minority who were not in favour of it, and in fact spoke against it, but at the same time that minority brought forward an amendment saying that no preference should be given unless there was reciprocity. Therefore, I am justified in saying, that the whole Colony, with any reciprocity whatever from the United Kingdom, would be unanimously in favour of preference.

EXERCISE XVI

CORRESPONDENCE RESPECTING THE ANGLO-GERMAN AGREEMENT OF OCTOBER 16, 1900, RELATING TO CHINA

No. 1

The Marquess of Salisbury to Count Hatzfeldt.

Your Excellency, *Foreign Office, October 16, 1900.*

I have the honour to inform you that Her Majesty’s Government approve the Agreement, annexed hereto, which has been

negotiated between your Excellency and myself with regard to the principles on which the mutual policy of Great Britain and Germany in China should be based.

I have, &c.
(Signed) SALISBURY.

Inclosure in No. 1

Agreement signed on 16th October, 1900.

Her Britannic Majesty's Government and the Imperial German Government, being desirous to maintain their interests in China and their rights under existing Treaties, have agreed to observe the following principles in regard to their mutual policy in China :—

1. It is a matter of joint and permanent international interest that the ports on the rivers and littoral of China should remain free and open to trade and to every other legitimate form of economic activity for the nationals of all countries without distinction; and the two Governments agree on their part to uphold the same for all Chinese territory as far as they can exercise influence.

2. Her Britannic Majesty's Government and the Imperial German Government will not, on their part, make use of the present complication to obtain for themselves any territorial advantages in Chinese dominions, and will direct their policy towards maintaining undiminished the territorial condition of the Chinese Empire.

3. In case of another Power making use of the complications in China in order to obtain under any form whatever such territorial advantages, the two Contracting Parties reserve to themselves to come to a preliminary understanding as to the eventual steps to be taken for the protection of their own interests in China.

4. The two Governments will communicate this Agreement to the other Powers interested, and especially to Austria-Hungary, France, Italy, Japan, Russia, and the United States of America, and will invite them to accept the principles recorded in it.

No. 2

Count Hatzfeldt to the Marquess of Salisbury.—(Received October 16.)

My Lord, *German Embassy, London, October 16, 1900.*
I have the honour to inform your Excellency that my

Government have concurred in the following points agreed to between your Excellency and myself :—

‘ The Imperial German Government and Her Britannic Majesty’s Government, being desirous to maintain their interests in China and their rights under existing Treaties, have agreed to observe the following principles in regard to their mutual policy in China :

‘ 1. It is a matter of joint and permanent international interest that the ports on the rivers and littoral of China should remain free and open to trade and to every other legitimate form of economic activity for the nationals of all countries without distinction ; and the two Governments agree on their part to uphold the same for all Chinese territory as far as they can exercise influence.

‘ 2. The Imperial German Government and Her Britannic Majesty’s Government will not, on their part, make use of the present complication to obtain for themselves any territorial advantages in Chinese dominions, and will direct their policy towards maintaining undiminished the territorial condition of the Chinese Empire.

‘ 3. In case of another Power making use of the complications in China in order to obtain under any form whatever such territorial advantages, the two Contracting Parties reserve to themselves to come to a preliminary understanding as to the eventual steps to be taken for the protection of their own interests in China.

‘ 4. The two Governments will communicate this Agreement to the other Powers interested, and especially to Austria-Hungary, France, Italy, Japan, Russia, and the United States of America, and will invite them to accept the principles recorded in it.’

With the highest respect, &c., &c.,
(Signed) HATZFELDT.

No. 3

*The Marquess of Salisbury to Sir E. Monson.*¹

(Telegraphic.)

Foreign Office, October 20, 1900.

On 16th instant I signed, with German Ambassador, the following Agreement :—

[See Inclosure in No. 1.]

Concert with your German colleague to carry out Article 4.

¹ Also to Sir F. Plunkett, Lord Currie, Mr. C. Hardinge, Lord Pauncefote, and Mr. Whitehead.

No. 4

The Marquess of Salisbury to Mr. Whitehead.

(Telegraphic.)

Foreign Office, October 25, 1900.

I have informed the Japanese Minister, in reply to an inquiry by the Japanese Government as to the effect of adherence to the Anglo-German Agreement, that if they accept the principles recorded in it respecting China, they will be in exactly the same position as if they had concluded with Her Majesty's Government a like Agreement.

No. 5

Mr. C. Hardinge to the Marquess of Salisbury.—(Substance received by telegraph, October 28.)

(Extract.)

St. Petersburg, October 28, 1900.

At the invitation of M. Basily I went this afternoon to the Ministry for Foreign Affairs, where he handed to me a Memorandum, of which I have the honour to inclose a copy herewith, containing the reply of the Russian Government to the communication made by me on the 22nd instant of the text of the Anglo-German Agreement and of the invitation to them to accept the principles recorded in it.

Inclosure in No. 5

Memorandum.

The arrangement concluded between Germany and England does not perceptibly modify, from our point of view, the situation in China.

The first point of this Agreement, stipulating that the ports situated on the rivers and littoral of China, wherever the two Governments exercise their influence, should *remain* free and open to commerce, can be favourably entertained by Russia, as this stipulation does not infringe in any way the *status quo* established in China by existing Treaties.

The second point corresponds all the more with the intentions of Russia, seeing that, from the commencement of the present complications, she was the first to lay down the maintenance of the integrity of the Chinese Empire as a fundamental principle of her policy in China.

As regards the third point, relating to the eventuality of an infringement of this fundamental principle, the Imperial Government, while referring to their Circular of the 12th (25th)

August, can only renew the declaration that such an infringement would oblige Russia to modify her attitude according to circumstances.

The fourth point requires no remark.

St. Petersburg,
the 15th (28th) October, 1900.

No. 6

*Sir F. Plunkett to the Marquess of Salisbury.—(Received
October 29.)*

My Lord, *Vienna, October 25, 1900.*

On receipt of your Lordship's telegram of the 20th instant, I at once called upon the German Ambassador in order to concert with his Excellency for communicating to the Austro-Hungarian Government the Agreement respecting China which your Lordship had signed with the German Ambassador in London on the 16th instant.

Prince Eulenburg expressed much satisfaction at your Lordship having desired me to concert with him for the communication of this Agreement, and my telegrams of the 21st and 23rd instant will have shown that, in view of the absence from Vienna of Count Goluchowski, and in view of the fact of Prince Eulenburg being confined to his house with a cold, we decided to communicate the Agreement to Count Szecsen¹ through our respective Secretaries of Embassy.

Mr. Milbanke and Baron Romberg, therefore, went to the Foreign Department next morning and made communication separately of the Agreement.

Count Szecsen called at this Embassy and at the German Embassy the day before yesterday to say that he had informed the Emperor and Count Goluchowski of this communication, and was authorized to state that the Austro-Hungarian Government had heard with pleasure that Great Britain had come to this understanding with Germany, and accepted willingly the principles recorded in the Agreement which had been signed by your Lordship and the German Ambassador in London.

I have, &c.

(Signed) F. R. PLUNKETT.

¹ A Hungarian statesman in the Austro-Hungarian Foreign Office, subordinate to Count Goluchowski.

No. 7

Mr. Whitehead to the Marquess of Salisbury.—(Substance received by telegraph, October 30.)

My Lord, Tokio, October 30, 1900.

On the receipt of your Lordship's telegram of the 20th instant, instructing me to concert with my German colleague to carry out Article 4 of the Anglo-German Agreement in regard to China, I immediately communicated with Count Wedel, but found that he had not then received instructions on the subject.

I, therefore, took the opportunity of Mr. Kato's first reception of the foreign Representatives on the following day to communicate the Agreement unofficially to his Excellency, stating that I would send him a note as soon as the German Chargé d'Affaires was in a position to do so simultaneously.

His Excellency had also received the text of the Agreement by telegraph from Baron Hayashi, and asked me whether I could inform him what the exact effect of Japan's accepting the principles recorded in it would be.

I replied that I had no information on the subject beyond what was contained in your Lordship's telegram, and thought that an inquiry through the Japanese Minister in London would be the best way of obtaining it.

On the 24th instant the German Chargé d'Affaires received his instructions from Berlin, and I accordingly addressed to Mr. Kato the note, copy of which I have the honour to inclose. Last night I received a note from his Excellency, translation of which is likewise inclosed, containing the reply of the Japanese Government to our inquiry, and stating that, upon the assurances they had received from the Contracting Powers, the Imperial Government did not hesitate to declare formally their adhesion to the Anglo-German Agreement, and accept the principles embodied therein.

I had the honour to communicate the text of this reply to your Lordship in my telegram of to-day's date. Count Wedel has received an identical reply to his note of the 24th October, and is communicating its substance to his Government by telegraph to-day.

I have, &c.

(Signed) J. B. WHITEHEAD

Inclosure 1 in No. 7

Mr. Whitehead to Mr. Kato.

M. le Ministre,

Tokio, October 24, 1900.

In obedience to instructions which I have received from the Marquess of Salisbury, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform your Excellency that on the 16th instant his Lordship and the Imperial German Ambassador in London signed the following Agreement in connexion with the present crisis in China :—

[See Inclosure in No. 1.]

I accordingly have the honour, in compliance with Lord Salisbury's directions, to communicate to your Excellency the terms of this Agreement, as stated above, and to request your Excellency to be so good as to inform me whether the Imperial Japanese Government are inclined to accept the principles recorded therein.

I avail, &c.

(Signed) J. B. WHITEHEAD.

Inclosure 2 in No. 7

Mr. Kato to Mr. Whitehead.

(Translation.)

Sir, *Department of Foreign Affairs, Tôkiô, October 29, 1900.*

I have the honour to acknowledge the receipt of your note of the 24th instant, in which, in obedience to instructions from the Marquess of Salisbury, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, you communicated to me the text of an Agreement, signed on the 16th instant by his Lordship and the German Ambassador, which reads as follows :—

[See Inclosure in No. 1.]

At the same time, in further compliance with Lord Salisbury's instructions, you requested me to inform you whether the Imperial Japanese Government are inclined to accept the principles recorded in said Agreement.

The Imperial Government, having received assurances from the Contracting Powers to the effect that, in adhering to the Agreement in question, they will be placed in relation to such Agreement in the same position they would have occupied if

they had been a signatory instead of an adhering State, do not hesitate to formally declare that they adhere to the said Agreement, and accept the principles embodied therein.

Accept, &c.

(Signed) KATO TAKAAKI.

No. 8

Memorandum Communicated by M. Cambon, October 31, 1900.
(Translation.)

The French Government has taken note of the Arrangement of the 16th October between the German and British Governments, communicated to them by the Ambassadors of Germany and Great Britain in Paris.

The Government of the Republic have long manifested their desire to see China opened to the economic activity of the whole world. Hence the ready adherence they gave last December to a proposal of the United States' Government, dictated by the same desire. Their sentiments in this respect have not been modified. As regards the integrity of China, the Government of the Republic are all the more willing to affirm the principle, since they have made it—and have several times stated that they have made it—the basis of their policy in the crisis for which the combined efforts of the Powers are directed towards finding a satisfactory solution.

The universal assent to this principle seems to the Government of the Republic a certain guarantee of its being respected, and if, contrary to all expectation, it should be infringed, France would act according to circumstances, with a view to safeguarding her interests and the rights secured to her by Treaty.

October 31, 1900.

No. 9

*Lord Currie to the Marquess of Salisbury.—(Received
November 1.)*

My Lord,

Rome, October 26, 1900.

With reference to your Lordship's telegram of the 20th instant, I have the honour to transmit herewith to your Lordship copy and translation of a note, dated the 22nd instant, which I have received from M. Visconti-Venosta, informing me that the Italian Government do not hesitate to give their adhesion to the Anglo-German Agreement concluded on the 16th instant.

I have, &c.

(Signed) CURRIE.

Inclosure in No. 9

M. Visconti-Venosta to Lord Currie.

(Translation.)

Ministry of Foreign Affairs,

M. l'Ambassadeur,

Rome, October 22, 1900.

In your note of yesterday your Excellency communicated to me, in accordance with instructions received from your Government, the Agreement arrived at on the 16th instant between Lord Salisbury and Count Hatzfeldt with regard to China.

The two Contracting Governments having pledged themselves to give notice of their Agreement to the Powers interested, especially to France, Italy, Japan, Austria-Hungary, Russia, and the United States, with an invitation to agree to the principles enunciated therein, your Excellency asked me whether these principles were accepted by the Italian Government.

Having taken His Majesty's orders, I am to-day in a position to inform your Excellency that the Italian Government, recognizing in the Anglo-German Agreement those same principles which rule their own policy in China, do not hesitate to give their adhesion thereto.

I beg your Excellency to be so good as to bring the above to the knowledge of Her Majesty's Government.

I have, &c.

(Signed) VISCONTI-VENOSTA.

No. 10

Lord Pauncefote to the Marquess of Salisbury.—(Received November 12.)

My Lord,

Washington, October 31, 1900.

With reference to your Lordship's telegram of the 20th instant, I have the honour to transmit herewith a copy of the note in which I communicated to the United States' Government the text of the Agreement regarding Chinese affairs recently concluded between Her Majesty's Government and that of Germany, together with a copy of the reply of the United States' Secretary of State, recording the views of his Government on the subject.

I have, &c.

(Signed) PAUNCEFOTE.

Inclosure 1 in No. 10

Lord Pauncefote to Mr. Hay.

Sir,

Newport, Rhode Island, October 23, 1900.

In pursuance of instructions which I have received from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to communicate to you the text of an Agreement between Great Britain and Germany relating to the present trouble in China, which was signed in London on the 16th instant by the Marquess of Salisbury and the German Ambassador on behalf of their respective Governments, and to invite the acceptance by the United States of the principles recorded in that Agreement.

I have, &c.

(Signed) PAUNCEFOTE.

Inclosure 2 in No. 10

Agreement signed on the 16th October, 1900.

[See Inclosure in No. 1.]

Inclosure 3 in No. 10.

Mr. Hay to Lord Pauncefote.

*Department of State, Washington,
October 29, 1900.*

Excellency,

I have the honour to acknowledge the receipt of your note of the 23rd October, inclosing the text of an Agreement between Great Britain and Germany relating to affairs in China, which was signed in London on the 16th instant by the Marquess of Salisbury and the German Ambassador, on behalf of their respective Governments, and inviting the acceptance by the United States of the principles recorded in that Agreement.

These principles are—

'1. It is a matter of joint and permanent international interest that the ports on the rivers and littoral of China should remain free and open to trade, and to every other legitimate form of economic activity for the nationals of all countries without distinction, and the two Governments agree on their part to uphold the same for all Chinese territory so far as they can exercise influence.

'2. Her Britannic Majesty's Government and the Imperial German Government will not on their part make use of the

present complication to obtain for themselves any territorial advantages in Chinese dominions, and will direct their policy towards maintaining undiminished the territorial condition of the Chinese Empire.'

The United States have heretofore made known their adoption of both these principles. During the last year this Government invited the Powers interested in China to join in an expression of views and purposes in the direction of impartial trade with that country, and received satisfactory assurances to that effect from all of them. When the recent troubles were at their height, this Government, on the 3rd July, once more made an announcement of its policy regarding impartial trade and the integrity of the Chinese Empire, and had the gratification of learning that all the Powers held similar views. And since that time the most gratifying harmony has existed among all the nations concerned as to the ends to be pursued, and there has been little divergence of opinion as to the details of the course to be followed.

It is therefore with much satisfaction that the President directs me to inform you of the full sympathy of this Government with those of Her Britannic Majesty and the German Emperor in the principles set forth in the clauses of the Agreement above cited.

The third clause of the Agreement provides—

'3. In case of another Power making use of the complications in China in order to obtain, under any form whatever, such territorial advantages, the two Contracting Parties reserve to themselves to come to a preliminary understanding as to the eventual steps to be taken for the protection of their own interests in China.'

As this clause refers to a reciprocal arrangement between the two High Contracting Powers, the Government of the United States does not regard itself as called upon to express an opinion in respect to it.

I have, &c.

(Signed) JOHN HAY.

EXERCISE XVII

CORRESPONDENCE RELATING TO NATIVE
DISTURBANCES IN NATAL¹

No. 1

*The Governor to the Secretary of State*My Lord, *King's House, Durban, Natal, January 5, 1906.*

For some little time past rumours have been current of unrest and disaffection amongst the natives, due, it is said, to the imposition of the poll tax which became due for collection on 1st instant.

2. The name of Dinuzulu has been freely mentioned as promoting the unrest, and as putting himself at the head of a native army to invade Natal proper from Zululand.

3. When these rumours come to be investigated, no substantial foundation can be found for them. The enclosed telegram from the Minister for Native Affairs to the Magistrate, Greytown, exactly describes the situation. My Ministers, however, have thought it advisable to issue to Magistrates a circular² deprecating the rumour-mongering, and assuring the population, both white and black, that there is no ground for alarm.

4. The present unrest has, I believe, been brought about—

(a) By nervous Europeans who view with alarm the withdrawal of imperial troops from Natal.

(b) By the young men of the tribes who work in towns, do not pay hut tax, and will, therefore, for the first time contribute to the revenue. Every year these young men get more out of the control of kraal heads, and they no doubt have indulged in much irresponsible talk.

I have, &c.

HENRY McCALLUM.

Enclosure in No. 1

*Minister for Native Affairs, Pietermaritzburg, to Magistrate,
Greytown.*

(Telegram.)

December 28, 1905. With reference to a minute sent you yesterday, it may be well to inform you that reports of disaffection and discontent with regard to poll tax have been

¹ Part of a paper set in examination for Assistant Clerkships in the Royal Navy, June 1910.

² Not printed.

received from many parts of the Colony ; also reports about the killing of pigs, white fowls, white goats, and so forth, various reasons being given for these animals being killed. These reports have been sifted with the result that nothing of a concrete or tangible nature calculated to cause alarm has been reached. *Re* numerous references to Dinuzulu, I have received a letter from Mr. Saunders assuring me of that Chief's unwavering loyalty, and that he has stated he will do all in his power to ensure payment of the poll tax.

No. 2

The Governor to the Secretary of State.—(Received 3.21 p.m.,
February 9, 1906.)

(Telegram.)

February 9. No. 1. Regret to inform you that party of armed natives attacked European police at Byrnetown. One sub-inspector and one trooper reported to have been killed. Information received that other natives are arming and joining the disaffected. Have ordered right wing of Carbineers and one battery of Field Artillery to be mobilized for active service, and have authorized Commandant-General of Militia to issue requisitions under Section 2, Act 30, 1905.—MCCALLUM.

No. 3

The Governor to the Secretary of State.—(Received 8.33 p.m.,
February 9, 1906.)

(Telegram.)

Durban, February 9. No. 2. By advice of my Ministers I am putting Natal under martial law. I leave for Pietermaritzburg this evening.—MCCALLUM.

No. 4

The Governor to the Secretary of State.—(Received 10.40 a.m.,
February 10, 1906.)

(Telegram.)

February 10. No. 8. Latest intelligence is that outbreak is confined to small section of tribe, the Chief of which is loyal ; no artillery has been sent, but the whole of Natal Carbineers and half of Border Mounted Rifles are being mobilized, and will arrive scene of action this day. Loss of sub-inspector and trooper confirmed.—MCCALLUM.

No. 5

The Governor to the Secretary of State.—(Received 6.40 p.m.,
February 13, 1906.)

(Telegram.)

February 13. No. 1. Alarming reports still prevalent in different quarters, but we can usually dismiss them. I sit in Council with responsible Ministers daily. No news from field force except capture seven prisoners, four of whom wounded. Disaffected in hiding in dense bush towards the Umkomanzi. Their Chief Umveli has offered to dislodge them with 500 men, and offer accepted by Government.—MCCALLUM.

No. 6

The Secretary of State to the Governor.—(Sent 3.40 p.m.,
February 14, 1906.)

(Telegram.)

February 14. No. 1. Please telegraph connected account of origin and progress of native disturbance for use at opening of Parliament if required.—ELGIN.

No. 7

The Governor to the Secretary of State.—(Received 7.50 p.m.,
February 15, 1906.)

(Telegram.)

February 15. No. 1. Referring to your telegram of 14th February, No. 1. Since termination of Boer war there has been change of attitude on the part of natives of Natal towards the white population. This is evidenced by the insolent behaviour of the younger men, who have in numerous instances openly informed their employers that they were going to kill the white men. Government has also reason to believe doctrines and seditious teachings of those connected with Ethiopian movement have had bad effect on certain sections of native community. There can be no doubt that removal of His Majesty's forces out of the Colony has weakened prestige of the Government and, to use the expression of the natives, the opinion is freely expressed amongst them that 'the King has quarrelled with the Natal Government and will no longer help them.' During the last Session of Parliament Act was passed making every male over eighteen years of age in the Colony, including Europeans, liable to pay tax of £1. Native who pays (house) hut tax is not, however, required

to pay this poll tax. Indentured Indians are also exempt. As the natives marry very young, number affected by poll tax is comparatively small. Tax fell due on 1st January, and notice was given to different Chiefs to begin paying after the 20th January. When the Chiefs were summoned by the Magistrates to assemble with their men to pay tax some of them assumed defiant attitude. In some cases they appeared with their men armed with shields and sticks, and in one instance Magistrate was shouted down and threatened.

Following is explanation of causes which led up to conflict between natives and Natal police: 'Magistrate of Umgeni went out Wednesday, the 7th February, to collect poll-tax from the Chief Umveli at Henley. While there Chief informed him that some of his tribe from the Richmond District were on the hill near by armed with assegais. Magistrate sent up European trooper and two of the Chief's brothers to find out if the statement was true, and they found that party of twenty-seven natives armed, as stated, had collected together and assumed very threatening attitude. Chief's brothers identified a great many of the men, and depositions were taken and warrants for arrest issued by Magistrate. On the next day body of fourteen of the Natal European Police Force were sent out to effect arrest of certain of the natives concerned at Byrnetown, and on arrival two of the natives were arrested and handcuffed. An armed party of natives thereafter approached police and demanded release of prisoners, and conflict ensued between the police and the natives, with the result Sub-Inspector Hunt and a trooper were killed.'

Trouble is for the present confined to locality where conflict with the police took place, and no other members of tribe have joined with disaffected natives, who are avowed adherents of the Ethiopian movement. Policy of Government is to deal with this trouble promptly and effectually, as the spreading or not of the disturbance to other districts of Colony will depend on result of measures now taken.—MCCALLUM.

No. 8

The Secretary of State to the Governor.—(Sent 6.20 p.m.,
February 23, 1906.)

(Telegram.)

February 23. No. 1. Question asked in Parliament as to whether two natives were recently court-martialled and shot in Natal, and, if so, what was the offence charged. Please telegraph facts.—ELGIN.

No. 9

The Governor to the Secretary of State.—(Received 5.35 p.m.,
February 24, 1906.)

(Telegram.)

February 24. No. 2. Your telegram, 23rd February, No. 1. Ministers desire me to send you following reply:—

Begins: Question asked in Parliament should be answered in the affirmative. The two natives in question were tried by court-martial for assisting and taking part in the murder of an inspector and trooper of the Natal European Police Force whilst executing warrants of arrest against certain natives for being armed in breach of the law. *Ends*.

McCALLUM.

No. 10

The Governor to the Secretary of State.—(Received 2.55 p.m.,
February 27, 1906.)

(Telegram.)

February 27. No. 1. Six more men belonging to rebel band captured. Only three are now at large. Situation in Ixopo district clearer. Chief implicated has surrendered twelve men wanted by Government, and has promised others. Exportation of horses out of the Colony has been prohibited.—

McCALLUM.

No. 11

The Governor to the Secretary of State.—(Received 1.32 p.m.,
March 1, 1906.)

(Telegram.)

March 1. No. 1. Little change in situation. Chief, name of Bambata, at Greytown, defiant. He is to be arrested by a military force.—McCALLUM.

No. 12

The Governor to the Secretary of State.—(Received 7.5 p.m.,
March 2, 1906.)

(Telegram.)

March 2. No. 1. Chief implicated, Miskofeli by name, has surrendered fifteen more men. From evidence given, one section of his tribe to be fined in cattle for illegally assembling

in arms. Gobizembe at Mapumulo surrendered twenty offenders out of 300. Leuchars anticipates having to arrest remainder by military force. No further news from Greytown. Alarm rumours are diminishing.—McCALLUM.

No. 13

The Governor to the Secretary of State.

My Lord, *King's House, Durban, Natal; February 9, 1906.*

In continuation of my dispatch of the 5th January,¹ I have the honour to report, for your information, that the unrest which has existed for some little time past amongst the natives appeared to be gradually coming to an end.

2. Since I wrote my dispatch in question, rumours have continued to be current that Dinuzulu is really at the bottom of the agitation, and I received a communication from the High Commissioner forwarding a report of alleged intrigues between that chief and the Swazis. From all I can gather, however, I believe there is no truth whatever in the allegations which have been made. Dinuzulu has set the example of paying up the poll tax on behalf of himself and his own personal chiefs before he is actually obliged to do so.

3. Mr. Saunders, the Commissioner for Native Affairs in Zululand, is certain that the many rumours are rumours only. During the years I have been administering this Government he has invariably furnished correct information, and I see no reason to doubt that his opinion is again correct.

4. . . .

5. I have this morning received a telegram from the Prime Minister informing me that an armed party of natives have attacked a body of fourteen European Police at Byrnetown, and that a sub-inspector and a trooper are believed to have been killed. Other disaffected natives are said to be joining, and it has been considered essential, therefore, to mobilize one wing of the Natal Carbineers for active service, and one battery of artillery; also to authorize the Commandant to issue requisitions under Section 2 of Act No. 30 of 1905.

6. I have informed the Prime Minister that if the outbreak spreads, I am prepared to put the districts concerned under martial law, and that I will return at once to Maritzburg so as to be in close touch with him.

I have, &c.,

HENRY McCALLUM.

¹ No. 1.

No. 14

The Governor to the Secretary of State.—(Received 5.45 p.m.,
March 5, 1906.)

(Telegram.)

March 5. No. 1. Miskofeli has surrendered all offenders, who are now being tried. Operations in his district practically over.

In Mapumulo district Gobizembe has failed to surrender offenders. Time expired this morning. Steps are being taken to carry out arrest by militia. I anticipate resistance; country very broken.

I have been relying upon native contingent from Zululand to help in driving rebels from thick bush, but Commissioner reports them lukewarm, and order for their mobilization has been cancelled. Situation complicated by this.

At Greytown, Bambata, with followers, abandoning kraals, have fled to bush. Messages have been sent to him.

Although alarm subsiding, I regard general situation to be less satisfactory.—MCCALLUM.

No. 15

The Governor to the Secretary of State.—(Received 11.16 p.m.,
March 5, 1906.)

(Telegram.)

March 5. No. 2. Gobizembe has been captured. His kraal was destroyed by artillery fire after women and children had been brought in. 300 cattle and 600 sheep captured by column. Casualty return, nil on both sides.

Four chiefs, several headmen, and about 300 natives have surrendered this afternoon. Sweeping operations will be resumed to-morrow. Officer Commanding hopes to be able to complete without any assistance from native contingent.—MCCALLUM.

No. 16

The Governor to the Secretary of State.—(Received 10.10 p.m.,
March 7, 1906.)

(Telegram.)

March 7. No. 1. Officer Commanding Mapumulo column reports Gobizembe's tribe thoroughly subdued and cowed. It has given up offenders' cattle and arms. I am of opinion that cause immediate anxiety over.—MCCALLUM.

EXERCISE XVIII

RAILWAY COLLISION AT WILLESDEN JUNCTION.

On December 5, 1910, Willesden Junction, on the London and North-Western Railway, was the scene of a collision, resulting in the deaths of two passengers and injury to several others. The accident was caused by a train from Watford to Broad Street running into the rear of a train from Watford to Euston. The train to Euston left Watford at 8.27 a.m., and reached Willesden at 8.47. At the moment of the collision it was stationary at No. 4 platform, tickets were being collected, and season tickets examined. The second train left Watford at 8.30 a.m. The driver of this train, directly he realized that something was amiss, applied his brakes, and did all he could to avoid the collision, but could not bring his train to a standstill. The following official statement was issued by the railway company:—

As local, Watford to Euston, train was standing at No. 4 platform, Willesden Junction, it was run into by 8.30 Watford to Broad Street. The driver states that the signals were lowered for him, but this point is not definitely cleared up. He made every endeavour to stop when he came in sight of the train in front.

MINUTES OF EVIDENCE TAKEN AT THE CORONER'S INQUIRY.
Monday, December 19, 1910.

Extract from the *Morning Post* of December 20, 1910.

At the St. Pancras Coroner's Court.

Walter Sibly, engine driver, stated that on December 5 he got the engine of the 8.27 train ready and handed it over to the driver. The fire was then in a proper condition.

Mr. Robert Turnbull, superintendent of the London and North-Western Railway, gave evidence as to the working of the line. The absolute block system, he said, was in use, and the line was divided into sections, or lengths, varying from a quarter of a mile in busy places to five miles where there was less traffic. The principle was that not more than one train should be on the same section at the same time on the same set of rails, and in order to carry that out there was a signalman at the end of each section. Before the 8.27 a.m. train from Watford was allowed to pass the section at No. 5 signal into the section between there and No. 2 the signalman at No. 5 would send to No. 2 a signal which meant 'Is the section clear, and can a passenger train be let into it?' and he would receive a reply that the train might pass. On

December 5 this method, it had been ascertained, was adopted. The 8.27 from Watford did not pass out of the section between No. 5 and No. 2, and therefore the 8.30 from Watford should not have been admitted.

The Coroner: Is it necessary for any memory on the part of the signalman to know whether a train is on the line?—No, it is recorded on an instrument.

SAFETY APPLIANCES

The Coroner: I take it that careful consideration has been given since this calamity as to whether any other process of signalling could be adopted?—Yes. We have thought a good deal about it before and since. We always have safety appliances under our consideration, and always endeavour to adopt means whereby accidents will be avoided.

The witness added that he had satisfied himself that the signalling appliances on December 5 were in order.

Mr. Dobson (on behalf of various railway employees): Is it not usual where two signal-boxes are near to each other to have some mechanical appliance to prevent the signals being pulled off by the signalman in the rear box until the road is clear to the next section?—There are appliances of that kind which we adopt when a section is very short, but this is not such a section. I may tell you that we have put on an appliance of that sort in this section since the accident, with a view to seeing whether it will be workable. It is not altogether a desirable arrangement at this place, and I cannot say it is going to be satisfactory.

Is it not in just such a place as this where the signalman cannot see the train standing in this very section on account of the bridges that such an appliance is specially necessary?—I should not say so.

Mr. Armstrong Worthy Horne, district superintendent of the line between London and Stafford, said that between 8 a.m. and the time of the collision, the signalman in No. 5 box would have to deal with fourteen trains. He considered that one man was quite competent to deal with them. Each lever in the signal-box was painted a different colour, so as to be distinguishable, and each had the number of the signal or of the pair of points which it pulled over. In each box there was a diagram.

Mr. Dobson: Does not a signalman use the levers as a pianist would play the piano?—He certainly does when he has been in the box a long time and would know where the levers were. The man in No. 5 box was a very reliable man.

Porter and relief signalman Harry George Smith said that when the collision occurred he had been in No. 5 box learning the duties connected with it. On December 5 the 8.27 train from Watford was allowed to pass, and at the same time that it left the section he accepted the 8.30 from No. 7 box, under signalman Blundell's instructions.

Blundell went to the Watford end of the box, said witness, and, after pulling the lever, got out a red flag and went to the window.

Did he put it out?—I did not see him do that. The train was close to the box. When it had passed I gathered something was wrong, because I knew I had not 'received' the train out of the section from No. 2 box. After the collision Blundell remarked that he had made a mistake.

In reply to a juror the witness said that Blundell might have been called to the telephone between the passing of the two trains.

SIGNALMAN'S EVIDENCE.

After being cautioned, signalman George Blundell said he wished to give evidence. He said that he had been a signalman for twenty years, ten or eleven of which he had passed at No. 5 box at Willesden. On the day of the accident he went on duty at 6 a.m., having been off duty since 8 a.m. the previous day. In the box with him were two booking lads and the relief signalman Smith. The 8.27 passed his box at 8.51. At the same time that the 8.27 went by Smith accepted the 8.30 from Watford on his instructions.

What was your next action?—The same time as the 8.27 passed I had the 8.40 from Euston on the down fast platform. After that had passed I had an engine cross No. 2 siding on to the down fast line. Then I went to the south end of the box and pulled 16 and 19 points, and as soon as I did that I went to the north end for the purpose of pulling No. 53 lever over. That was the signal for the 8.58 passenger train to pass on to the up fast road.

Was it that lever you intended to pull?—Yes, sir.

What is the number of the lever working the up-slow home signal?—No. 55.

When did you first have knowledge that you had pulled No. 55?—After I had pulled 16, 19, and, as I thought, 53, I crossed an engine off the down fast middle siding. I then looked across and saw the 8.58 passenger train to Euston still standing against the ground disc No. 53. I looked down the frame in my box and saw what I thought to be 53 over. As I was walking down the frame and looked through the window

RAILWAY COLLISION AT WILLESDEN JUNCTION: 101

I saw No. 55 signal off and the 8.30 from Watford close upon it. I appealed to Smith, and said: 'Are you all right on the up slow,' meaning, was the 8.27 clear and right for the 8.30? And then as I saw the train approaching I came to the conclusion that the previous train was not clear. Something told me it was not.

Why?—I could not say. I knew I had no occasion to pull the signal in any shape or form. That is the reason I ran to the window with a red flag, and as I ran I saw I had made a mistake, and pulled 55 instead of 53. I tried to shout the driver, but could not get his attention. It was too late to do anything.

Have you any explanation as to how you came to pull one lever when you intended to pull another?—No, sir.

Can you see the up-slow platform from your box?—No.

How many levers are there in the box?—Sixty-seven.

Witness added that by pulling the wrong lever he allowed the 8.30 train to enter the station. He attributed blame to no one but himself. Addressing the jury Blundell said: 'I am very sorry this mistake should have happened. I regret it very much, and I express my sympathy with the relatives and friends of those who have gone and with the injured. I hope they will have a speedy recovery.'

The Coroner, in summing up, said the weight of evidence seemed to bear out Blundell's statement that he pulled the wrong lever.

THE VERDICT

The jury returned a verdict of accidental death due to the signalman's inadvertence in pulling the wrong lever.

The jury asked the railway company to consider whether it would not be possible to devise some means of enabling the signalman to see if the line was clear, as at present the bridge obscured a sight of the platform.

Mr. C. J. de Andrewes, representing the company, said that he would convey the recommendation, but the bridge carried a public road in which the County Council was interested.

EXERCISE XIX

BOARD OF TRADE INQUIRY INTO THE LOSS OF THE *WARATAH*

December 16, 1910, and following days.

Extract from the *Morning Post* of December 20, 1910.

Mr. J. Dickinson, one of the Metropolitan Magistrates, opened on behalf of the Board of Trade at the Caxton Hall

the inquiry into the loss of the steamship *Waratah*. Admiral E. H. M. Davies, R.N., Commander F. C. A. Lyon, R.N.R., Mr. J. H. Hallett, and Professor Welch accompanied Mr. Dickinson as assessors. Mr. Laing, K.C., and Mr. Raeburn represented the Board of Trade; Mr. Leslie Scott, K.C., and Mr. D. Stephens were for the owners of the vessel, the Blue Anchor Line; Mr. Aspinall, K.C., and Mr. Craig Henderson were for the builders, Messrs. Barclay, Curle & Co., Glasgow; while Mr. Bucknill and Mr. W. M. Pringle represented the relatives of some of the passengers of the *Waratah*. The interest in the proceedings was indicated by the large attendance of the public, many of whom were related to the passengers on the missing vessel.

Mr. Laing, in opening the inquiry on behalf of the Board of Trade, said that the *Waratah* belonged to the Blue Anchor Line, and was on a voyage from Australia to Capetown. In addition to her cargo she had 92 passengers and 119 crew. She left Durban on July 26, 1909, bound for Capetown; she was spoken the following day, and had not been heard of since. The *Waratah* was a new vessel, on her second voyage, she having been built by Messrs. Barclay, Curle & Co., on the Clyde, for Messrs. Lund, the owners of the Blue Anchor Line. She was passed under the special survey of Lloyd's, and classed 100 A1, and possessed every certificate of fitness a vessel could have. She was tested by the Emigration officers before her passenger certificate was granted, and, of course, had passed the tests. Her disappearance created tremendous public consternation, and all sorts of theories were propounded regarding her loss. Allegations of a serious nature were made as to the stability of the vessel, and in other ways her seaworthiness was criticized. It was said that the insurance on her was very heavy, that she had proved top-heavy on her first voyage, and had behaved extraordinarily when at sea. At the end of her first voyage it was said that the master had threatened to leave her. In these circumstances the Board of Trade, on October 29, 1909, ordered an official inquiry in view of the gravity of the loss and of the serious allegations made as to the vessel's seaworthiness.

Mr. Gerald Steele, speaking with considerable experience of ocean travel, especially in the North Atlantic, said he was a passenger on the *Waratah* on her maiden voyage in November 1908. The weather was good as far as Capetown, and after leaving there they had cross seas all the time, but the weather was not very bad.

Mr. Laing: How did she behave?

Witness: She appeared to me to be top-heavy. She did

not roll comfortably. She would get down on either side and hang there before she recovered. There was nothing else that I noticed excepting that she did not give one a feeling of confidence. I came to this conclusion from opinions which I formed myself and also from the talk on board among the passengers.

Did you mention the matter to any of the officers?—I mentioned to the chief officer, Mr. Owen, that I thought she was top-heavy, but he did not make any comment. I left the *Waratah* at Sydney, and I was very glad to get off her. I should not have gone back on her.

Mr. Leslie Scott: Are you the person who started the talk on the ship about her being top-heavy?—I do not think so.

Did you attach any particular importance to the view that she was top-heavy? Were you alarmed?—I cannot say that I was alarmed, but she did not give me a feeling of comfort, in the way I have described. She got down and hung, and did not recover herself for a second or two.

Does not every ship stop at the end of her roll a second or two before she returns?—In my experience not so long as the *Waratah*.

Was it a quick roll?—No, a slow roll.

When you spoke to the chief officer about the ship being top-heavy he treated you with silent contempt, and did not say anything?—He said definitely that he did not agree with me.

He treated you as a somewhat foolish busybody passenger?—No; he said, 'I do not agree with you at all.'

Mr. Bucknill remarked that Mr. Owen was the chief officer who had told his friend, Mr. Crossley, in Melbourne, that the ship was top-heavy, so that he seemed to have paid some attention to these 'foolish remarks'. (To the witness)—When you said to him that you thought the ship was top-heavy, if he had replied, 'Yes, I think so too,' would it not have been calculated to cause something like a panic on board?

Witness: I do not think that I should have repeated it.

Mr. Bucknill: You would hardly expect him to tell you that he agreed with you. You say that you noticed the rolling particularly after you left Capetown.

Witness: Yes, she rolled continually after leaving Capetown. The fiddles were on the tables the whole way. They were never taken off the tables during a single meal.

Mr. F. W. Lund, a member of the firm of W. Lund & Sons, managers of the Blue Anchor Line, was the next witness. He said that their last new ship before the *Waratah* was the *Geelong*, and both were built by Messrs. Barclay, Curle & Co.,

of Glasgow. Captain Ilbery was captain of the *Geelong*, but when the *Waratah* was completed he was transferred to her. As the result of experience gained in transporting troops during the South African War, and in carrying emigrants, they thought that the spar deck could be used for various purposes, such as carrying cargo or coal, and they asked the builders to construct her so that she could go to sea with only her water ballast tanks filled and her permanent coal supply, but being informed that this was impossible, they asked that her stability should be greater than that of the *Geelong*.

Mr. Laing: Why did you want the *Waratah* to be of greater stability if you were satisfied with the *Geelong*?—Because we wanted a stiffer ship. We wanted to be able to move her about more freely when light in dock, where often there is not much room for moving steamers. Witness, continuing, stated that when the *Waratah* was completed his firm was satisfied that with water ballast and permanent coal supply only, but without bunker coal or cargo on the top of the spar deck she had greater stability than the *Geelong*. He was not aware of the fact that Mr. Barrie, chief of the scientific construction department of Messrs. Barclay, Curle & Co., had stated before the *Waratah* started on her maiden voyage that not only could she not go to sea under permanent coal and water ballast, but that she could not go to sea safely with 1,200 tons of ballast. He came round with the *Waratah* to London with water ballast and a large quantity of coal. Off Dungeness it blew so hard that they were delayed an hour or an hour and a half, but the ship behaved very well indeed; so much so that it was matter of remark on the bridge how handy she was. She rolled very little, and her stability was good.

Mr. Laing: Did she fall over or go over so as to frighten you?—Not in the least.

It has been suggested that while coming round to London one of the officers was frightened by her taking a big roll?—I never heard of it.

Did Captain Ilbery, in his letters, say anything at all about the behaviour of the ship or how she got on on her first voyage?—No.

Did he not make any reports, good, bad, or indifferent, about the behaviour of the *Waratah*?—None at all. Continuing, he said that he never instructed Captain Ilbery to push the ship in order to make a quick run home, and it was no unusual occurrence for a vessel to be one day ahead of her schedule time. They had not kept back any of the communications that they had received from Captain Ilbery.

Mr. Laing: On Captain Ilbery's return after the first

voyage of the *Waratah*, did he make any report to you verbally about her?—Yes; he said she was satisfactory in every way, and an easy ship in a heavy sea.

Now I want you to be very careful about this. Did he say anything about her stability?—Yes; he said that when she was in a light condition she might not be so stiff as the *Geelong*, but he did not express any wish that she should be altered in any shape or form.

Did he ever say that the *Waratah* was not as stable at sea as the *Geelong*?—Never.

Is it true that the vessel was built as an experiment?—No.

Did Captain Ilbery, on his return from the first voyage, say that he would leave her unless the boat deck was removed?—No.

In answer to further questions, witness said he did hear a report that on the first voyage there had been fire in the bunkers, which were filled with Scotch coal. That was a quite unusual occurrence.

Mr. Laing: Did you ever have any complaint from Mr. Owen, the chief officer, about the *Waratah* at the end of the first voyage?—No.

Did all the officers except one, who was promoted, and all the engineers but two go in her on the second voyage?—They did.

At this stage Mr. Lund's evidence was broken off in order to allow other witnesses to be called.

EXERCISE XX

MINUTES OF EVIDENCE TAKEN BY THE SELECT COMMITTEE ON REGISTRATION OF NURSES¹

Thursday, May 25, 1905.

MEMBERS PRESENT:

Major Kenneth Balfour.	Lord Morpeth.
Mr. Charles Douglas.	Mr. Pierpoint.
Mr. Charles Hobhouse.	Sir John Stirling-Maxwell.
Dr. Hutchinson.	Mr. Tennant.
Mr. Mount.	Sir John Batty Tuke.
	Mr. Tennant in the chair.

Dr. Edwin Hyla Greves called; and examined.

Chairman.

[Extract.]

You are a doctor in general practice?—Yes.

At Bournemouth?—Yes.

¹ Paper set in Civil Service Examination for junior appointments in the Admiralty, December 1910. Time allowed, 2 hours.

You have seen the evidence given before this Committee?—Some of it.

Have you been present in the room before?—No, I have not.

Have you carefully considered the question of the registration of nurses?—I have done so.

For many years?—Yes, for many years.

Will you tell the Committee what your views on the subject are?—The result of my experience, which dates back twenty-five years, five of which I spent in Liverpool, connected with the various hospitals there, and twenty years in Bournemouth, has convinced me of the necessity of State registration of nurses.

And you say that from the point of view of a doctor?—From the point of view of a doctor in practice.

Desirous of getting more efficient nurses or having some guarantee of their efficiency?—Yes, certainly; the necessity of having some guarantee that when you send for a nurse she shall, at any rate, have had a competent training, such as she would get under proper conditions, say, in a three years' course.

Do you say it would improve the status of the nurses?—In my opinion it would most certainly do so.

Have you considered the question of the methods of registration and examination for registration?—I think the thing could be comparatively simply worked by a Central Committee or Council, who would carry out the registration and who would supervise and direct what form of examination should be taken.

Have you considered the finance of the subject?—I have not devoted special attention to the finance, but my opinion is, that it ought not to be a costly process.

Would two guineas be a sufficient fee?—In all probability, I think it would be sufficient. It might perhaps have to be helped by a grant. I do not feel competent to speak on that point, because it is a point I have not gone fully into, but my opinion is that two guineas ought to be sufficient.

In your judgement, would two guineas be as much as a nurse would be able to afford?—I do not think that would be any hardship.

Would you consider three guineas a hardship?—I do not think I should go beyond three guineas. From two to three guineas, in my opinion, would not constitute a hardship to the average nurse.

What do you say about the nurses in rural districts, engaged in nursing the sick poor who do not necessarily suffer—I mean

the majority of the cases being simple cases, non-interesting cases?—Personally I have not had great experience with that class of practice, but my opinion is that those district nurses who have charge of cases of that kind necessarily have a good deal of responsibility thrown upon them, because their patients are not so closely supervised, of course, as patients in a better rank of life are. Therefore, in my opinion, it is very necessary that the nurses who are in this position should be efficiently trained nurses.

Having more responsibility you think they ought to have as good, if not a better qualification?—I consider so.

Then do you consider it would be financially possible to get highly-skilled and highly-trained nurses for such cases?—I should think so, because a large number of these nurses, I take it, are provided really through charitable donations.

You think the charity might be able to meet that necessity?—I think so.

Would you say there is anything peculiar in the conditions of Bournemouth as a town which is different from other places in England?—In this way, that in a health resort like Bournemouth we have a large number of sick people sent there from all parts of the kingdom, many of them bringing nurses with them, and therefore it is rather a cosmopolitan place from that point of view. Some of the nurses that have come down with patients take rather a fancy to the place; they think it is a nice place, and a certain number of them every year start, you may say, on their own account. Call them free lances if you like, but they do start as private nurses on their own account, sometimes for matters of health, sometimes from inclination, and, therefore, we have rather a cosmopolitan set of nurses.

You have not only these nurses working on their own account, but Miss Forrest's nurses, and two or three different institutions?—Two or three different institutions.

From which you can draw your supply?—From which we can draw our supply.

I do not want to traverse the whole ground; you can understand we have been over this pretty often?—Yes.

I would rather like to ask you if you have any special point on which you wish to lay emphasis?—The special point on which I wish to lay emphasis is the great discrepancy I find there is in the amount of training which these various nurses who come from different places have received.

When you say the different amount of training, do you mean not only in quality but in quantity?—Quality and quantity.

What would your idea of a sufficient minimum in time be?—I do not think it is possible that a nurse can be sufficiently trained for all-round work in less than three years' consecutive training.

And even though you might have a very sharp and clever woman, with such great opportunities as are given at St. Thomas's Hospital or the London Hospital, you think there might be a certain danger in giving her a shorter training than the three years you mention?—Yes, just in the same way that there would be the same danger in giving less training to a medical man who happened to be endowed with a rather sharper faculty than his fellow students. I would insist that he should have the same length of training.

Do you mean this, that although there might not be danger in the individual case of the sharp person, there might remain great danger in other cases?—I do.

That is an interesting point. Is there any other point on which you would like to lay stress?—I may say, last winter we held a public meeting in Bournemouth, which was largely attended. There was a considerable number of medical men there, and nurses, matrons of various institutions, and a very considerable section of the public. I was in the chair on that occasion. The meeting, I may say, was held in favour of State registration.

It was called in that behalf?—Yes. I particularly requested the meeting for an expression of opinion against it, and a resolution was passed unanimously in favour of State registration, without any dissentient voice.

And would you say that it is particularly felt in Bournemouth, both by the nurses and the doctors, that something should be done in this direction?—Yes. All those to whom I have spoken, and I have spoken to a large number, are in favour of State registration.

Mr. Pierpoint.

You say 'we' called a meeting; who were 'we'?—I did not say 'we'. I say, a meeting was called. I believe the meeting was organized largely by matrons of different nursing institutions.

But it was a meeting called *ad hoc*: called for a particular purpose?—Yes.

Would two guineas be enough, do you think?—As I said before, I scarcely feel competent to speak on that point; but that was my idea. From two to three guineas, I should think, would be probably enough to cover the expenses of registra-

tion. I do not know whether that would quite cover the cost of examination, but I do not think, at any rate, it would necessitate any large addition to the sum that would be received.

And where would you get the addition?—That being, in my opinion, an enormous benefit to the public, I should think the State might be asked for a grant.

That is what I thought. Would you exclude from nursing nurses who are not registered?—Do you mean, would I legally exclude them?

Yes?—No, I would not. I do not think one would be justified, at any rate, in the present state of things, in taking legal proceedings against a woman for practising as a nurse, unless she called herself a registered nurse, supposing State registration is accomplished.

Are there convalescent homes and hospitals at Bournemouth?—Yes.

What do the nurses get paid there?—I dare say that varies according to the different homes, but, roughly speaking, as far as I know, I should suppose a nurse's salary there would be somewhere about £30 a year. That, I know, is the salary they receive at some of the institutions.

Do you think, if you had registration of nurses, they would want more pay, or less pay, or the same pay?—I do not think it would necessarily increase.

Mr. Charles Douglas.

I suppose at Bournemouth you have considerable experience of nursing institutions?—I have considerable experience of nurses derived from the various institutions.

That is what I mean. You are aware that the suggestion has been made to the Committee that instead of registering nurses you might register these institutions through which they are employed?—I cannot see any particular use in that.

You are aware that suggestion has been made?—Yes.

Have you anything to say about that?—I do not think to register the institution would at all meet the case for which we are contending. I say what we aim at is the registration of the individual.

You would not regard the registration of institutions as at all a substitute for the registration of nurses?—No, I would not.

You do not think that would be any good?—No.

You have no opinion of the value of the institution unless

it previously involved the registration of the nurse employed at the institution?—Yes, that is my opinion.

On the question of the training of nurses, would you think it practicable to recognize work done by district nurses under proper supervision, that is to say, over a considerable time, as a possible substitute for, say, the first of three years' work in a hospital?—No, my opinion is against that.

You attach no importance to any training except in a hospital?—I do not.

Dr. Hutchinson.

You are strongly in favour of registration of nurses?—I am.

In order to protect the public from incompetent nurses?—Yes.

Have you had much experience that you have had many nurses that have been incompetent from these institutions?—I have; both from institutions, and perhaps more particularly from nurses who have been what you may call free lances, or nurses on their own responsibility.

How do you engage a nurse who is on her own responsibility? What inquiries do you make?—One asks them necessarily what training they have had. You ask them for some certificates or testimonials, and I am bound to say that on several occasions afterwards, although the testimonials appeared to be satisfactory, I have had very considerable doubts in my own mind whether they were genuine, because I found, I may say, one or two cases of gross imposture; a nurse was absolutely incompetent, although her testimonials appeared to show she was competent. I need scarcely say one does not employ an outside nurse, as a rule, unless one does know something about her, but occasionally, under pressure of circumstances, all the institution nurses may be engaged, and one is driven to employ an outside nurse.

An epidemic of influenza or something of that sort?—Yes, and one is driven to employ an outside nurse. But I have met with one or two such lamentable examples, that now I may say I never do so unless I do know something about whom I am employing, from previous experience of her.

Supposing you get hold of a nurse of that sort, an absolutely inefficient nurse, it would be soon known in Bournemouth that this woman was inefficient, and she would have some difficulty, after having been dismissed by you, in getting another berth, would not she?—That would entirely depend upon what trouble I took to make it known throughout the profession.

It would be soon known ; she would be asked whether she had been nursing So-and-so in the town ?—Yes, in the process of time.

Therefore she would lose her business ?—In process of time, but she might do a considerable amount of harm in the interval.

With regard to registration, do you want to make it voluntary or compulsory ?—I should make it compulsory.

Should you have a one-portal system ?—Yes.

Only a one-portal system ?—Only a one-portal system.

You say you have not had much experience of country nursing ?—No, I have not.

We had a witness here the last time we sat who gave us a very interesting description of country nursing, and from her experience she finds it would be impossible to get the woman who had had a three years' hospital training to undertake country nursing. How would you meet that with the one-portal system ?—Personally, with all respect, I do not admit there would be the difficulty.

But of course we have had the evidence of practical people that there would be the difficulty. With all respect, I would say you are not a practical person on this subject, but the difficulty they say is, you know what a nurse has to do in the country, she has not only to nurse, but to make herself generally useful in the cottage, and you cannot get a highly trained nurse to undertake that sort of work, can you ?—No, but even supposing you have State registration of nurses, I still think there is room for, perhaps, a very considerable number of less highly trained nurses who would be competent to deal with cases where no very great skill is required. But I wish to emphasize the danger I feel in putting the nurse in the position of a district nurse with very considerable power in her hands.

You understand she is under a Committee ; she is pretty well supervised. Everything done by a nurse is known by the Committee who employs and pays her ?—It is, but I think it would be still better if she were herself under the control of a Committee appointed by the State.

Put yourself in the position for one moment of a country doctor practising in a hamlet. Supposing you had a highly-trained nurse paid for by eleemosynary subscription, do you think you would welcome that sort of thing if you were a medical man practising in these hamlets ?—Yes, emphatically.

You do not think it would interfere with your work ?—No.

You do not think she would take cases on her own account, and your income would be decreased?—No, I think not.

You think there is no fear of that at all?—I think certainly not.

Then you would not admit these country nurses to be nurses at all?—I would not prohibit nurses who are not registered by the State bye-law from practising, but I would make it perfectly clear that the public, if they employed one of these nurses, should know that they were employing some one who has not registered, and therefore did not come up to the standard which we think is necessary.

That would do away with the compulsory registration, do not you see? How do you put those two things together? In the first place, you are going compulsorily to register a nurse, and then you are going to let a woman practise as a nurse without registration?—What I think is this: I would not prohibit by law, I would not make it penal for a person, for instance—

Then you would make it voluntary. You see you are on the horns of a dilemma.

Chairman.

I think it is only a question of what the witness understood by voluntary and compulsory.

Sir John Stirling-Maxwell.

Mr. Chairman, personally, if I may say so, I regard this as a matter of very considerable interest.

Chairman.

Enormous interest, I agree.

Dr. Hutchinson.

I am not wishing to advocate one side or the other. I am merely wishing to get the benefit of your opinion on these points, and we have this suggestion before us. Some people are in favour of voluntary registration, and some people are in favour of compulsory registration. Some witnesses have gone so far as to make it penal for a nurse to practise who is not registered. So we want to get your opinion as to whether you think compulsory or voluntary registration is what you are advocating, taking into consideration the difficulties in the country districts. That is the point on which I want you to give us your opinion?—I should certainly say that I should vote for compulsory registration.

Making it penal, that means. You quite understand what

compulsory registration means. It means it would make it penal for any woman to practise as a nurse unless she was registered.

Chairman.

For gain.

Dr. Hutchinson.

For gain, of course. It would make it a criminal offence?—Does it necessarily involve that?

That means compulsory, of course. You see that is the difficulty with regard to these registrations?—Rather than let the present system continue, if that were the case, I should certainly pronounce in favour of compulsory registration.

Then I may take it that you are in favour of compulsory registration, making it penal for any woman to practise as a nurse for gain if she is not registered?—Yes, if that necessarily follows. The danger, in my opinion, is so great that one must.

Now let us take a country district, and see how you would work it out. In a country district a girl is taken from her home and is educated at the expense of the Committee?—Yes.

And she is sent for only a year's training to one of these institutions which are for that purpose. Would you strike out all that work?—Yes, I would.

You would make that woman subject to a penalty?—I would insist if she does take work, she should be efficiently trained, because I think otherwise, under the circumstances in which she practises, she is a source of danger.

And if the Committee could not afford to pay a highly-trained nurse, you would rather see the poor of that district go without a nurse at all?—I do not think that necessarily follows.

If it makes it penal for the woman, it must follow?—Well, as I say, I have not great experience in country districts, but personally, I do not believe there would be any difficulty.

You are advocating a strong measure. You have advocated it at a public meeting, therefore I ask you to explain to us how it is going to work?—I believe that the supply of nurses would be found.

By whom, Providence?—They are provided now largely by charity.

Yes, and it is a great strain upon the charity to provide the class of nurse that they do. Are you going to make it more difficult for these poor people to be nursed, or are you not? That is the question?—Personally I cannot see that it

would add so greatly to the difficulties for the reasons I have stated. The same organizations that provide for the charitable nurses now would continue to do so.

Sir John Stirling-Maxwell.

I should like to ask you this on that point. You say the same charities would provide the nurses as they do at the present moment?—I can see no reason why they should not.

Are you aware that the nurses provided by these charitable institutions are paid a good deal less than the highly-trained nurse?—No, I was not aware of that.

And you would see therefore that the strain upon charitable resources would be very considerably increased if they had to provide the more highly-trained nurse?—Is there a great amount of difference in the amount paid to the nurses?

I understand it is about double. I do not want to entrap you in any way, I merely want to get an expression?—Personally, I do not think it would prevent the poor from receiving a supply of nurses.

Sir John Batty Tuke.

My honourable friend has rather driven you, as he says, on to the horns of a dilemma. Would a system by which there was a registration of two classes of nurses—

Dr. Hutchinson.

He says he is in favour of the one-portal system?—When I say the one-portal system, I mean one examination.

Sir John Batty Tuke.

You would have a second class of nurse who is not of the same quality as the highly-trained nurse?—I think that would be introducing an element of confusion which would be undesirable.

Sir John Stirling-Maxwell.

What form should the examination take?—As practical a form as possible.

And whom should it be set by?—By examiners appointed by the Council, or a Committee appointed by the State.

What should that central committee consist of?—It should consist, in my opinion, of a certain number of medical men, and should consist of a certain number of matrons of the largest hospitals and training schools, and I should suggest that two or three members should be appointed, say, by the Privy Council.

What proportion should each of those elements bear to

the other?—That is a point which I have not given any great amount of thought to. I think there ought to be a large number of those who are responsible for the training of nurses in hospitals and institutions, and I think there ought, too, to be a large proportion of medical men. I think the professional element, both from the point of view of doctors and matrons and nurses, should be in excess of the lay.

Although the whole of this movement is started for the protection of the public?—Yes; I think that these people would safeguard the interests of the public.

Chairman.

The witness did not say that to start with.

Sir John Stirling-Maxwell.

I suggested this movement. I will ask this question. What is the object of the State registration of nurses?—The object is to improve the education of nurses, and to bring them up to a different standard.

There is no other object?—It naturally follows that if you do that it is also to protect the public, and also to protect the medical profession themselves from employing inferior nurses.

Then may I take it your view of this proposal is, first of all, the raising of the status of the nurses, and secondly the protection of the public?—(No answer.)

Sir John Stirling-Maxwell.

I do not want any more.

Chairman.

Just to develop a little more what my honourable friend was asking you, the reason I ventured to interpose was because I understood you to say to me that you regarded the registration of nurses as important from the point of view of the doctors?—I do, emphatically.

That was the sole cause. I did not mean to say you did not view the protection of the public as one of the objects to be aimed at, but there were three objects in your view, as I understood from your examination in chief. That was the only reason I ventured to interpose.

Sir John Stirling-Maxwell.

But I must point out to you, Mr. Chairman, that the witness has, I will not say refused, but has not told us in what order of importance he assigns the objects of this movement. He ought to have an opinion as he is here as a witness?—I say

emphatically that as a professional man I regard as of the first importance that I shall have a properly trained nurse when I send for one.

Chairman.

You put that as the first in importance?—Yes.

Chairman.

I think that is an answer to your question.

Sir John Stirling-Maxwell.

Perfectly an answer.

Chairman.

I think you also stated to me that you had not much experience of the country?—No, I have not.

There is nothing else you would like to say, is there?—No.

The witness withdrew.

EXERCISE XXI

CORRESPONDENCE RELATING TO THE FLOGGING OF NATIVES BY CERTAIN EUROPEANS AT NAIROBI.¹

No. 1

Daily Mail, March 15, 1907

NATIVE PERIL IN EAST AFRICA
RIFLES SERVED OUT TO THE WHITES AT NAIROBI
(From Our Own Correspondent.)

Nairobi, Thursday, March 14.

In consequence of their having insulted white women and gone unpunished by the authorities, three negroes have been publicly flogged in front of Nairobi Court House, in the presence of a large crowd, by Captain Grogan, president of the Colonists' Association.

(From Our Own Correspondent.)

Mombasa, Thursday, March 14.

Owing to sudden unrest among the natives at Nairobi, the citizens have demanded ammunition and rifles. The Acting

¹ Exercise set in Military Entrance Examination held in December 1911. The time allowed was 1½ hours, and the Précis was to consist of 200-300 words.

Commissioner has agreed to issue them, and has appointed a defence committee.

The climax has been reached, it is considered, owing to the Government's refusal to appoint white police some time ago.

Nairobi has a population of about 8,000, of whom 600 are Europeans and Eurasians. The East Africa Protectorate has a total population of 4,000,000, of whom only 2,000 are European or Eurasian.

White police are to be introduced in Nairobi on April 1, but the Colonists have been agitating for their immediate appointment for some months past.

No. 2

The Secretary of State to the Acting Commissioner.

(Sent 1.15 p.m., March 15, 1907.)

Telegram.

[Answered by No. 3.]

March 15. According to telegrams from Nairobi appearing in *Daily Mail*, three negroes, not having been punished by authorities for insult to white women, have been flogged by Grogan in front of Court House, and defence committee has been formed and you have agreed to issue arms to settlers.

Report fully on the matter by telegram.—ELGIN.

No. 3

The Acting Commissioner to the Secretary of State.

(Received 5.25 p.m., March 16, 1907.)

Telegram.

[Answered by No. 4.]

No. 36. With reference to your telegram of March 15,¹ there is absolutely no foundation for report of native rising.

On Thursday morning Grogan, Russell, Bowker, and another flogged three Kikuyu natives in front of the Court House, having collected upwards of 100 Europeans, of whom many were armed, as supporters and witnesses. They disregarded attempted intervention by European police officer and magistrate. Natives were alleged to have insulted two European ladies whom they were pulling in rickshaw. Details very vague, but insult was apparently not of a serious nature, and at most did not amount to more than rudeness and disobedience. Culprits were not taken to the police, but were taken down to the town and treated as arrested. Flogging was

¹ No. 2.

carried out in a most brutal manner. Majority of spectators were led by ringleaders to believe that the insults offered to the ladies had been of a gross nature.

Immediately after the flogging Grogan and a so-called committee of about thirty persons made their way to my office and formally gave me his version of the occurrence, of which I was previously in complete ignorance, and asserted that Europeans of Nairobi were much alarmed at the prospect of a native rising, and that their excitement could be allayed only by means of self-protection being given to them by the Government.

In order to calm these excited and hysterical people and avert what might have led to a serious fracas in the town, I consented to a loan of ammunition being made on certain conditions to persons whose isolated position rendered them in their own opinion insecure. At the same time I pointed out that the Government did not share their apprehension, and was, in fact, convinced that there was no foundation for the idea of a native rising. I have published a Notice to the effect in to-day's *Gazette*. Up to the present only one man has applied for any ammunition.

I regard the whole incident as deliberately engineered and planned by Grogan, Burn, Fichat, Low, and others with a view to bringing the Administration, and more particularly the Judicial and Police Departments, into contempt, and I consider the matter serious in view of the fact that all our available forces are native, and cannot be used against this gang of European lawbreakers. I would urge the immediate appointment of the European police force asked for in the Estimates, if sanction has been given.

I have made careful inquiries, and am convinced that there is absolutely no feeling of unrest among the natives. They are perfectly quiet at present. Whether they will remain so if incidents like that of Thursday are repeated is another matter, but personally I am of opinion that it would take a great deal to rouse them.—JACKSON.

No. 4

The Secretary of State to the Acting Commissioner.
(Sent 6.40 p.m., March 18, 1907.)

Telegram.

March 18. I have received the news contained in your telegram, No. 36,¹ with regret. I presume that legal proceedings have been taken against ringleaders.

¹ No. 3.

A reduction from thirty to twenty has been made in the strength of the European Police Force in the Estimates. Twenty may be appointed at once.

Will the force which you will then have be sufficient to bring the ringleaders to justice?—ELGIN.

No. 5

The Acting Commissioner to the Secretary of State.—(Received at 8.20 p.m., March 19, 1907.)

Telegram.

No. 39. I hope to be able to engage twenty constables as sanctioned in your telegram of to-day.¹

Summonses have been issued against Grogan, Bowker, Bennett, Fichat, Burn, Low, and others for holding an unlawful meeting, and Grogan and Bowker will be charged with resisting the police. Case will be heard March 25. If committed to Sessions they will be tried about April 5, on which day flagship arrives.

I am considering the question of selecting Mombasa as the place of trial, as it may be impossible to obtain an unbiassed jury here. Should accused refuse to proceed to Mombasa, I shall attempt to raise force of special constables. I have warned Admiral that I may require assistance. May I detain ship of war if necessary?

It is stated that over 100 settlers have sworn to release Grogan if he is sentenced to imprisonment.

Natives report slight unrest in Kikuyu due to Grogan's action and to rumoured threat which has reached them that the white men intend to kill them.—JACKSON.

No. 6

The Acting Commissioner to the Secretary of State.—(Received 2.32 p.m., April 19, 1907.)

Telegram.

No. 58. My telegram, No. 36, of March 16.² Considerable capital is being made by the local Press and the Colonists' Association out of the statement made by Your Lordship in the House of Lords that many of the participators in the flogging incident were armed, because this was not proved at the trial.

Reports received at the time justified the statement in my telegram. As, however, evidence could only be procured

¹ No. 4.

² No. 3.

against Bowker and Grogan, the charges under the 144th Section of the Indian Penal Code were not proceeded with.—
JACKSON.

No. 7

The Acting Commissioner to the Secretary of State.—(Received
2.44 p.m., April 23, 1907.)

Telegram.

No. 62. Have been asked to forward following. Charges in connexion with transmission have been paid :—

Colonists' Association of British East Africa contends that Local Administration turned flogging incident into most unscrupulous political prosecution. Your Lordship's statement in House Lords of April 11, as reported referring to a hundred Europeans, many of whom were armed, an unwitting but gross libel on this community at large, and we request that Board of Inquiry be appointed from home to inquire into this and other pressing grievances.

JACKSON.

No. 8

The Acting Commissioner to the Secretary of State.—(Received
April 30, 1907.)

[Answered by No. 11.]

My Lord, *Commissioner's Office, Nairobi, April 9, 1907.*

I have the honour to transmit herewith a copy of the file of evidence¹ and judgement in the case of *The Crown versus Grogan and others*, which terminated on the 2nd instant.

2. The sentences were quietly received, and the prisoners offered no resistance. Later in the day, however, a mass meeting was held, and telegrams were in consequence dispatched to Your Lordship and to the Premiers of the various South African Colonies.

3. A deputation also waited upon me to ask that the prisoners might be incarcerated in a place where their disgrace might not be witnessed by native convicts.

4. In view of the fact that the gaol has been medically condemned as insanitary for Europeans, and is, besides, very ill fitted for their accommodation, I acceded to the request of the deputation, and ordered the transfer of the prisoners to a building on Nairobi Hill, where they are confined under the surveillance of the police.

¹ Not printed.

5. I was somewhat reluctant to do this, as the moral effect would, I consider, have been greater if the sentence had been carried out in the regular prison, but, having regard to the strictures passed on the Mombasa gaol in the Wehner case, I thought it better not to give any opportunity for adverse criticism. I trust, however, that ere long we shall have a building in which malefactors of every kind can be confined, irrespective of race and colour.

6. The sentences, which in view of the gravity of the offences committed, cannot be reasonably regarded as other than lenient, have, nevertheless, provoked a considerable amount of vituperation in the local press, as an instance of which I have the honour to enclose a copy of the *Times of East Africa* of the 6th instant.¹ Such expressions of opinion are only to be expected from the persons who are known to be the authors of them.

7. The trial and its result have, as far as I am aware, produced no effect whatever on the native mind, which is far too unintelligent and ignorant to take any interest in such proceedings, unless their scope and meaning were very carefully explained.

8. It is at any rate certain that the knowledge that they can only be punished in accordance with law is unlikely to have a disquieting effect on the Kikuyu. If they were led to understand that they could be flogged by Europeans whenever the latter thought fit, it certainly might disturb their tranquillity.

I have, &c.

F. J. JACKSON,

Acting Commissioner.

Enclosure in No. 8

JUDGEMENT. (Extract.)

April 2, 1907.

In this case the accused, Grogan, Bowker, Gray, Fichat, and Low, are summoned for being members of an unlawful assembly.

I sentence Fichat to 14 days' and Low to 7 days' simple imprisonment.

With regard to the accused, Bowker and Gray . . .

I convict them both, and sentence each to 14 days' simple imprisonment, and (each) to pay a fine of Rs. 250, in default

¹ Not printed.

14 days' simple imprisonment additional. The worse case of all is that of E. S. Grogan, who originated the whole affair.

The order of this Court is that he be imprisoned for one month simple imprisonment, and pay a fine of Rs. 500, in default one month simple imprisonment additional.

H. O. DOLBEY.

No. 9

The Secretary of State to the Acting Commissioner.

(Sent 10.20 a.m., May 1, 1907.)

Telegram.

[Answered by No. 10.]

Referring to your dispatch, April 9,¹ did natives receive serious injuries? What was exact nature of insult for which they were flogged?—ELGIN.

No. 10

The Acting Commissioner to the Secretary of State.

(Received 3.10 p.m., May 3, 1907.)

Telegram.

No. 68. Your Lordship's telegram of May 1,² Medical officer certifies that two of the natives received simple hurt and one severe hurt nearly amounting to grievous hurt. Last mentioned was in hospital considerable period.

Exact nature of insult, according to statement of Miss Macdonell, one of two ladies said to have been insulted, was impertinence and shaking shafts of rickshaw.—JACKSON.

No. 11

The Secretary of State to the Governor.

Sir,

Downing Street, June 18, 1907.

I have the honour to acknowledge the receipt of Mr. Jackson's dispatch of April 9,¹ forwarding a report of the trial and conviction of Captain Grogan and Messrs. Bowker, Gray, Fichat, and Low, on charges arising out of the flogging of natives in Nairobi on March 14. I have also received Mr. Jackson's telegram of April 23,³ transmitting a message from the Colonists' Association complaining of the action of the local administration, and of a statement reported to have been made by me

¹ No. 8.

² No. 9.

³ No. 7.

in the House of Lords, and asking that a Commission might be appointed to inquire into these and other alleged grievances.

2. The report shows that the offenders had a fair and full trial, and that there was little dispute as to the facts. The contention of the defendants—with the exception of Low, who claimed that he was a mere spectator—was that the flogging was justified because the natives had been guilty of insulting white women; e. g. the defendant Bowker expressed himself as follows:—‘As it has always been the first principle with me to flog a nigger on sight who insults a white woman, I felt it my bounden duty to take the step I did, and that in a public place as a warning to the natives.’

3. I fully appreciate the importance attached by the white settlers to the protection of their wives and families from insult or assault. But I have to point out that the law provides most severe penalties for such offences. Under the 376th section of the Indian Penal Code, which is in force in the Protectorate, the crime of rape is punishable with transportation for life; under the 354th section, indecent assault is punishable with two years’ hard labour; and under the 509th section an insult to the modesty of a woman, not amounting to assault, renders the offender liable to one year’s imprisonment.

4. Natives charged with such offences would be tried by white magistrates and judges, who would not be inclined to be unduly lenient to offenders, particularly if the injured party were a white woman. But, as a matter of fact, it does not appear that any crimes of this nature have been brought before the Courts of the Protectorate, and it is accordingly impossible to plead delay or refusal of justice as a justification for the action of the defendants in the present case in taking the law into their own hands. Moreover, it appears from your telegram of the 3rd instant,¹ that the insult alleged was of the most trivial character, and involved no indecency.

5. The place and the circumstances of the flogging—in front of the Court House, and in spite of the protest of the Magistrate—make it clear that it was intended to be a deliberate defiance of settled order and government, and the offenders were fortunate in not being convicted on the more serious charges of riot and assault on a public officer. The conduct of the defendant Fichat, who appears from the evidence to have deliberately spread a report that white women had been indecently assaulted, well knowing it to be false, cannot be too strongly reprobated. No doubt many persons were thus

¹ No. 10.

led to take part in the assembly who would not have done so if the true facts had been known to them.

6. With regard to the telegraphic message¹ from the Colonists' Association, I see no ground for saying that the prosecution of the offenders in this case was a political one, unless there is a party in Nairobi which advocates as a policy the indiscriminate flogging of natives for trivial offences without trial; and the question whether many of the Europeans present at the flogging were armed or not does not materially affect the gravity of the offence committed. I see no reason, therefore, for appointing a Commission to inquire into the circumstances of the flogging, which are in other respects sufficiently established by the evidence given at the trial.

7. The fears of a native rising which induced some of those who took part in the flogging to demand arms and ammunition for their protection do not appear to have had any foundation. I am bound to observe, however, that the commission of such flagrant acts of lawlessness and injustice as those of which the defendants in this case have been found guilty is the surest way to provoke an outbreak. In the interests not only of the natives (constituting as they do an immense majority of the population) but also of the innocent white inhabitants, it is the duty of the Government to restrain and punish those who commit such acts, and you will be able, if necessary, to make use of the provisions of the East Africa Order in Council, 1902, which authorize the deportation of any person who conducts himself so as to be dangerous to peace and good order in East Africa.

I have, &c.
ELGIN.

EXERCISE XXII

CORRESPONDENCE RELATING TO THE GARRISONS OF HALIFAX AND ESQUIMALT²

No. 1

Governor-General Earl Grey to Mr. Lyttelton (Secretary of State for the Colonies).—(Received February 1, 1905.)

Sir, *Government House, Ottawa, January 20, 1905.*

I have the honour to forward herewith, for the consideration of His Majesty's Government, a copy of an approved Minute of the Privy Council formally renewing the offer made

¹ No. 7.

² Paper set in the Royal Society of Arts Examinations (Stage II) in March 1909. Time allowed (with Index), 3 hours.

on behalf of this Government at the Colonial Conference held in London in 1902, to assume the responsibility for the garrisoning of Halifax and Esquimalt.

You will observe that Ministers express their readiness and their intention to avail themselves of the advice and experience of Imperial Officers in military matters, so far as may be consistent with the principle of local self-government.

I have, &c.
GREY.

Enclosure in No. 1

Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency the Governor-General, January 20, 1905.

The Committee of the Privy Council have had under consideration the subject of defence.

It will be within the recollection of Your Excellency that, at the Colonial Conference held in London in the year 1902, the suggestion was made by the First Lord of the Admiralty and the Secretary of State for War that the various Colonial Governments should contribute some portion of the cost of maintenance of the Imperial Army and Navy. The Canadian Ministers present, for reasons set forth in a memorandum printed in the Report of the Conference, expressed their inability to concur in this suggestion. They, at the same time, acknowledged the propriety of the Dominion, as it advanced in population and wealth, making more liberal provision for the purposes of self-defence, and they stated verbally the willingness of the Government of Canada to assume the responsibility of garrisoning Halifax and Esquimalt, and to this extent relieving the Imperial Government of the cost of protecting the Dominion. They now deem it expedient to renew this offer in a more formal and precise manner.

In the event of the above suggestion being now favourably entertained by the Imperial authorities, Your Excellency's advisers would be prepared to ask the sanction of the Parliament of Canada to the same, and this sanction being obtained, to proceed with the necessary preparations to assume the whole of the garrisoning of Halifax and Esquimalt with troops levied and paid under the authority of the Canadian Parliament.

In making this offer Your Excellency's advisers desire to renew the expression of their wish and intention to avail themselves in all military matters of the advice and experience of Imperial Officers, as far as may be consistent with the

principle of local self-government, which has proved so beneficial not only to the Colonies but to the whole Empire.

The Committee advise that a copy of this Minute, if approved, be communicated to the Right Honourable the Secretary of State for the Colonies for the information of His Majesty's Government.

JOHN J. MCGEE,
Clerk of the Privy Council.

No. 2

Mr. Lyttelton to Governor-General Earl Grey.
(Sent 2.5 p.m., February 8, 1905.)

Telegram.

His Majesty's Government highly appreciate, and gratefully accept, patriotic offer of your Ministers to take over responsibility of defence of Halifax and Esquimalt. His Majesty's Government recognize that it would be difficult for Canadian Government to replace the troops for some time, and suggest, for consideration of your Government, that arrangements might be made for retaining the Imperial troops for the present, Canada undertaking to defray the cost, which is estimated at about £200,000 per annum, exclusive of contribution already made by Dominion Government in respect to Esquimalt, the payment by Canada to be reduced in proportion as the Dominion Government is able to replace Imperial troops by Canadian troops. To enable the estimates for the coming financial year to be framed, it is essential that this arrangement should come into force at the commencement of that year on April 1, and as recruiting for garrison battalion will be stopped, Dominion Government should endeavour to meet diminution of that battalion by Canadian troops as early as possible.

No. 3

Governor-General Earl Grey to Mr. Lyttelton.
(Received March 13, 1905.)

Sir, *Government House, Ottawa, March 3, 1905.*

With reference to your telegram of the 8th ultimo,¹ conveying the acceptance by His Majesty's Government of Canada's offer to assume responsibility for the garrisoning of Halifax and Esquimalt, I have the honour to enclose herewith copy of an approved Minute of the Privy Council, proposing certain modifications in the arrangements suggested in your telegram in regard to providing for the cost of maintenance,

¹ No. 2.

and giving particulars of the procedure proposed by Ministers as most convenient to be followed in carrying out the transfer of this responsibility from the Imperial to the Canadian authorities.

You will observe that July 1 is recommended as the date when the new arrangement should come into effect.

I have, &c.

GREY.

Enclosure in No. 3

Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency the Governor-General, February 28, 1905.

The Committee of the Privy Council have had under consideration a cable dispatch of February 8, 1905, from the Right Honourable the Secretary of State for the Colonies, conveying the acceptance by the Imperial Government of the offer of Canada to assume entire responsibility for the defence of the Imperial Naval stations of Halifax and Esquimalt.

The Colonial Office dispatch suggests for consideration by Your Excellency's Government that arrangements might be made for retaining the Imperial troops for the present; Canada undertaking to defray the entire cost, estimated at about £200,000 per annum, beyond the amount already contributed by the Dominion Government in respect of Esquimalt.

The Minister of Militia and Defence to whom the said dispatch was referred, observes that while the offer by the Imperial Government of the services of the Imperial troops should, in his opinion, be cordially accepted, it would for many reasons be preferable that the cost of maintenance of these troops should be defrayed directly by Canada, and under the responsibility of Your Excellency's Government, rather than that a lump sum should be paid over to the War Office, and that Office made responsible for maintaining the troops—a course which would appear to be constitutionally open to objection.

The Minister observes that the Colonial Office dispatch further requests that the arrangement should come into force on April 1 next, i.e. at the beginning of the British Government financial year. The Minister submits that this course does not appear to him to afford sufficient time for the necessary arrangements in Canada for undertaking a new and important responsibility to be properly matured. The Minister recommends that July 1, 1905, as the beginning of the next Canadian financial year, be fixed as the date from which Canada will assume that responsibility.

The Minister recommends, as regards the manner in which the exchange of control should be made, that the Imperial Government be formally requested to allow the troops comprising the present garrisons of Halifax and Esquimalt, viz. :—

Halifax.—1 battalion of Infantry (Royal Garrison Regiment),

2 companies Royal Garrison Artillery,

2 companies Royal Engineers ;

Esquimalt.—1 company Royal Garrison Artillery,

1½ companies Royal Engineers,

together with the Staff and Departmental Details at each place, to remain until they can be replaced by Canadian troops.

The Minister states that under the conditions proposed, Canada would pay, feed, clothe, and equip these troops at exactly the same rates, under the same regulations, and in the same manner as they are now paid and maintained by the War Office, and in proportion as purely Canadian permanent troops were raised and trained sufficiently to enable them to take the place of the Imperial troops, so would the latter be withdrawn by arrangements mutually agreed upon between the Canadian Government and the War Office.

That on July 1, 1905, the command should be handed over by the present Officer Commanding the Imperial troops to the Commanding Officers of the Dominion Forces, told off for that purpose, and the Imperial Commanding Officers and Headquarters Staffs should be relieved of their duties.

The Minister further submits that it will probably be desirable that permission should be obtained to continue some portion of the present Staffs at Halifax and Esquimalt in office for such period as may mutually be agreed upon. For example, it is improbable that the Deputy Assistant Adjutant-General at Halifax, the Officer Commanding the Royal Engineers and the Royal Engineer Staff, and the Officer Commanding Royal Artillery and the Royal Artillery Staff, and the Departmental Staffs of the Army Service Corps, the Ordnance Store, Medical and Pay Departments could be at once replaced by Canadian officers.

The Minister also recommends that the War Office be asked to agree to sell Canada at Vocabulary prices, all ammunition, stores, clothing, or equipment which Canada may require to purchase for the Imperial troops who remain.

The Minister further suggests, having in view the many details which will require to be settled with the War Office, that the Home Government be requested to instruct Sir Charles Parsons, the Commanding Officer of the Imperial

troops at Halifax, to proceed to Ottawa from time to time, and to act in personal communication with the Militia Council in dealing with the questions of detail which will arise.

The Minister further suggests that it will be necessary to request the War Office to arrange that officers of the Canadian Militia appointed to command, or to the Staff at Halifax or Esquimalt, shall be gazetted temporarily to commissions in the Imperial Army, in order that they may be legally entitled to exercise command over Imperial troops.

The Minister observes that the Colonial Office dispatch points out that as recruiting for the Royal Garrison Battalion will be stopped, it will be desirable for the Dominion Government to meet the diminution of that battalion by supplying Canadian troops as early as practicable.

The Minister proposes to give orders at once for rapidly recruiting the present permanent force to meet this requirement, but it will be necessary, in order to enable Canada to provide the troops needed for the defence of Halifax and Esquimalt, to increase the establishment of her permanent forces considerably, if the instruction of the active Militia is not to suffer. The new establishment required is estimated at not exceeding 4,000 of all ranks. An amendment of the Militia Act of 1904, which authorizes only an establishment of 2,000 of all ranks, will be required.

The Committee advise that His Excellency the Governor-General be moved to forward a copy of this Minute to the Right Honourable the Secretary of State for the Colonies.

All of which is respectfully submitted for approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

No. 4

War Office to Colonial Office.—(Received April 20, 1905.)

Sir, *War Office, London, S.W., April 19, 1905.*

I am commanded by the Army Council to acknowledge the receipt of Colonial Office letter of March 16 last,¹ transmitting a copy of a dispatch² from the Governor-General of Canada on the subject of the arrangements for transferring to that Government the responsibility for the defence of Halifax and Esquimalt.

The Council have carefully considered the proposals contained in the Minute of the Privy Council enclosed in the Governor-General's dispatch. As regards the date from which

¹ Not printed.

² No. 3.

Canada should assume the responsibility, they are prepared (as Mr. Lyttelton is already aware) to accept July 1 next, as proposed.

But as regards the arrangements necessary during the transitional period, while regular troops of the British Army remain as part of the garrisons, though the cost of their maintenance is transferred to the Colonial Exchequer, the Council regret that legal and constitutional considerations make it impossible for them to transfer such troops to the direct payment and administration of the Colonial Authorities as suggested.

The Council do not overlook the fact that in the Canadian Minute it is suggested that the payment of a lump sum to the War Office for maintaining the troops would also be constitutionally open to objection; but they hope that, in view of the fact that contributions representing half the cost of the Esquimalt garrison have been paid by Canada for many years past, the constitutional objections to increasing such contribution temporarily to cover the whole cost may not be found insuperable.

At the same time, the Council are most anxious to do everything in their power to transfer to Canada the real responsibility for this expenditure and its control; and, with this object in view, they are prepared to produce to the Canadian Government detailed accounts in support of the claims to be made for reimbursement of the actual cost of maintaining the garrisons.

As regards the supply of ammunition, stores, &c., the Council agree to the general principle that the regular British troops should continue to be supplied by this Department, the cost being chargeable to Canada; and they would be prepared to sell to that Government, when the British troops are withdrawn, any articles then in store which the Canadian authorities may wish to retain. The details of these arrangements might well be settled by the local military authorities in communication with the Colonial Department of Defence.

The Council have no objection to the Imperial troops, now forming the garrisons of Halifax and Esquimalt, remaining at those places, respectively, until such time as the Dominion Government can replace them by Canadian troops, but they desire to point out that they will not be in a position to keep the battalion of the Royal Garrison regiment up to establishment, and that it is consequently desirable that the infantry of the garrison of Halifax should be replaced by Canadian troops as early as possible.

As regards the suggestion that the present Officer Com-

manding the Imperial troops should hand over his command to Commanding Officers of the Dominion, the Council regret that they cannot concur in this suggestion until the relative positions of Imperial and permanent officers of the Canadian Militia have been more definitely settled, a question which is now under the consideration of the Council.

The Council have no objection to the retention of Staff and other officers enumerated in the report of the Committee of the Privy Council remaining for such period as may be mutually agreed upon. Nor do they raise any objection to Major-General Sir C. Parsons proceeding to Ottawa from time to time to act in personal communication with the Militia Council as suggested.

I am, &c.,
E. W. D. WARD.

No. 5

Mr. Lyttelton to Governor-General Earl Grey.

My Lord, *Downing Street, April 26, 1905.*

With reference to your dispatch of March 3,¹ and to my telegram of the 24th instant,² I have the honour to transmit to you, to be laid before your Ministers, copy of a letter³ from the War Office on the subject of the arrangements for transferring to the Canadian Government the responsibility for the defence of Halifax and Esquimalt.

2. I trust that your Ministers will see their way to accepting the arrangements proposed by the Army Council in regard to the period during which Imperial troops remain as part of the garrisons.

3. It will be observed that the Council formally agree to July 1 next as the date from which Canada should assume the responsibility for the garrisoning of Halifax and Esquimalt, but that the question of the transfer of the command to Canadian officers is reserved for further consideration.

I have, &c.
ALFRED LYTTELTON.

No. 6

Governor-General Earl Grey to Mr. Lyttelton.
(Received June 5, 1905.)

Sir, *Government House, Ottawa, May 19, 1905.*

With reference to my telegram of yesterday's date,² embodying the observations of my responsible advisers upon the

¹ No. 3.

² Not printed.

³ No. 4.

communication from the Army Council, enclosed in your dispatch of the 26th ultimo,¹ regarding the transfer to Canada of the responsibility for the defence of Halifax and Esquimalt, I have the honour to forward herewith copy of the approved Minute of the Privy Council, the substance of which was contained in my telegram.

I have, &c.
GREY.

Enclosure in No. 6

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on May 18, 1905.

The Committee of the Privy Council have had under consideration a dispatch, dated April 26, 1905, from the Secretary of State for the Colonies, transmitting a copy of a letter from the War Office on the subject of the assumption by Canada of responsibility for the defence of Halifax and Esquimalt.

The Minister of Militia and Defence, to whom the dispatch was referred, observes that the Army Council, under date April 19 last, replied to the proposals contained in the Minute of Council of February 28, 1905 :—

That the Army Council while accepting the date—July 1, 1905—proposed for the transfer of the responsibility to Canada, state that, to their regret, legal and constitutional considerations make it impossible for them to transfer their regular troops to the direct payment and administration of Canada.

The Minister further observes that the Army Council press upon the Canadian Government the view that an extension of the course at present pursued in regard to Esquimalt, viz. the payment to the War Office of a lump sum for maintaining the troops which compose the garrison, would be the simplest method of meeting the temporary difficulty of providing an efficient garrison during the transition period of the transfer.

That with a view to meeting the objection felt in Canada to this course, the Army Council offer to produce to the Canadian Government detailed accounts in support of their claim for reimbursement of the actual cost of maintaining the garrisons.

The Minister further observes that the Army Council proceed to express their regret at being unable to concur in the Canadian proposal that the officer commanding the Imperial troops should hand over the command to commanding officers of the Dominion, deeming it necessary that the relative position of Imperial officers and permanent officers of the Canadian Militia should first be definitely settled.

¹ No. 5.

The Minister further observes that, with regard to the other proposals contained in the Minute of Council dated February 28, 1905, the Army Council generally concur, but they repeat their previous statement as to their inability to keep the Royal Garrison Regiment up to establishment, and the consequent desirability of replacing it by Canadian infantry as soon as possible.

The Minister, in reply to the views thus expressed by the Army Council, represents that the objections previously urged to the course proposed by the Army Council—the payment by Canada to the War Office of the sum disbursed by that office for the maintenance of Halifax and Esquimalt and their garrisons—still retain their force. The offer of the War Office to produce to Canada detailed accounts in support of that expenditure does not appear to remove these objections.

That, nevertheless, it is recognized that some modification of the proposals contained in the Minute of Council of February 28, 1905, may be necessary in order to meet the difficulties referred to by the Army Council.

The Minister therefore submits as follows :—

- (a) That the Army Council be asked to allow officers, warrant, and non-commissioned officers, and men of the Imperial forces now at Halifax and Esquimalt to be transferred permanently to the Canadian permanent force, should they be willing to accept such transfer.
- (b) That, if this be agreed to by the Army Council, His Excellency should express to the Imperial Government Canada's willingness and readiness to take over the entire control of Halifax defences and garrison on July 1 next, relieving all the Imperial troops by her own permanent troops, including those transferred as above-mentioned.
- (c) That Canada should agree to pay to the War Office the whole cost of the maintenance of Esquimalt defences and garrison, instead of only one-half the cost as at present, until she could relieve the whole of that garrison, similarly to that of Halifax, in due course, but not later than July 1, 1906.
- (d) That the Army Council should further be asked to allow a small number of officers of all branches of the Service to be seconded in the Imperial Army for one, two, or three years, as may be agreed upon for temporary service with the Canadian forces. This number is estimated at not exceeding the following :—Staff, 3 ; Royal Artillery Staff and Royal Artillery,

8 ; Royal Engineers' Staff and Royal Engineers, 6 ;
Infantry, 2 ; Services and Departments, 8.

The Minister further represents that, should the foregoing proposals be agreed to by the Army Council, and should concurrence of the Army Council be promptly signified, he feels confident that the Department of Militia and Defence will be in a position to assume complete control of the Halifax defences and garrison by the date (July 1, 1905) originally proposed, or as soon after as the Imperial troops can be withdrawn, leaving the question of the terms upon which War Department property should be transferred to the Dominion to be settled in due course by mutual agreement.

The Minister further submits that certain questions as to the terms of service of those officers and men who desire transfer to the Canadian Service may still be not finally settled, but as regards the relief of the infantry of the Royal Garrison Regiment no difficulty is anticipated.

The Committee, concurring in the foregoing, submit the same for approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

No. 7

Governor-General Earl Grey to Mr. Lyttelton.
(Received 10.35 p.m., June 23, 1905.)

Telegram.

Referring to your telegram of February 8,¹ Halifax garrison recruiting of Canadian permanent force to relieve Royal Garrison Regiment, has gone on until now its accommodation in existing barracks is attended with serious inconvenience. Under the circumstances, Minister of Militia asks when Royal Garrison Regiment may be expected to be withdrawn and its place taken by Royal Canadian Regiment.

No. 8

War Office to Colonial Office.—(Received July 12, 1905.)

Sir, *War Office, London, S.W., July 12, 1905.*

In reference to your letter of 26th ultimo,² and previous correspondence, relative to the transfer to the Canadian Government of the responsibility for the defence of Halifax and Esquimalt, I am commanded by the Army Council to acquaint you, for the information of Mr. Secretary Lyttelton, that they concur generally in the proposals, lettered (a) to (d),

¹ No. 2.

² Not printed.

which were made in the approved Minute¹ of the Canadian Privy Council forwarded under cover of your letter of 9th ultimo.²

2. In regard to several subsidiary questions which are involved in the acceptance of these proposals, I am to observe as follows :—

Proposal (a).

The Council, while agreeing to the voluntary transfer of officers, warrant officers, non-commissioned officers, and men to the Canadian forces, desire to emphasize the fact that such transfer will involve the final removal or discharge of these individuals from the British Army. Every candidate for transfer will accordingly be distinctly informed that he must accept all the responsibilities of his new term of service, and will cease to have any claim upon British funds.

3. In these circumstances, I am to suggest that the Canadian Government, in order to secure a sufficient number of transfers, should make it clear to candidates for transfer that their personal interests will be carefully safeguarded, and that they will obtain in the matter of pay and allowances, and of pension rights, as least equally favourable treatment with that which they would receive should they continue in the Imperial service.

4. Provided that the Canadian Government gives such a guarantee, the Army Council would undertake to pay that Government for the benefit of the officers and soldiers transferred, such pension or gratuity as they may be held to have earned under British regulations prior to transfer, the condition mentioned at the end of paragraph 2 above being only intended to debar those transferred to the Canadian service from making subsequently any direct claim in their individual capacity upon the Imperial Government. The incidence of non-effective charges, as between the two Governments, should later form the subject of a definite agreement.

5. They think that the Canadian Government should agree to accept any officer or soldier volunteering for transfer up to and including (say) August 31, 1905, about which date they suggest that all the transfers should take effect.

Proposal (b).

6. The Council note that the date originally specified for the transfer (July 1) has now passed. If, however, their proposals regarding relative rank, referred to in my letters, of 26th ultimo and 5th instant,² are accepted by the Canadian Govern-

¹ Enclosure in No. 6.

² Not printed.

ment, the formal transfer of the command at, and control of, Halifax can presumably take place on any date in the near future, irrespectively of the fact that certain troops still in the British service will still temporarily remain at the station.

Such troops would be removed as soon as possible, but I am to remark that it is scarcely possible to make arrangements as to their departure until it is known to what extent the individual members of the several corps will be transferred to the Canadian service.

Proposal (c).

7. The Council note with satisfaction the offer of the Canadian Government regarding Esquimalt, the details connected with which can be discussed later.

Proposal (d).

8. The Council are prepared to lend for service with the Canadian troops a number of Imperial officers, not exceeding that mentioned in the Minute, the conditions and periods of seconding being settled by mutual agreement between the two Governments.

9. In reference to the telegram¹ from Lord Grey, enclosed with your letter under reply, I am to inquire whether the Canadian Government are understood still to invite transfers from the garrison battalion at Halifax, or whether they only require transfers from the artillery, engineers, and departmental units at the station.

10. In conclusion I am to suggest that the substance of this letter should be communicated to Canada by cable at an early date, the Canadian Government being asked to reply by cable. The Council are particularly anxious for a reply to paragraph 9 above at the very earliest moment possible.

I am, &c.

E. W. D. WARD.

No. 9

Mr. Lyttelton to Governor-General Earl Grey.

My Lord,

Downing Street, July 14, 1905.

In confirmation of my telegram of the 13th instant,² respecting the transfer to the Canadian Government of the responsibility for the defence of Halifax and Esquimalt, I have the honour to transmit, for the information of your Ministers, copy of a letter³ from the War Office on which that telegram was based.

I have, &c.

ALFRED LYTTELTON.

¹ No. 7.

² Not printed.

³ No. 8.

EXERCISE XXIII

CORRESPONDENCE RELATING TO THE
DECLARATION OF LONDONExtract from the *Bristol Times and Mirror* of January 13, 1911

No. 1

Navy League (Bristol Branch) to Sir Edward Grey.
(Received November 12.)*Bank Chambers, Regent Street, Clifton, Bristol,*

Dear Sir,

November 11, 1910.

I am directed to forward for your earnest consideration the attached resolution and memorandum passed by the Executive Committee of this branch of the Navy League at its meeting held on the 9th instant.

Yours faithfully,

ERNEST G. MARDON,

Hon. Secretary.

(Enclosure in No. 1.)

Resolution.

'The Executive Committee of the Bristol Branch of the Navy League hereby urge upon Parliament and the people of the United Kingdom the vital necessity of a definite refusal on the part of the British Foreign Office to commit this country to the Declaration of London, inasmuch as it is directly inimical to the security of our food supply and the raw material of our industries in time of war. The committee attach a memorandum setting forth the reasons for this action and the gravity of the situation which the completion of the Declaration of London creates.'

Memorandum issued by the Bristol Branch of the Navy League, supplementary to resolution passed at their committee meeting held on November 9, 1910.

The Declaration of London strikes a direct blow at the cardinal principles of Great Britain's maritime power.

It sets forth that enemies' goods of all kinds shall go free under a neutral flag, but that foodstuffs and fuel shall be declared contraband, thus precipitating, in case of war, the certain starvation of our home population. The Continental nation or nations opposed to us will not so suffer, as they can procure their foodstuffs from neutral ports and overland. Thus, whilst enemies' cruisers can search, sink, and destroy our vessels, we should be precluded from interference with those bound for a neutral port.

In addition to this, there is to be an International Prize Court of Jurists, drawn principally from the smaller States, such as Columbia, Paraguay, Persia, Roumania, Hayti, &c., to adjudicate on all naval captures, and to which appeal can be made against the decisions of our own prize courts. This International Prize Court, which will sit at The Hague, is free to make its own rules and laws.

That the belligerent and naval rights of Great Britain, the greatest maritime nation in the world, should at any time be subservient to such a court, drawn from the minor States of the world, is contrary to the traditions and dignity of the British Constitution.

Should the Declaration of London be ratified, and a Prize Court thus established, the effect upon the power of the British Navy would be disastrous, and a blow would be struck at the foundations of the Empire and its Dependencies, more especially as such ratification shall not be appealed against for twelve years.

Appeal is therefore made that the Declaration of London be not ratified, and that Parliament reject the Bill for the establishment of an International Prize Court.

No. 2

Foreign Office to Navy League (Bristol Branch).

Sir,

Foreign Office, November 25, 1910.

I am directed by the Secretary of State for Foreign Affairs to acknowledge the receipt of your letter of the 11th instant, forwarding, for his earnest consideration, a resolution and memorandum relative to the Declaration of London and the International Prize Court Convention. Sir Edward Grey, having duly considered the papers as requested, offers the following comments upon each of the several points urged in the memorandum, and quoted below in inverted commas:—

1. 'It (i. e. the Declaration) sets forth that enemies' goods of all kinds shall go free under the neutral flag.'

This is an error. The Declaration of London nowhere sets forth any such rule.

2. '. . . but that foodstuffs and fuel shall be declared contraband.'

This is misleading. Foodstuffs and naval stores (which include fuel) have always been liable to be treated as contraband. What the Declaration of London does is explicitly to restrict the contraband character of those articles to the case of consignments destined for the armed forces or a Government department of the enemy. It puts an end to the

practice, hitherto claimed by several important naval Powers to be a legitimate mode of warfare, of treating as contraband foodstuffs and fuel destined for the ordinary civil population of the enemy State. This is not a loss, but a gain.

3. 'Whilst enemies' cruisers can search, sink, and destroy our vessels, we should be precluded from interference with those bound for a neutral port.'

This is inaccurate and misleading. The Declaration neither mentions nor affects the right to search, sink, or destroy enemy merchant vessels ('which include' our vessels when Great Britain is at war). That right is enjoyed by all belligerents equally, under the existing law of nations. The Declaration does not preclude British ships of war, when belligerent, from interfering with merchant vessels when going to a neutral port. If these are enemy vessels they may be captured or sunk as heretofore. If being neutral they carry absolute contraband, or render unneutral service, or resist search, the Declaration authorizes their capture, and, in certain circumstances, their destruction. It is only conditional contraband on board such neutral vessels that is under the Declaration expressly made immune from capture, and then only if the vessel is not found out of her course, as indicated by her papers, and provided those papers are not found to be false. In practice, this restricted immunity is already assured, for the reason that it is recognized to be, as a general rule, impossible, if the most elementary safeguards are adopted by shippers, to prove that goods on board a neutral vessel for a neutral port, which may be suspected of being conditional contraband, are in fact destined for the armed forces of the enemy. This it would be necessary to prove in order to render them liable to capture. The rule embodied in Article 35 of the Declaration does not, accordingly, constitute any real curtailment of the belligerent right of capture.

4. 'There is to be an international court of jurists, drawn principally from the smaller States, such as Colombia, Paraguay, Persia, Roumania, Hayti, &c.'

This is an error. The judges of the International Prize Court are not to be drawn principally from the smaller States. The exact contrary is the case, it being specially provided in the Convention that the judges appointed by the principal naval Powers shall form a permanent majority in the tribunal, whilst the judges nominated by the other Powers sit only in rotation, their functions extending over periods approximately proportionate to the importance of the maritime interests of the respective countries. Thus, the Roumanian judge sits for only two years out of every six; the Colombian and Persian

judges sit for one year out of every six; whilst Hayti and Paraguay do not nominate judges at all, but only assistant judges, whose opportunity of sitting in the tribunal is, apart from cases arising when their own countries are belligerents, restricted to the event of the Venezuelan or one of the Argentine judges being incapacitated from attending.

5. (The International Prize Court) 'is to adjudicate on all naval captures.'

This is an error. The jurisdiction of the court will not extend to all captures. It is limited to the adjudication of cases affecting the property of neutrals, cargo on board neutral ships, and the restricted class of other cases specified in Article 3 of the Prize Court Convention.

6. 'The International Prize Court is free to make its own rules and laws.'

This is misleading. The International Court administers the existing law of nations. It has no power to alter that law, nor to 'make its own laws', except in the sense that, like the British Prize Courts, it must decide in accordance with general principles any cases arising which are not actually covered by conventional stipulations or the generally recognized rules of international law. It is the very object and the effect of the Declaration of London to provide as far as possible for all the cases in regard to which doubts have hitherto existed as to what are the rules of international law applicable.

Every court must have power to make rules and orders for the proper organization of its clerical and other formal work. Such powers are conferred upon the International Prize Court under Article 49 of the Convention. But if the words (the court) 'is free to make its own rules and laws' are meant to imply, as they seem to suggest, that there are no fixed and known rules of procedure by which the court is bound, they convey an erroneous impression. For precise and detailed rules of procedure are actually embodied in the articles of the Convention.

Sir Edward Grey cannot but regret that your committee should have so categorically condemned important international agreements without more thoroughly acquainting themselves with the exact purport and scope of their provisions.

As the resolution and memorandum have apparently been issued and circulated to 'Parliament and the people of the United Kingdom,' and as Sir Edward Grey is receiving identically-worded resolutions from other branches of the Navy League, he is laying this correspondence before Parliament.

I am, sir, your most obedient, humble servant,

(Signed) W. LANGLEY.

No. 3

Navy League (Bristol Branch) to Sir Edward Grey.

Bank Chambers, Clifton, Bristol,

Dear Sir,

November 28, 1910.

I am in receipt of your communication of the 25th inst. respecting the 'Declaration of London'. I will place the same before my committee, but would mention that they will not meet until after the general election.

Yours faithfully,
(Signed) ERNEST G. MARDON,
Hon. Sec.

No. 4

Navy League (Bristol Branch) to Sir Edward Grey.

Bank Chambers, Regent Street, Clifton, Bristol,

Sir,

January 10, 1911.

As promised in my letter of November 28, replying to yours of November 25, I have now called my Executive Committee together to consider the letter written to me by your direction on November 25 last.

The statement you have directed to be made to me that my committee 'condemned important international agreements without thoroughly acquainting themselves with the exact purport and scope of their provisions' renders it necessary to reply in some detail to certain of the criticisms which you have instructed your Assistant Under-Secretary to make.

(1) You state that 'the Declaration of London nowhere sets forth any such rule as that enemies' goods of all kinds go free under a neutral flag'.

This statement, though in a strict literal sense true, is, you must pardon me for saying, so incomplete as to be in fact essentially incorrect, deceptive, and misleading.

There can be no need to remind you that the Declaration professes to be 'an agreement as to what are the generally recognized rules of international law within the meaning of Article 7 (seven) of the Convention of October 17, 1907, relative to the establishment of an International Prize Court' (Cd. 4554 of 1909, p. 73). The Declaration and the Convention cannot, therefore, be separated, but must be read together.

Writing on November 9, 1910, you state that the report of

Messrs. Renault and his nine associates of the Drafting Committee of the Declaration is 'an authoritative interpretation of the instruments', and the Convention must 'therefore be construed by the signatory Powers with reference to the commentary', and you add that the International Prize Court at The Hague 'will be bound when applying the provisions of the Declaration of London as between the signatories to construe the text in conformity with the terms of the report'.

Now the terms of the report on the Prize Court Convention are these:—

'The rule in the Declaration of Paris that the neutral flag covers enemy's goods with the exception of contraband of war corresponds so closely with the advance of civilization, and has taken such a firm hold on the public mind, that it is impossible in the face of so extensive an application to avoid seeing in that rule the embodiment of a principle of the common law of nations which can no longer be disputed . . . no one thinks of contesting to-day the principle according to which neutral goods, with the exception of contraband of war, are not liable to capture on board an enemy ship. The determination of what constitutes neutral or enemy character thus appears as a development of the two principles laid down in 1856, or rather as a means of securing their just application' (Cd. 4554 of 1909, pp. 59 and 60).

Having thus yourself laid down that the Declaration of London must be construed with reference to and in conformity with the authoritative reports above quoted, you have yourself established that, although not in express terms, the Declaration of London does in fact and in effect require that the International Prize Court shall enforce the doctrine that enemy's goods go free under the neutral flag; and further that Article 57 of the Declaration itself is but a means of securing the application of that doctrine. It is submitted, then, that, in fact and in effect if not in set terms, the Declaration does do what my committee affirm, and that—of course, with the specified exception of contraband of war—it does in effect embody the doctrines that the neutral flag covers the cargo.

(2) You state that the 'allegation' that the Declaration sets forth that foodstuffs and fuel shall be declared contraband 'is misleading', and that 'foodstuffs and naval stores (which include fuel) have always been liable to be treated as contraband'.

This statement is not only misleading; it is also incorrect. Foodstuffs and naval stores have not always been liable, but on the contrary have never been liable, to be treated as contraband unless destined to a port of naval or military equip-

ment. They have never been liable, as they would be under the Declaration, to be so treated merely because destined to a county council or other peaceable administration.

You state that 'what the Declaration of London does is explicitly to restrict the contraband character of those articles to the case of consignments destined for the armed forces or a Government department of the enemy'. But in fact the Declaration does not restrict, but enlarges, the contraband character in question, for whereas according to the present law there must be proof that conditional contraband is destined to military or naval forces, this is so much enlarged by the Declaration of London that all foodstuffs, forage, clothing, gold and silver, vehicles, vessels, railway and telegraph materials, fuel, barbed wire, horse-shoes, saddlery, and telescopes would be presumed to be contraband and be capturable if destined to any 'administration of the enemy State', a term which includes not merely naval or military but civil administrations, such as those, for instance, of the Local Government Board or of the Poor Law Board. Manifestly the Declaration, by thus enlarging the destination which gives a contraband character, does practically not restrict but materially enlarge the contraband character itself.

Moreover, any neutral vessel carrying any such conditional contraband, whether food for the unemployed, clothing for a workhouse, or fuel for Poor Law Guardians, would, under Article 49 of the Declaration, be liable to be destroyed, without trial or judgement, by her captor.

(3) Of the statement 'there is to be an International Prize Court of Jurists, drawn principally from the smaller States, as Colombia, Paraguay, Persia, Roumania, and Hayti, &c.', you say 'this is an error'. My committee think not. Eight judges, no doubt, are drawn, as you say, from what you call 'the principal naval Powers' (in which you include Austria, Italy, and Russia), but thirty-eight of them are drawn from those smaller States, some of which were mentioned. Your confusion of the sitting of the judges with the source whence they are drawn does not affect the statement. I call your attention to the fact that—

'La Cour se compose de Juges et de Juges Suppléants. Quand ceux-ci remplacent effectivement des Juges, ils ont toutes les attributions de ceux-ci et jouissent les mêmes avantages' (Cd. 4081, p. 106).

So that all the forty-six judges and deputy-judges, whether from large or small States, are equal.

(4) Of the statement 'The International Prize Court is to adjudicate on all naval captures', you say, 'This is an error'.

'The jurisdiction of the Court is limited to the adjudication of cases affecting the property of neutrals, cargo on board neutral ships, and the restricted class of other cases specified in Article 3 of the Prize Court Convention.'

The error would appear to be rather in your own statement than in that called in question. The Report shows that the Court would have jurisdiction in all cases of naval capture, whether neutral or enemy, and that appeal may be made to it by others than neutrals, in other cases than that of neutral property, and by almost anybody whatever—excepting only by the belligerent captor, who is to be left without any remedy whatever beyond that at present possessed. Thus the Report says :—

'Le principe général est que toute prise doit être jugée, qu'il s'agisse de propriétés neutres ou ennemies, du navire ou de la cargaison' (Cd. 4081, 1908, p. 149).

Moreover, the Convention itself says :—

Article 3. The judgements of National Prize Courts may be 'brought before the International Prize Court'—

(1) When the judgement of the National Prize Courts affects the property of a neutral Power or individual ;

(2) When the judgement affects enemy property, and relates to :—

(a) Cargo on board a neutral ship ;

(b) An enemy ship captured in the territorial waters of a neutral Power, when that Power has not made the capture the subject of a diplomatic claim.

The appeal against the judgement of the National Court can be based on the ground that the judgement was wrong either in fact or in law.

Article 4. An appeal may be brought :—

(1) By a neutral Power ;

(2) By a neutral individual ;

(3) By an individual subject or citizen of an enemy Power.

My committee submit that this shows that they are right in saying that the International Court is to adjudicate on all captures ; for 'the general principle is that every capture must be adjudicated upon, whether of neutral or enemy property, of a ship, or of its cargo.'

(5) What is most surprising, however, is that you should question the statement that 'the International Prize Court is free to make its own rules and laws'. You are pleased to say 'This is misleading'. This is, nevertheless, completely and entirely accurate, and it is impossible to reconcile your question of it with the facts.

The Report of the Drafting Committee on the Prize Courts

(which your Department has only presented in French, without any English translation) contains the following statements :—

‘Lorsqu'en fait un recours est formé, la Cour Internationale est seule compétente pour juger le point de savoir si ce recours est ou non recevable. Il n'a pas paru nécessaire de le dire expressément, le principe étant qu'un Tribunal est naturellement juge de sa propre compétence.’

‘Si des règles généralement reconnues n'existent pas, la Cour statue d'après les principes généraux de la justice et de l'équité. Elle est ainsi appelée à faire le droit et à tenir compte de principes autres que ceux auxquels était soumise la juridiction nationale des prises, dont la décision est attaquée devant la Cour Internationale.’

‘Acceptons donc qu'une Cour composée de Magistrats éminents soit chargée de suppléer aux insuffisances du droit positif . . .’

‘Comment pourra-t-on prouver la nationalité, la propriété, le domicile ? Est-ce seulement par les papiers de bord ou également par des documents produits en dehors ? Nous entendons laisser à la Cour tout pouvoir d'appréciation.’

‘Toute liberté est laissée à la Cour quant à l'appréciation des éléments divers qui lui sont fournis pour déterminer sa conviction. Il n'y a pas ici un système légal de preuves’ (Cd. 4081 of 1908, pp. 152-4-5 and 166).

You will observe that the statement of my committee is in precise accordance with the authoritative commentary of the report, and that your statement that the International Court has no power to ‘make its own laws’ is precisely contrary to that report, which says ‘it is called upon to make the law’ and to ‘take into account other principles than those of national prize-courts’, and that it is subject to ‘no legal system of proofs’.

These extracts will, I am sure, suffice to show you that the statement of my committee in this respect corresponds with the authoritative commentary, and is a true description.

I presume that you will lay before Parliament this completing letter of the correspondence which you have already so laid.

I have the honour to be, sir,

Your most obedient servant,

ERNEST G. MARDON,

Honorary Secretary.

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