

orders were transmitted by the Head of the Customs Department to the Harbour Master (February 6, 1865), with a direction that "the proceedings on board the Shenandoah must be carefully observed and any apparent abuse of the permission granted to that vessel with respect to repairs at once reported."\* These orders were strictly acted upon.

On the 7th February leave to land "surplus stores" from the Shenandoah was refused, under the advice of the Attorney-General; and, on the same day, Captain Waddell was informed, that "the use of appliances, the property of the Government, could not be granted nor any assistance rendered by it, directly or indirectly, towards effecting the repairs of the Shenandoah."†

So matters stood, the most scrupulous and anxious care being taken to prevent any breach of neutrality, till the 10th of February; when Consul Blanchard forwarded to the Governor an affidavit of one John Williams, a coloured man, who had joined the crew of the Shenandoah from the captured ship D. Godfrey, in which he stated that on Monday the 6th February, when he left the ship, "there were fifteen or twenty men concealed in different parts of the ship, who came on board since the Shenandoah arrived in Hobson's Bay, and who told him they came on board to join the ship; that he had cooked for these men; and that three others, who had also joined the Shenandoah in the port, were at the same time working on board in the uniform of the crew of the Shenandoah." On the 13th another affidavit of one Madden, who had also belonged to the crew of the D. Godfrey, was added, in which Madden said, that "when he left the vessel on the 7th February, there were men hid in the fore-castle of the ship, and two working in the galley, all of whom came on board the vessel since she arrived in the port; and that the officers pretended they did not know that these men were so hid."‡

The letter of the 10th February was the first intimation which the Governor ever received of any attempt at a recruitment of men. On the next day, the 11th February, Detective Kennedy was directed to make inquiries on that subject; and he, on the 13th February, reported "that twenty men have been discharged from the Shenandoah since her arrival at this port. That Captain Waddell intends to ship forty hands here, who are to be taken on board during the night, and to sign articles when they are outside the Heads;" adding, "it is said that the captain wishes, if possible, to ship foreign seamen only, and all Englishmen shipped here are to assume a foreign name." He also mentioned certain persons, said to be engaged in getting the requisite number of men; and he named one man, who stated, "about a fortnight ago," that Captain Waddell had offered him 17*l.* to ship as carpenter; and another, as "either already enlisted, or about to be so." But, as to the persons so named, no evidence was then, or at any time afterwards before the departure of the ship, produced by any person in support of the information which had been so given to the detective officer.

To this Report Mr. Nicolson, the Superintendent of Detectives, made the following important addition on the same 13th of February:—

"Mr. Scott, resident clerk, has been informed—in fact, he overheard a person represented as an assistant-purser state—that about sixty men, engaged here, were to be shipped on board an old vessel, believed to be the *Eli Whitney*, together with a quantity of ammunition, &c., about two or three days before the *Shenandoah* sails. The former vessel is to be cleared out for Portland or Warnambool, but is to wait outside the Heads for the *Shenandoah*, to whom her cargo and passengers are to be transported."§

This statement of Mr. Nicolson, while suggesting that the number of intended recruits might be even larger than that of which Detective Kennedy had received information, pointed to certain definite means, viz., transhipment from another vessel (the *Eli Whitney* being named), as those by which the recruitment was intended to be made.

The Governor in Council on the same day took these Reports, and also Consul Blanchard's letter of the 10th February, and Williams' affidavit, into consideration. The Law Officers of the Colonial Government had already directed informations to issue, and warrants to be obtained, against such persons as Williams could identify as being on board the *Shenandoah* for the purpose of enlistment; and it was resolved that the movements of the *Eli Whitney* (then lying in the bay) should be carefully watched by the Customs Department. This watch was successful in preventing the accomplishment of the suspected design by means of that vessel, if it had, in fact, been entertained.||

A circumstance which occurred on the following day, the 14th of February, was

\* British Appendix, Vol. I, p. 519. The same as to supplies: (British Appendix, Vol. I, p. 517.)

† British Appendix, Vol. V, pp. 76, 77. ‡ Ibid., Vol. I, pp. 606, 608. § Ibid., p. 528. || Ibid., p. 521.