

"The Merchant Shipping Act, 1854," which enable the Trinity House of London to appoint sub-commissioners for the out-ports, or those clauses of "The Merchant Shipping Act, 1862," which enable the Board of Trade to make provisional orders concerning pilotage jurisdiction.

There is, however, one set of cases which, in the opinion of the Trinity House and their legal advisers, is still unprovided for by either of these Acts, namely, the case of pilots employed beyond the limits of the local pilotage districts in piloting ships along the coasts—up the English or Irish Channel for instance, or along the eastern coasts of Scotland. It is very common for ships on long foreign voyages to take pilots for these purposes; but there is at present no distinct and proper jurisdiction for examining and licensing such pilots. The Trinity Houses of London, of Hull, of Newcastle, and of Leith* claim under old charters certain powers for this purpose; and the Trinity Houses of Hull and Leith have even claimed the right of granting licenses to pilot ships on the east coast and into the Thames within the local jurisdiction of the London Trinity House, as well as at sea. The claim is denied by the London Trinity House; and in a case tried in 1864, the Court of Queen's Bench decided that whatever jurisdiction the Leith Trinity House might have, was at any rate confined to Scotland.

There can be no doubt of the expediency of having some distinct jurisdiction to examine and license pilots for these purposes, and to withdraw their licenses.†

There can, I think, be little doubt that the Trinity House of London, as the central pilotage authority of the United Kingdom, ought to have this power. Whether they should have it exclusively or not is a more difficult question. Uniformity of examination and qualifications is desirable. But Liverpool will desire to license pilots for her own ships in the Irish Sea; and other ports will no doubt reasonably desire similar privileges.

It will not, I think, looking to the number of local indifferent pilotage authorities existing or likely to exist, do to give the power to all; nor will it do, as the effete Newcastle and Leith Trinity Houses seem to wish, simply to confirm and define the indefinite chartered pretensions of these bodies.

Perhaps the best way will be, after giving by the Act itself to the London Trinity House a general power to license pilots for all the narrow seas, to insert clauses enabling other pilotage authorities, or authorities which have now, by law, power to license pilots upon a proper case being shown, to obtain, either by an Order in Council or by a provisional Order, powers to license pilots for the seas and channels leading to their own ports, such powers to be subject to such conditions and instructions as may be necessary.

The limits for which such sea pilotage licenses are granted should be confined to seas outside the existing local pilotage districts, though there should be nothing in the Act to prevent the authority or authorities concerned from granting to the same man, if found competent, a license both for the sea and for any local district.

No sea licence granted by any one authority, either under the Act or under any old charter, should constitute a man a pilot within the local jurisdiction of any other authority.

No sea pilotage under these provisions should be compulsory.

The pilotage authority granting such licences should be bound to grant them to all competent men.

It is a question whether the Trinity House of London should not have a power to withdraw or inspect such license, by whomsoever granted, as well as the authority which grants them.

It is a question whether the pilotage authority should have the power of fixing the rates for sea pilotage, but I am inclined to think they should, and that such power should be exercised by Order in Council at the suggestion of the Trinity House.

It is a further question whether a pilot so licensed should have the power of superseding a pilot not so licensed. Considering that the employment is now absolutely free, and further that the privilege will be beyond the limits of foreign jurisdiction, and that there may be difficulties with foreign ships and foreign pilots if any strong restriction is attempted, I think there should be no such power. The possession of a licence will in itself be a great advantage.

Board of Trade, January, 1868.

T. H. FARRER.

No. 39.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM to the
OFFICER ADMINISTERING THE GOVERNMENT OF NEW ZEALAND.

(No. 33.)

SIR,—

Downing Street, 1st April, 1868.

I have the honor to acknowledge the receipt of Sir George Grey's Despatch No. 144, of the 27th November last, enclosing copies of correspondence which had taken place between himself and Major-General Sir T. Chute, respecting the alleged omission of Commissary-General Jones to submit for his consideration the estimates for Army services in New Zealand.

In answer to this Despatch, it is only necessary for me to state that the Despatch from Sir George Grey to Sir T. Chute, dated the 16th of October, 1865, to which Sir George Grey complains that he has received no reply, was communicated to the War Office from this Department on the 26th February, 1866, on the receipt of the Governor's Despatch No. 163, of the 26th June, 1866, in which it was enclosed.

I have, &c.,

BUCKINGHAM AND CHANDOS.

The Officer Administering the Government
of New Zealand.

* See Correspondence with these bodies in 1864.—Abstract annexed.

† See Parliamentary Paper 455, 1862, Nos. 71, 86 to 88, as to North Sea; Parliamentary Papers 532, 1864, Nos. 6 to 12, English Channel; Correspondence, 1864, not printed, North Sea.