

3. With reference to Sir George Grey's remarks in regard to the conduct of business in the Colonial Office, although this is a topic which I am not called upon to discuss, I may observe that I make it my practice (as the records of the department fully show that my predecessors have invariably done) to peruse at length and form my own judgment upon all documents relating not only to the principal subjects that are dealt with in this department, but also to questions of second-rate importance.

4. Sir George Grey's great experience as a colonial Governor renders it unnecessary for me to enter into any lengthened explanations of the fundamental principles which regulate the functions of the Governor of a colony with the Constitution such as that of New Zealand. These principles remain the same as they were when he last held the Queen's Commission as Governor. But with regard to his remarks as to the power of legislating on constitutional questions vested in the General Assembly, it seems desirable to observe that the Constitution Act of New Zealand, in directing (section 57) the reservation of the Queen's decision of laws affecting the prerogative, has expressly limited the powers of legislation possessed by the General Assembly on such subjects as that referred to by Sir George Grey in the seventeenth paragraph of his memorandum of the 20th June.

I have, &c.,

M. E. HICKS BEACH.

Governor the Most Hon. the Marquis of Normanby,
G.C.M.G., &c.

No. 3.

COPY of a DESPATCH from the Right Hon. Sir MICHAEL HICKS BEACH to
the OFFICER ADMINISTERING the GOVERNMENT of NEW ZEALAND.

(Circular.)

SIR,—

Downing Street, 3rd September, 1878.

I have the honor to transmit to you the draft of a Bill which it is proposed to introduce into Parliament to make further provision for the removal of prisoners from Her Majesty's possessions abroad.

The object of this measure, as you will perceive, is to provide machinery for removing from any of Her Majesty's possessions to the United Kingdom, or to any other possession, prisoners who have been tried under the authority of Imperial Statutes, or who at the time of committing the offence were subject to the Mutiny Act or the Naval Discipline Acts, and prisoners not falling within either of the above categories, whose life is likely to be endangered, or whose health is likely to be permanently injured, by further imprisonment in the possession in which they are undergoing punishment, or whose removal from such possession is expedient for the more efficient carrying-out of their sentences, or for their safer custody.

The want of a law to provide for these purposes, especially in the case of removal on the ground of injury to health from climate, has frequently been felt, and it is the intention of Her Majesty's Government to introduce this measure as early as possible in the next session of Parliament.

I have to request that you will submit the draft to the consideration of your Government without delay, and I shall be glad to receive, at as early a date as may be possible, any observations which they may desire to offer upon it, in order that the measure may be completed before the commencement of the next session of Parliament.

I have, &c.,

M. E. HICKS BEACH.

The Officer Administering the Government
of New Zealand.

Enclosure in No. 3.

AN ACT to make Further Provision for the Removal of Prisoners from Her Majesty's Possessions Abroad.

WHEREAS it is expedient to provide for the removal of prisoners to the United Kingdom or to another possession in cases hereinafter mentioned: