the law as to make it clear that section 244 of "The New Zealand Shipping and Seamen Act, 1877," does not apply to Imperial certificates.

I have, &c.,

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c. DERBY.

Enclosure.

Inquiries Colonial.

Board of Trade (Marine Department), Whitehall Gardens, S.W.,
20th November, 1884.

SIR,—

I am directed by the Board of Trade to acknowledge the receipt of your letter of the 7th instant transmitting a despatch from Sir William Jervois with reference to the confirmation by him of the report of a Court of inquiry, from which it appears that the Solicitor-General for New Zealand is of opinion that the confirmation of a report by the Governor is still necessary, as section 7 of "The Merchant Shipping and (Colonial Inquiries) Act, 1882," only repeals certain words in section 242 of "The Merchant Shipping Act, 1854," and does not affect section 244 of the New Zealand Shipping and Seamen Act of 1877.

With reference thereto I am to state, for the information of the Earl of Derby, that they concur in the opinion expressed by the colonial Solicitor-General as to the necessity to comply with the New Zealand Acts when dealing with a certificate granted under those Acts, but when an Imperial certificate is in question, it is obvious that the provisions of the Imperial law cannot be overridden by a colonial enactment, but that they must be carefully followed in order to render a decision valid.

The matter stands in this way: The Imperial Acts of 1854 and 1862 lay down certain rules the observance of which is necessary in order that an Imperial certificate may be cancelled or suspended. These rules are, with one exception, in full force in every colony at the present day. The exception is the provision in section 242, subsection 5, "The Merchant Shipping Act, 1854," requiring the confirmation of a decision by the Governor of a colony. That provision was, by the Colonial Inquiries Act of 1882, not merely repealed, but it was repealed as from the date of the Act of 1862 itself, as if it had never thereafter existed. In other words, such confirmation from the moment the Act of 1862 passed was rendered unnecessary to the validity of a decision affecting an Imperial certificate, and for the reason above given the condition in question cannot be reimposed by virtue only of a colonial statute.

The New Zealand Act of 1877 is returned herein as requested, and I am to suggest for the Earl of Derby's consideration that the substance of the above remarks may be communicated to the colonial authorities.

I have, &c.,

The Under-Secretary of State, Colonial Office. THOMAS GRAY.

No. 31.

(New Zealand, No. 79.)

Downing Street, 11th December, 1884.

SIR,—

Her Majesty's Government have given much consideration to the proposal, first made at the end of the last session of Parliament and renewed on several occasions during the present session, that they should, without further delay, proceed with the legislation necessary for the establishment of a Federal Council of Australasia, as proposed by the Convention held at Sydney at the end of last year. Answer, A.-1 No. 38.

Your Government will have understood, from the answers given in Parliament to questions on this subject, that notwithstanding the reluctance of Her Majesty's Government to bring forward, during the autumn session of this year, any other business than that for the consideration of which Parliament was specially summoned, they would not have been unwilling to introduce a Bill for the establishment of a Federal Council, if the condition of public business should have appeared favourable, and if there should have been a prospect of such unanimity with regard to the principle and the details of the measure as might have encouraged the hope of its passing without discussion.

There appears, however, to have been some misapprehension as to the scope and character of the Bill which Her Majesty's Government would be prepared to introduce. They have not at any time had it in contemplation to bring before Parliament any other measure than that of which the draft was settled by the Convention at Sydney, subject, of course, to such amendments as that draft might be found to require. But from expressions which have been used, both in this country and in Australia, and from the apprehensions which have been entertained, more particularly in New South Wales, as to the course likely to be taken, it