

is their wish that New Zealand should be included in the proposed legislation, so as, so far as possible, to promote reciprocity between that colony and the Australian Colonies and other British dependencies in respect to the remission and imposition of Custom duties.

I have therefore to request the favour of your bringing this communication under the notice of the Marquis of Ripon, with the view of his including such provisions in the above-mentioned Bill as will have the effect of carrying the wish of my Government into effect.

I have, &c.,

WALTER KENNAWAY,

For the Agent-General.

The Under-Secretary of State for the Colonies.

SIR,—

Downing Street, 2nd March, 1895.

In reply to your letter of the 26th ultimo, I am directed by the Marquis of Ripon to state that the Bill now before Parliament "To amend the law with respect to Customs Duties in the Australian Colonies" repeals certain provisions in Imperial Acts which preclude the Legislatures of the Australian Colonies from giving effect to differential tariff arrangements, but that there are no similar restrictive provisions affecting New Zealand.

I am, &c.,

EDWARD WINGFIELD.

The Agent-General for New Zealand.

Westminster Chambers, 13, Victoria Street, London, S.W.,

26th March, 1895.

SIR,—

Referring to my letter of the 26th ultimo, and to your reply thereto of the 2nd instant, I beg to state that my Government inform me by cable that they are advised that the provisions of the Australian Colonies Duties Bill now before Parliament leaves the question as regards New Zealand as it stood before, and that therefore it is necessary that New Zealand should be expressly included among the colonies empowered to pass laws in cases provided by the Act of 1873.

At present, so my Government are advised, New Zealand can be a party to any agreement relating to differential Customs duties, but has no power to pass a law giving effect to such an agreement.

My Government in a later cablegram again express their desire to pass laws as in the case of the Australian Colonies, so that no question could arise in the future. They represent that at the present time there is no express legislation on the subject, and they point out that when New Zealand legislated on the subject in 1870 the Act did not receive the Royal assent.

I have, &c.,

W. B. PERCEVAL.

The Under-Secretary of State for the Colonies.

SIR,—

Downing Street, 26th April, 1895.

I am directed by the Marquis of Ripon to acknowledge the receipt of your letter of the 26th ultimo, respecting the inclusion of New Zealand in the Australian Colonies Duties Bill.

I am to state that no legislation appears to be necessary to confer on the Legislature of New Zealand the power of passing laws to give effect to an agreement with another colony relating to differential Customs duties.

I am to add that no advice was tendered to Her Majesty in regard to the reserved Bill of 1870, but that Bill was considered to be open to grave objections on constitutional and other grounds. It conferred on the Executive practically complete power to fix what duties should or should not be levied for the purpose of carrying out any agreement with an Australian colony, and thus divested the Legislature of that control over taxation which is indispensable to a free Constitution; and moreover, by enabling such agreements to be brought into force at once, it deprived Her Majesty's Government of any opportunity of considering whether they affected prejudicially the interests of any other parts of Her Majesty's dominions, or were in any way inconsistent with Her Majesty's international obligations.

Lord Ripon is writing fully on the question of intercolonial agreements to the various colonies represented at the Colonial Conference at Ottawa.

JOHN BRAMSTON.

The Agent-General for New Zealand.

## No. 8.

(No. 31.)

MY LORD,—

Downing Street, 21st May, 1895.

If I have not replied sooner to your despatch, No. 1, of the 15th January, 1894, relating to the Kermadec Islands, your Lordship will, I feel sure, not attribute the delay to any intention on my part to disregard the important constitutional question which your Ministers have very properly brought to your notice.

The Kermadec Islands are in themselves an unimportant portion of Her Majesty's dominions; but the question whether the measures which had been taken with the object of annexing that group to the Colony of New Zealand were sufficient involves a principle of serious and wide-reaching import, and one which has required and received very full consideration by the Law Officers of the Crown, not only in regard to the particular group of islands which form the subject of this despatch, but as affecting other portions of the British Empire.