

1898.
NEW ZEALAND.

DESPATCHES

FROM THE SECRETARY OF STATE FOR THE COLONIES TO THE GOVERNOR OF
NEW ZEALAND.

Presented to both Houses of the General Assembly by Command of His Excellency.

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No. 1.

(No. 3.)

MY LORD,—

Downing Street, 30th January, 1897.

I have the honour to transmit to you a copy of a despatch from the High Commissioner of the Western Pacific, enclosing a letter from Mr. Hunter, who had been appointed a Special Commissioner for dealing with certain cases at Rarotonga, Penrhyn, and elsewhere, respecting a case of attempted murder at Aitutaki, one of the Cook Island Confederation.

2. I would suggest for your consideration that, with a view to more effectual dealing with cases of this kind, the Resident at the Cook Islands should be instructed to endeavour to procure the passing of a measure providing that all cases, whether civil or criminal, to which a white man is a party should not be tried in the local Courts, but that, without affecting the concurrent jurisdiction of the High Commissioner's Court, such cases might be heard in the Supreme Court of the islands, under the presidency of the Resident himself.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Glasgow, G.C.M.G.

Enclosures.

(No. 43.)

SIR,—

High Commissioner's Office, Western Pacific, Suva, Fiji, 9th October, 1896.

I have the honour to forward herewith copies of Mr. Hunter's reports of proceedings in Rarotonga, Penrhyn, Manihiki, and Rakahanga. I also enclose copy of a letter from him with regard to a case of robbery and attempted murder at Aitutaki.

2. I think it is to be greatly regretted that the man Campbell was not tried in the High Commissioner's Court, as was desired by Mr. Moss, the British Resident; but, under the circumstances, I do not see how Mr. Hunter could have entertained the case. To have done so would have been to deny the competence of the local Court to deal with it, and, under the constitution of the Cook Group Federation, it appears that local Courts have criminal jurisdiction in all cases but murder.

3. In one sense, indeed, the local Court may be said to have been incompetent, inasmuch as its Judges possessed neither the knowledge nor the ability to deal with such a serious case, and the proceedings seem to have been more the result of hasty anger than of judicial inquiry. In the actual event the criminal received no punishment at all. He has simply been compelled to pay his debts. The injured woman has received no compensation or satisfaction.

4. In this case there was no doubt of the guilt of the accused, but in a difficult case proceedings by a native Court such as that of Aitutaki against a possibly innocent defendant might lead to considerable embarrassment, especially in the case of a subject of a foreign power.

5. In cases like Campbell's, the native Judges, equally with the other natives, get excited, and lose for a time all power of exercising a calm judgment, and they should not be allowed to try cases (other than offences against local police) without the permission of the Resident.

6. Foreigners may, it is true, demand to be tried before the Supreme Court of the Cook Group, whose Chief Justice would be likely to be more unbiassed than a local Judge, and who has the benefit of a certain amount of training from being in constant communication with the Resident; but even he, a native, and totally ignorant of law and procedure, would scarcely be fitted to try a serious and difficult criminal case, perhaps depending to a large extent on circumstantial evidence.

I have, &c.,

JOHN B. THURSTON.

The Right Hon. J. Chamberlain, &c., Secretary of State for the Colonies.

SIR,—

Suva, 31st August, 1896.

I have the honour to report that, in accordance with your Excellency's instructions of the 27th June, I proceeded to Auckland by the "Upolu," and embarked on board H.M.S. "Goldfinch" on the morning of the 9th July, arriving at Rarotonga on the afternoon of the 17th.

Piltz and Penrhyn Islanders.—This case was settled on the 1st July by the defendants paying into Court the sum of \$1,800, Chili coins. This was accepted by the plaintiff in full satisfaction of his claim.

Campbell's Case.—This case was brought under my notice by the British Resident. Campbell, who is an American negro trading at Aitutaki, robbed and nearly murdered an old native woman. He was arrested by the local authorities, and the stolen money—said to be £200—was recovered. Campbell was tried by the native Judge at Aitutaki, and fined \$500, which was levied by the seizure and sale of all his property. I informed the Resident that, as the local authorities had already dealt with the case, I was unable to interfere.

Peter Keith Mackay Cowan.—This was an application in bankruptcy, Cowan applying for leave to file a petition in bankruptcy. On the day of hearing Cowan asked to be allowed to withdraw his petition. This was granted.

Interpreter.—In accordance with your Excellency's instructions, I engaged a half-caste Maori, named Harry Swanson, to act as interpreter at Penrhyn, Manihiki, and Rakahanga. This man was highly recommended by the Resident and the Rev. Mr. Hutchin, of the London Mission Society.

After coaling at Rarotonga, we proceeded to Penrhyn, arriving on the 28th July.

Tautaitini.—The natives were quite unanimous that it was unnecessary to appoint any one to assist Tautaitini—that he was quite able to do the work with the assistance of his hau, and that the letters written to Mr. Moss were written without authority.

Intoxicating Liquor Regulation.—I gave Tautaitini a copy of this regulation, after it had been interpreted to the meeting, to post in his Courthouse.

Divorce and Wrecks.—Many questions were asked on these points, which I replied to.

Tauwepa Tapanga, Elikana, Tima, and Daniela the Aged.—These four were land disputes. I was able to settle them all, with the exception of Daniela the Aged. I was able to lay down the basis upon which this dispute was to be settled, and left the settlement in the hands of the chiefs and haus of Manihiki and Rakahanga.

Kairua's Case.—This was a complaint made by Kairua that certain land of his at Manihiki had been taken from him by the Judge at Tauhunu, Manihiki. I was told by the hau that they had already inquired into the case, and that the land undoubtedly belonged to Kairua, and that they had so decided. I told the hau that they must see that their decision was carried out.

Copies of the regulation prohibiting intoxicants were posted in each settlement after being interpreted to the natives. This regulation was received with great disfavour by the natives, more especially at Penrhyn.

The character, position, customs, and manner of living of the natives, their form of government, laws, missionary influence and interference, and the settlement of their land and intertribal disputes I have reserved for a further and fuller report, which I am compiling from notes taken by me.

This short and meagre report is merely to give your Excellency a short synopsis of my proceedings during my late visit to these very interesting islands and people.

I have, &c.,

HAMILTON HUNTER,

Special Judicial Commissioner.

His Excellency the High Commissioner,
Western Pacific.

No. 2.

(No. 15.)

SIR,—

Downing Street, 30th April, 1897.

I have the honour to transmit to you the accompanying copy of a letter from the Board of Trade, covering a memorandum by their solicitor on the subject of the Act to further amend the laws relating to shipping and seamen, passed by the Legislature of New Zealand (1896, No. 37), a copy of which was enclosed in the Earl of Glasgow's despatch No. 46, of the 21st December.

A.—1, Sess. II.,
1897, No. 11.

It will be seen that some of the provisions of this Act, so far as they purport to apply to ships other than those engaged in the coasting trade within the colony, are, in the opinion of the legal adviser of the Board of Trade, inconsistent with the provisions of "The Merchant Shipping Act, 1894." I would accordingly request you to press upon your Ministers the desirability of amending the Act so as to limit the application of the provisions in question to ships engaged in the coasting trade, in accordance with the representations of the Board of Trade.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

Enclosures.

Board of Trade (Marine Department), 7, Whitehall Gardens, London, S.W.,
12th April, 1897.

SIR,—

I am directed by the Board of Trade to state that they have had under consideration Sir R. Meade's letter of the 18th February, forwarding the transcript of an Act passed by the Legislature of New Zealand to amend the laws relating to shipping and seamen.

The Board of Trade now desire me to enclose, for the information of Mr. Secretary Chamberlain, a copy of a memorandum by the solicitor to this department, from which it will be seen that certain sections of this Act are open to objection, by reason of the application of their provisions to other vessels besides those employed in the New Zealand coasting trade.

In these circumstances, the Board are of opinion that the sections to which attention is directed should not be allowed to remain in operation.

I have, &c.,

WALTER J. HOWELL.

Under-Secretary of State, Colonial Office.

(M. 5932/97.)

New Zealand Shipping and Seamen's Amendment Act, 1896.

THE following sections of the Act all give rise to difficulties:—

Section 2 provides for the rating of engineers down to the fourth engineer as officers on all steamships. There is no corresponding provision in the Imperial Act, and the New Zealand Legislature do not appear to have any power to pass such a law except in regard to ships employed in the coasting trade. Whether in actual practice engineers are so rated I am not sure, nor do I quite understand what the effect of the provision is or is intended to be.

Sections 4 to 6: These provisions apparently apply to all British ships registered at, trading with, or being at any place within the jurisdiction of New Zealand (see section 2 of the principal Act); but there is no provision in the Imperial Merchant Shipping Act by which third-class engineers' certificates are required, and in these circumstances it does not appear to be competent for the New Zealand Legislature to require them there except in the coasting trade.

Sections 7 to 9: The provisions of sections 7 and 8 do not apply to ships trading with the United Kingdom or beyond the limits prescribed in the case of intercolonial trading ships, as defined in section 5 of the principal Act, but their application is not confined to ships employed in the coasting trade, and the New Zealand Legislature has apparently no power to make them in this extended form. Moreover, they are provisions which are not unlikely to offend the self-governing and Crown colonies within the limits prescribed. In the principal New Zealand Act the only reference to these limits is in connection with light dues, but subsequent legislation in regard to vessels engaged in the intercolonial trade appears not to have been disallowed. (See amending Act of 1894, section 7, and of 1895, section 6).

Section 10: The wording of this section is obscure, but it may be construed to apply to ships other than those engaged in the coasting trade within the colony. In that case it is, I think, *ultra vires*. At present it appears to apply to ships coming from abroad, and carrying passengers or cargo from one port in the colony to another, and, apparently, to ships in ballast.

Section 11: This section is also obscurely worded, but if it means that seamen engaged elsewhere than in New Zealand (as well as those engaged there) can recover under the section more than they could recover in that part of Her Majesty's dominions in which they were engaged, then the provision is *ultra vires*.

Section 18: This appears to be objectionable in so far as it affects the intercolonial trade; but section 7 of the Act of 1894, and to some extent section 6 (1) of the Act of 1895, are open to similar objections, so that, unless exception is taken to those sections of the earlier Acts, none will, I presume, be taken in regard to this section.

Having regard to the Imperial law as it stands at present, the objections to sections 2, 4, 5, 6, 7, 8, 10, and 11 are, I venture to think, so serious that it is very undesirable that those sections should be allowed to remain in operation. The draftsman seems to have overlooked the limitations attaching to colonial legislation with respect to British ships.

7th April, 1897.

W. M.

No. 3.

(Circular.)

SIR,—

Downing Street, 1st May, 1897.

I have the honour to transmit to you, for the consideration of your Government, a copy of a letter from the Board of Trade, asking to be supplied with information as to the results, as affecting imported goods, of the operation of the merchandise marks laws in colonies which have legislated on the lines of the Imperial Acts.

I shall be obliged if you will arrange for this department being furnished with the information desired by the Board in relation to the colony under your government.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

Enclosure.

Board of Trade (Railway Department), 7, Whitehall Gardens, London, S.W.,

SIR,—

6th April, 1897.

I am directed by the Board of Trade to acquaint you, for the information of the Secretary of State, that a Select Committee has been appointed by the House of Commons to inquire into the effects and operation of "The Merchandise Marks Act, 1887," and into the subject of merchandise marks generally.

At the first meeting of the committee, which was held on the 22nd ultimo, the question of the examination of goods in transit, and its effect upon the British carrying trade, was raised, and the Board think that it would be of interest if information could be obtained as to the results as affecting imported goods of the operation of the merchandise marks laws in such of the principal colonies as have legislated on the lines of the British Acts.

I am, therefore, to request that you will move the Secretary of State to be good enough to take the necessary steps to ascertain in the case of each such colony—

(a.) The quantity of goods imported into the colony bearing a name, trade-mark, or trade description within the meaning of "The Merchandise Marks Act, 1887";

(b.) The quantity of goods imported into the colony bearing no indication of origin, direct or indirect; and

(c.) The number of detentions by the colonial Customs authorities under the powers of the colonial Merchandise Marks Act, distinguishing, if possible, between those goods imported in British vessels and those in foreign vessels.

The Under-Secretary of State, Colonial Office.

I have, &c.,

FRANCIS J. S. HOPWOOD.

No. 4.

(No. 17.)

SIR,—

Downing Street, 6th May, 1897.

I have the honour to submit to you, for communication to your Ministers, a copy of correspondence noted in the subjoined schedule respecting income-tax levied in the colony upon the British ship "Chilena."

I have, &c.

EDWARD WINGFIELD,

For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
31st March, 1897	Chamber of Shipping of United Kingdom to Colonial Office.
7th April, 1897	Reply.
10th April, 1897	Chamber of Shipping to Colonial Office.

Enclosures.

SIR,— Chamber of Shipping of the United Kingdom, 1, Whittington Avenue,
Leadenhall Street, E.C., London, 31st March, 1897.

I have the honour to inform you that the owners of the sailing-ship "Chilena," of Liverpool, find, upon examining the accounts of that vessel upon a recent voyage from New Zealand, that an item appears therein as having been charged in that colony of "Income-tax, £3 9s."

It would appear from the accounts that the vessel's freight amounted to £1,378 2s. 6d., upon which the New Zealand authorities appear to have arbitrarily assumed that the sum of £68 18s. 1d. (apparently 5 per cent. of the gross freight) must necessarily be profit, and it is upon this (assumed) profit of £68 18s. 1d. that income-tax (at apparently the rate of 5 per cent.) is charged.

The owners of the "Chilena" having reported these facts to the executive council of this Chamber, I was directed by the council, at their last meeting, to state that they would be much indebted to you if you would kindly inform them under what Act of the colonial Legislature of New Zealand this tax is levied, and, if there should happen to be a spare copy of the Act in question in the Colonial Office, my council would be greatly obliged if the same could be forwarded to them upon loan (if necessary) for their perusal.

I have, &c.,

The Right Hon. J. Chamberlain, M.P.,

W. H. COOKE, Secretary.

Her Majesty's Secretary of State for the Colonies.

SIR,—

Downing Street, 7th April, 1897.

In reply to your letter of the 31st ultimo, relating to the income-tax levied in New Zealand on the British ship "Chilena," in respect to the profits which it was assumed to make on freight from the colony outwards, I am directed by Mr. Secretary Chamberlain to transmit to you a copy of "The Land-tax and Income-tax Act, 1896," under section 2 (2A) of which the charge you refer to was no doubt made.

I am also to inform you that a regulation under the Acts of 1891 and 1892 was made in 1893 to the following effect:—

"1. Every person or company engaged in any business as owner or charterer of shipping shall be assessed for taxation in respect thereof upon income derived from such business as such owner or charterer carried on in New Zealand, and also upon income from any business as such owner or charterer originating in New Zealand and carried on with places beyond New Zealand, but not upon income from any such business originating in places beyond New Zealand and carried on with places within New Zealand.

“The Commissioner of Taxes may require such owner or charterer to supply him with any information he may consider necessary to enable him to determine what income of a person or company engaged in business as owner or charterer of shipping is income liable to be assessed for taxation under ‘The Land and Income Assessment Act, 1891.’”

I am, &c.,

EDWARD WINGFIELD.

The Secretary to the Chamber of Shipping of the United Kingdom.

Chamber of Shipping of the United Kingdom, 1, Whittington Avenue,
Leadenhall Street, London, E.C., 10th April, 1897.

SIR,—

Income-tax in New Zealand.

In reply to your letter of the 7th instant hereon I am directed to submit to you the following observations:—

(1.) There is nothing in section 2 (2A) to indicate that persons resident in this country who are engaged in shipping are intended to pay income-tax to the colony.

(2.) It is submitted that it is *ultra vires* of a colony to impose a tax in the nature of income-tax upon persons resident in the United Kingdom. Shipowners resident in this country pay income-tax upon all profits in voyages from the colonies, such as that of the “Chilena.” The claim of the colony therefore is, in fact, to charge income-tax a second time.

(3.) The regulations themselves do not authorise a claim of income-tax upon the agents of the ship, but only upon the owner or charterer. The owner being resident in this country, no claim could be made upon him. This supports the view that neither the Act nor the regulations are intended to impose the tax on owners of ships resident in this country.

(4.) The regulations charge with income-tax “Income derived from such business,” &c. In the case of the “Chilena” it was assumed that the shipowners made a net profit or income of 5 per cent. on the gross freight from the colony Home. As a matter of fact, the shipowner made a heavy loss on the voyage out. How, then, does he become liable under the regulation?

Upon the above grounds, I am directed to respectfully ask that you would communicate with the Government of New Zealand, pointing out that the Commissioners of Taxes in that colony are acting illegally in claiming income-tax from British ships.

I have, &c.,

The Under-Secretary of State for the Colonies.

W. H. COOKE, Secretary.

No. 5.

(No. 18.)

SIR,—

Downing Street, 7th May, 1897.

I have the honour to inform you that I have had under consideration the resolution adopted at the Conference of Premiers held at Hobart in February last.

“(10.) Issue of Her Majesty’s fiat in cases provided by local law.

“The Premier of Western Australia brought under the notice of the Conference the correspondence respecting petitions of right from the Western Australian Land Company (Limited), and from Mr. William Wilkinson, to Her Majesty the Queen.

“*Resolved*, That, in the opinion of this Conference, Her Majesty’s fiat should not issue to supersede the decision of the local Executive on the subject to any reference to the Supreme Court of local claims against the Crown.”

I shall be obliged if you will communicate to your Ministers the accompanying copy of a despatch which I have addressed to the Governor of Western Australia on the subject.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

Enclosure.

(No. 19.)

SIR,—

Downing Street, 7th May, 1897.

I have the honour to acknowledge the receipt of your despatch No. 3, of the 26th February, transmitting further correspondence respecting the petition of right from the West Australian Land Company to Her Majesty the Queen. I had previously forwarded your despatch No. 1, of the 6th January, with its enclosures, and a copy of the Act 31 Vict., No. 7, to the Law Officers of the Crown, and had requested them to favour me with their opinion on the following questions, and with any general observations which they might wish to offer on the points raised in Sir John Forrest’s minute:—

"1. Are the indorsed petitions the property of the petitioners, and should they have been delivered to them at once when received by the Governor?"

"2. Is the right to petition Her Majesty a common-law right personal to every British subject?"

"3. Is this right in Western Australia taken away or restricted by the local Act—31 Vict., No. 7?"

"4. Is there any doubt as to the constitutional right of Her Majesty to grant her fiat addressed to the Supreme Court of a colony where, as in Western Australia, the English common law prevails?"

"5. If the petition is in proper form, and discloses a proper case, is the fiat granted as a matter of course, or can it be constitutionally refused?"

"6. Is the object of the fiat to prevent a denial of justice, and may it be granted even though the Governor of a colony—acting on the advice of his responsible Ministers—may have refused to refer to the Supreme Court a petition for redress presented to him under authority of a colonial statute, as in the present case?"

"7. Has the Secretary of State for the Colonies any discretionary power to withhold a petition from Her Majesty, or to delay it longer than is necessary to obtain advice as to its being in form and as to its raising a proper case?"

"8. Has the colonial Government any discretionary power to prevent the petition from reaching the Secretary of State, or to hinder the petitioner from acting upon the petition when returned with Her Majesty's fiat?"

"9. Is the question of the applicability of the arbitration clause to the matters raised in the Western Australian Land Company's petition within the province of the Secretary of State to decide with a view to stopping the petition, or is it one for decision by the Supreme Court in the proceedings on the petition?"

1. In reply, the Law Officers advised me that the indorsed petitions ought at once to have been delivered to the petitioners by the Governor when received by him.

2. That the right to petition Her Majesty is a common-law right personal to any British subject, so long as the petition is presented in the regular and constitutional way.

3. That this right is not taken away in Western Australia by the local Act—31 Vict., No. 7: That that Act is an enabling one, and if a petitioner chose not to take advantage of its provisions, but addressed a petition to Her Majesty direct, the fact that a remedy is available in the colony might be a reason for refusing to indorse the petition; but that in a case where leave has been refused in the colony, the right of petitioning Her Majesty is in no way restricted by this local Act.

4. That if the petition is in proper form, and discloses a proper case, the fiat cannot be properly refused.

5. That this fiat may be granted even though the Governor of the colony, acting upon the advice of his responsible Ministers, may have refused to refer to the Supreme Court such petition for redress; and that the prerogative in question should be exerted in any case in which it appears necessary to prevent a denial of justice.

6. That the Secretary of State for the Colonies has no discretionary power to withhold a petition from Her Majesty, or to delay it longer than is necessary for obtaining advice upon it.

7. That the Colonial Government has not any discretionary power to prevent the petition from reaching the Secretary of State, or to hinder the petitioner from acting upon the petition when returned with Her Majesty's fiat.

8. That the question of the applicability of the arbitration clause to the matters raised in the Western Australian Land Company's petition is one for decision by the Supreme Court in the proceedings upon the petition; that they did not at all lay down that the existence of an arbitration clause which clearly barred any right of action might not be a ground for refusing the fiat; but that this is not such a case; and that the question whether the dispute should be referred to arbitration could be raised by defence to the petition or by motion to stay the proceedings.

I should inform you that the prerogative right of Her Majesty to grant her fiat upon a petition of right from a self-governing colony had before the two cases from Western Australia now in question already been more than once before the Law Officers of the Crown, and that their advice has invariably been given in favour of the existence of that right. This advice was given with respect to Newfoundland in 1861 and 1862, to New South Wales in 1863, and to South Australia in 1894.

I have received and given careful consideration to the resolution adopted at the Conference of Premiers held at Hobart in February last: "That, in the opinion of this Conference, Her Majesty's fiat should not issue to supersede the decision of the local Executive on the subject of any reference to the Supreme Court of local claims against the Crown." But your Ministers will, I trust, on considering the opinion quoted above, agree with me that there has been no question of superseding their decision under the powers given to them by the Act 31 Vict., No. 7. With their discretion under that Act I have no power, and I certainly have no desire to interfere. I would, however, point out that these petitions of right are outside that Act altogether, and the question is purely one of law as to the individual right of a British subject to present a petition of right for redress in a colonial Court for an alleged breach of a contract made on behalf of the Crown.

So long as that right has not been taken away by express legislation, I have no power to interfere with its exercise. My duty on receiving such a petition is simply to ascertain from the Law Officers of the Crown that the petition is proper in form and discloses a grievance which may properly be made the subject of a petition of right, and then, if the answer is in the affirmative, to submit the petition to the Queen, and, as a Ministerial Act, advise Her Majesty to grant her fiat. I have no discretion in the matter.

I think it right to add that I should deprecate any attempt to deprive British subjects of their right to petition the Queen for redress unless a direct right of action against the Attorney-General

of the colony, as representing the Crown, is given by statute in every case in which such a petition can now be presented, and is not made to depend on the consent of the Executive, as in the Western Australian Act 31 Vict., No. 7. If a colonial Government is to have the final power of preventing a subject from bringing before the Courts an injury which he complains that he has sustained at the hands of that Government it may be asserted that the Government has constituted itself the judge of its own cause, and that is a position which, I venture to think, no colonial Government would, on the ground of common justice, wish to assume.

I shall transmit a copy of this despatch to the Governors of the other colonies of Australasia, and, when I have the pleasure next month of welcoming the Premiers, I shall be quite willing to discuss the subject with them.

Governor Sir Gerard Smith, K.C.M.G., &c.

I have, &c.,

J. CHAMBERLAIN.

No. 6.

(No. 20.)

SIR,—

Downing Street, 22nd May, 1897.

I have the honour to acknowledge the receipt of your despatch No. 18, of the 25th April, forwarding a synopsis of the Acts passed at the first session of the thirteenth Parliament of New Zealand, with copies of the Acts.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

No. 7.

(No. 21.)

SIR,—

Downing Street, 24th May, 1897.

I have the honour to acknowledge the receipt of your despatch No. 22, of the 15th April last, transmitting an address from the City Council of Christchurch, congratulating Her Majesty the Queen on the length of her reign, and to inform you that I duly laid it before Her Majesty, who has commanded me to request you to convey to the Council her appreciation of their loyal and dutiful address.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

No. 8.

(No. 24.)

SIR,—

Downing Street, 4th June, 1897.

I have the honour to inform you that I have received a letter from a Mrs. Eliza Biggs, machinist, of Nelson, New Zealand, desiring me to lay before the Queen her prayer that Her Majesty might accept the copy of the "Jubilee Ode," written by her, and enclosed in her letter.

I have to request that you will cause Mrs. Biggs to be informed that the composition in question has been laid before the Queen, and that Her Majesty was pleased to receive it very graciously, and has commanded me to desire you to convey to Mrs. Biggs her thanks for it.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

No. 9.

(No. 25.)

MY LORD,—

Downing Street, 14th June, 1897.

I have the honour to inform you that an address has been received for presentation to the Queen from the Wellington Political Society, congratulating Her Majesty on her birthday, and on the completion of the sixtieth year of her reign.

The address has been duly laid before Her Majesty, who was graciously pleased to command me to convey her thanks to the society for their loyal congratulations.

I have to request that you will cause Mrs. Caroline Hinsch, of Mitchelltown, Wellington, the president of the society, to be informed of Her Majesty's pleasure in the matter.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, &c.

No. 10.

(No. 28.)

MY LORD,—

Downing Street, 3rd July, 1897.

I have the honour to inform you that I duly received Sir James Prendergast's despatch No. 16, of the 18th March last, forwarding a resolution passed by the synod of the diocese of Waiapu recording their thankfulness to God for Her Majesty's long and prosperous reign. I have now to request that you will cause the Bishop of Waiapu to be informed that the resolution was laid before the Queen, who was pleased to receive it very graciously.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, &c.

No. 11.

(No. 29.)

MY LORD,—

Downing Street, 6th July, 1897.

I have the honour to acknowledge the receipt of Sir James Prendergast's despatch No. 28, of the 12th May, transmitting an address to the Queen from the Arikis, the Parliament, the Mataipos, and the people of the Cook Islands, and to inform you that I have now laid it before the Queen.

2. Her Majesty was much gratified to learn of the good work which is being done in New Guinea and other islands in the Pacific Ocean by missionaries and teachers from the Cook Islands, and of the desire of the people of the group to utilise for the improvement of others the benefits which they have received themselves from the teaching of the English language, and was graciously pleased to command me to convey her thanks to the Arikis and people for their loyal message and for their prayer on her behalf.

3. You will request the British Resident in the group to inform Makea Takau, Chief of the Federal Government, of Her Majesty's pleasure in the matter.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, &c.

No. 12.

(No. 30.)

MY LORD,—

Downing Street, 7th July, 1897.

I have the honour to acknowledge the receipt of Sir James Prendergast's despatch No. 31, of the 13th May, transmitting an address from the Mayor and councillors of the City of Wellington for presentation to the Queen.

I have now laid this address before Her Majesty, and have to request that you will inform his Worship the Mayor that it gave Her Majesty much pleasure to receive the address of the citizens of the capital of New Zealand, and that Her Majesty has graciously commanded me to convey her sincere thanks to them for their loyal congratulations and good wishes.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, &c.

No. 13.

(No. 31.)
MY LORD,—

Downing Street, 9th July, 1897.

I have the honour to acknowledge the receipt of Sir James Prendergast's despatch No. 32, of the 13th May, transmitting, for presentation to the Queen, an address from Mr. Wi Pere, member of the House of Representatives, and other representative Maoris, and to inform you that I have now laid the address before Her Majesty.

Her Majesty was deeply touched by the loving greeting of the Maori people of New Zealand, and I have received her gracious command to convey her thanks to Mr. Wi Pere, on behalf of his fellow-countrymen, for their dutiful salutations and prayers.

With reference to that part of the address which dealt with the question of the Maori lands, Her Majesty desires that Mr. Wi Pere should be informed that it is one for the consideration of her Ministers in New Zealand, to whom she has directed it to be referred.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 20.

No. 14.

(No. 32.)
MY LORD,—

Downing Street, 10th July, 1897.

I have the honour to acknowledge the receipt of Sir James Prendergast's despatch No. 27, of the 13th May, forwarding an address to Her Majesty from the New Zealand Conference of the Australasian Wesleyan Methodist Church.

The address has been laid before the Queen, who commanded that her thanks should be conveyed to the President for the loyal and respectful congratulations of the Conference, and for their prayers on her behalf.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, &c.

No. 15.

(General.)
MY LORD,—

Downing Street, 16th July, 1897.

The time has arrived for the departure from this country of the various component units of the remarkable military assemblage which has constituted one of the most striking features of the recent Jubilee celebrations, and I cannot allow the occasion to pass without expressing the great satisfaction of Her Majesty's Government that such a unique and characteristic gathering of Her Majesty's colonial Forces should have been so successfully brought about.

2. The colonial troops have attracted the marked attention not only of the British public, but of military experts of all nations; and by their soldier-like bearing and appearance, and their discipline and general behaviour, both on parade and in quarters, they have won the highest opinions on all sides.

3. Her Majesty's colonial Forces, during their stay in England, have been treated in all respects as regular soldiers; they have readily and cheerfully conformed to every requirement of regimental and barrack discipline, and, by an intimate association with their comrades of Her Majesty's Regular Forces, have become acquainted with every detail of a soldier's life.

4. It has been a particular satisfaction to Her Majesty's Government that this great occasion has been the means of bringing together men of all creeds and of all races, who, although coming, as many of them have done, from widely separated portions of the Empire, are all united by one bond of allegiance as soldiers of Her Majesty the Queen Empress.

5. Her Majesty's Government feel that they are justified in hoping that the effects of this exceptional military gathering will be permanent, and that the Imperial and national interests which have been by this means so forcibly illustrated and brought home to the minds of all classes of Her Majesty's subjects, will now be realised in a manner that has been scarcely possible before. They can hardly doubt that the events of the last few weeks will have done much to knit closer the bonds of union between the colonies and the Mother-country, and to this end the presence of the colonial troops will have largely contributed.

6. I will only add, in conclusion, the expression of my hope that the troops will carry with them to their homes pleasant memories of their visit, and that their stay in this country will have proved not only agreeable but instructive, and I feel confident that in years to come it will be a source of pride and satisfaction to those who are now leaving our shores to think that they have taken part in this great and important national demonstration.

7. I shall be glad if you will publish this despatch.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, &c.

No. 16.

(No. 33.)

MY LORD,—

Downing Street, 15th July, 1897.

I have the honour to acknowledge the receipt of Sir James Prendergast's despatch No. 29, of the 12th May, transmitting a joint address to the Queen passed by both Houses of the Parliament of New Zealand, and to inform you that the address has been presented personally to Her Majesty by the Right Hon. R. J. Seddon, to whom Her Majesty was pleased to make a gracious reply.

A.—1, Sess. II.,
1897, No 23.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 17.

(No. 34.)

MY LORD,—

Downing Street, 16th July, 1897.

I have the honour to acquaint you, for the information of the National Council of the Women of New Zealand, that I have duly laid before the Queen the address to Her Majesty which was enclosed in Sir J. Prendergast's despatch No. 30, of the 13th May last.

I am commanded by Her Majesty to express to the Council her thanks for their congratulations and kind wishes for the future, and I shall be obliged if your Lordship will cause the Council to be informed accordingly.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 18.

(No. 36.)

MY LORD,—

Downing Street, 23rd July, 1897.

I have the honour to acknowledge the receipt of Sir J. Prendergast's despatch No. 26, of the 27th April, forwarding an illuminated address from the New Zealand Veterans' Association, congratulating Her Majesty on the completion of the sixtieth year of her reign.

The address has been laid before Her Majesty, who much admired the taste and skill with which it has been executed, and was graciously pleased to command that her thanks should be conveyed to the New Zealand veterans for this manifestation of their loyalty.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 19.

(No. 37.)

MY LORD,—

Downing Street, 23rd July, 1897.

I have the honour to inform you that I have received from the Grand Orange Lodge of New Zealand an address for presentation to the Queen, congratulating Her Majesty on the attainment of the sixtieth anniversary of her accession to the throne, and requesting to be favoured with a copy of Her Majesty's photograph.

You will inform Mr. J. Carnahan, the grand secretary, of Protestant Hall, Auckland, that I have laid the address before Her Majesty, who has commanded me to convey her thanks to the members of the lodge for their loyal message.

As regards the request for her photograph, Her Majesty has received so many similar applications which she has been unable to accede to that she regrets that, in the circumstances, she is unable to meet the wishes of the lodge.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 20.

(No. 39.)

MY LORD,—

Downing Street, 29th July, 1897.

I have the honour to transmit to you, for your information, with reference to my despatch No. 31, of the 9th instant, the accompanying copies of a correspondence which has taken place on the subject of the Maori land reserves.

I have noted the information conveyed in Mr. Seddon's letter with much satisfaction.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

Enclosures.

SIR,—

Chelsea Barracks, 23rd June, 1897.

Would you be kind enough to let me know your opinion of this petition, as we are leaving very shortly, or, rather, on the 11th July, 1897?

I remain, &c.,

Captain TUNUIARANGI,

New Zealand Mounted Rifles.

The Hon. J. Chamberlain.

To Her Most Gracious Majesty Queen Victoria.

WE, the Native contingent of the New Zealand Volunteers, do address to your Majesty our sorrows and our feelings towards you as our great ruler under the Treaty of Waitangi.

May God bestow many blessings upon you, and may He prolong your reign upon the throne which you now possess.

It was after your Majesty ascended the throne that the Colony of New Zealand was made known to you. It is a great and very good thing to print upon our hearts the length of time during which you have been our Queen. So now we, the Maori of New Zealand, do pray unto you to govern and rule us according to the laws under which we are now living, and we do further pray to you to be gracious unto us, and to grant to us that the lands which the Maori now possess as a means of subsistence may be inalienable by them.

Since the colony has been known up to the present time more than 60,000,000 acres have been taken by the Crown and the pakeha, and now there only remains about 5,000,000 acres (more or less) to the Maori.

Your Maori subjects are anxious to work upon the farms which they now possess, and they are willing to lease the parts which they are unable to cultivate themselves upon fair and reasonable terms. Your Maori subjects do not wish these lands to be taken away from them, well knowing that the same are the sole means of their subsistence in the future, and they pray your Majesty to pass a law preventing the Government of New Zealand and the pakeha from acquiring lands from the Maori.

There is now no dissensions between your Majesty's Maori subjects and English people such as formerly existed, and the former are now living peaceably under the laws which govern thousands of your Majesty's subjects.

Long live your Majesty. May God spare your Majesty, your Majesty's family, and your Ministers, and those in authority under them.

God save the Queen!

[Signed by Captain H. P. Tunuiarangi, N.Z.M.R., Tribe Kahungunu, Sergeant-major Tareha, N.Z.M.R., Tribe Kahungunu, and sixteen other signatures.]

DEAR MR. CHAMBERLAIN,—

36, Walbrook, E.C., 13th July, 1897.

I received the other day a letter from a friend of mine who is deeply interested in New Zealand enclosing me the petition of the Native contingent of the New Zealand Volunteers, addressed to Her Majesty, on the question of their reserved land in New Zealand, and yesterday Captain H. P. Tunuiarangi and Bugler Wi Tako called upon me, and I had a talk with them. Of course, I told them that as a private member of Parliament all I could do was to listen to their case, and then forward my remarks to the proper quarter, but that our Home Government here would be very chary about endeavouring in any way to interfere with the acts of a self-governing colony like New Zealand. They quite recognised this, and stated that in the hands of the present Government of New Zealand they felt they were tolerably safe, and that they hoped to have a law passed after the receipt of a practically similar petition which they intend to present to Mr. Seddon when they get back to New Zealand. They said, however, that if you, as the Colonial Secretary, could see your way to suggest to the Government of New Zealand that the gravest consideration should be given to their wishes, no doubt it would do a great deal of good. It appears from what they stated to me that the Maori tribe, although vastly diminished compared to its original strength, is now slowly increasing, but that the land is diminishing very quickly, and their fear is that, if sales and alienation are allowed to proceed at the rate they are doing now, in a very short time practically nothing will be left to the Maori, and, as they are to a very large extent an agricultural race, their employment will be gone, and they will be reduced to practical pauperism.

Of course, I only took the matter up to oblige my friend, but I was very much impressed by both of the New-Zealanders who called upon me, and they appeared very earnest in their desire to do everything according to law in the protection of their interests. I asked them if private individuals were obtaining concessions, or if the Government were forcibly alienating their property, and they said they were protected against individuals but not against the Government; but what they really complained against was that the Maoris had power to sell their property at all. As the captain said, the proportion of wise men among their tribe was no greater than in any other race, and a tempting offer by a European settler would in most cases obtain the sale of the land he was anxious to get, and that those Natives who sold did not look ahead and see the ultimate effect of their parting with their property. They particularly desire that Maoris should not be permitted to sell their land, but that it should be reserved to them for ever.

They appear to place very great confidence in your good-feeling towards native races, and are evidently willing to leave the matter in your hands. Before they left I again impressed upon them how difficult it was for a Home Government to which a self-governing colony was attached by a very slender thread to express their will if the ruling party in the colony were not willing to receive it; but I assured them that the matter would be brought before you, and would receive your very grave consideration. They are a splendid race, the Maoris, and from what the captain and his bugler told me they are improving in their social life, particularly since the New Zealand Government has prevented the sale of liquor to their women.

Pardon me troubling you, and believe me,
The Right Hon. Joseph Chamberlain, M.P., &c.

Yours, &c.,
JOHN M. DENNY.

SIR,—

Downing Street, 20th July, 1897.

I am directed by Mr. Secretary Chamberlain to acknowledge with thanks the receipt of your letter of the 13th instant on the subject of the Maori land reserves, and I am to state, in reply, that the matter is one for the exclusive consideration of the colonial Government, and that Mr. Chamberlain cannot interfere in it.

He has, however, caused a copy of your letter, with its enclosure, to be transmitted to the Right Hon. R. J. Seddon.

J. M. Denny, Esq., M.P.

I am, &c.,
JOHN BRAMSTON.

SIR,—

Downing Street, 20th July, 1897.

I am directed by Mr. Secretary Chamberlain to transmit to you the accompanying copies of a correspondence which has taken place on the subject of the Maori land reserves in New Zealand.

The Right Hon. R. J. Seddon.

I am, &c.,
JOHN BRAMSTON.

SIR,—

Hotel Cecil, London, 23rd July, 1897.

I have the honour to acknowledge the receipt of your letter (15226/97) of the 20th instant, transmitting copies of a correspondence which has taken place on the subject of the Maori land reserves in New Zealand, and to request that you will convey my thanks to Mr. Secretary Chamberlain for furnishing me with the same.

It will be pleasant to Her Majesty and Mr. Chamberlain to know that we have already passed legislation under which the Crown reserves the pre-emptive right of purchasing lands from the Natives, and no alienation can take place until after inquiries have been made by a Court of competent jurisdiction as to whether or not the Native who proposes to alienate his lands has sufficient means left for his own maintenance; and that our policy has been to reserve lands for the Native race in the South Island, where, unfortunately, they disposed of most of their holdings years ago. We have, however, set apart for them some 60,000 acres of our Crown lands, on which we are at the present time engaged in settling the landless Natives.

Sir John Bramston, Colonial Office.

I am, &c.,
R. J. SEDDON.

SIR,—

Downing Street, 10th July, 1897.

I am directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 23rd ultimo, transmitting a petition to the Queen from the Native contingent of the New Zealand Volunteers now in London, and to inform you that Mr. Chamberlain has now laid the petition before the Queen, who graciously commanded him to thank you and the officers and men in your charge for your good wishes.

With regard to that part of the petition which had reference to the subject of the Maori lands, I am to state that Her Majesty was not pleased to give any directions.

I am, &c.,

Captain H. P. Tunuiarangi.

No. 21.

(No. 40.)

MY LORD,—

Downing Street, 30th July, 1897.

I have the honour to inform you that I have received through Dr. W. A. Chapple, of Wellington, an address to the Queen from the New Zealand Natives' Association, of which he is president, offering their sincere congratulations to Her Majesty on the occasion of the sixtieth anniversary of her accession to the throne.

You will inform Dr. Chapple that I have now laid the address before Her Majesty, who was much gratified by its patriotic sentiments, and has commanded me to convey her thanks to the association for their dutiful congratulations and kind wishes.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 22.

(No. 42.)

MY LORD,—

Downing Street, 30th July, 1897.

I have the honour to inform you that an address has been received by the Queen, through the Prince of Wales, from the grand masters, grand officers, and members of the grand lodges of Ancient Free and Accepted Masons of South Australia, New South Wales, Victoria, Tasmania, and New Zealand.

I have received Her Majesty's commands to return her grateful thanks to the various grand lodges for this united manifestation of the affection and devotion with which the freemasons of Australasia regard her throne and person, and to express her appreciation of the sentiments contained in their address.

I have to request that you will communicate Her Majesty's pleasure to the grand masters, grand officers, and members of the Grand Lodge of New Zealand.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 23.

(No. 43.)

MY LORD,—

Downing Street, 12th August, 1897.

No. 2.

With reference to my despatch No. 15, of the 30th April, I have the honour to transmit to you, for communication to your Ministers, a copy of the correspondence specified below, respecting the effect of the New Zealand "Shipping and Seamen's Act Amendment Act, 1896."

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
4th January, 1897	Chamber of Shipping of the United Kingdom to the Colonial Office.
11th January, 1897	Colonial Office reply.
4th June, 1897	Chamber of Shipping of the United Kingdom to the Colonial Office.
19th June, 1897	Colonial Office reply.
29th July, 1897	Agent-General to Colonial Office, enclosing
25th July, 1897	Letter from Mr. Seddon to the Chamber of Shipping.

Enclosures.

1, Whittington Avenue, Leadenhall Street, E.C., London,
4th January, 1897.

SIR,—

Referring to previous correspondence which has passed between the Colonial Office and this Chamber, and in which this Chamber has urged that colonial legislation with respect to British merchant shipping ought not to be allowed to exceed the requirements of "The Merchant Shipping (Consolidation) Act, 1894," I am directed by the executive council to state that they are informed that an Act, the short title of which is "The Shipping and Seamen's Act Amendment Act, 1896," was passed by the General Assembly of New Zealand on the 16th October last.

I am instructed by the council to specially call your attention to the provisions of section 10 of this Act, which runs as follows:—

"10. Notwithstanding anything contained in the principal Act, or in any amendment thereof, it is hereby declared that whenever the master, owner, or agent of any ship—

"(1.) Engages seamen in the colony, or

"(2.) Having engaged them abroad, employs them in the colony,—

such seamen, whilst so employed, shall be paid, and may recover, the current rate of wages for the time being ruling in the colony, and in the former case the engagement may be determined in the colony at any time after the ship's arrival at her final port of discharge in the colony, consequent on the completion of a round voyage, by twenty-four hours' previous notice on either side:

"Provided that this section shall not apply to ships arriving from abroad with passengers or cargo but not trading in the colony further or otherwise than for the purpose of discharging such original passengers or cargo in the colony, and there shipping fresh passengers or cargo to be carried abroad:

"Provided further that a Collector of Customs may, upon the application of an officer of a charitable institution, grant a permit in any special case to the master of a ship to engage a seaman at less than the current rate of wages for a particular voyage to be specified in the permit."

The marginal note to this section, which runs as follows: "Seamen engaged in colony to be paid current wages," seems to my council to be misleading, for the language of the section would, in their opinion, make it apply to the case of seamen who may be shipped in this country on a year's, or two years', or three years' agreement to proceed to New Zealand in a British vessel, and to trade out there on board of the vessel on time charter, either between different ports in New Zealand or between Australian and New Zealand ports, &c.

This section, indeed, appears to my council to offer an inducement—and, in the interests of public morality, a very objectionable inducement—to seamen to break the contracts into which they have voluntarily entered in this country in order to obtain the higher rate of wages which may be current in New Zealand. Moreover, in the (Imperial) "Merchant Shipping Act, 1894," there are no references to such subjects as "current wages," nor is any attempt made in that Act to fix a rate of wages by statute.

I am, accordingly, directed by the executive council of this Chamber to respectfully ask that you would advise Her Majesty to refuse her Royal assent to the Bill unless and until the provisions of section 10 are either struck out or amended.

In conclusion, my council have to once more strongly urge upon you that it is most desirable, in the best interests both of Great Britain and her colonies, that legislation which affects British merchant shipping should be on all-fours both at Home and in the colonies.

I have, &c.,

Right Hon. J. Chamberlain, M.P.,

Her Majesty's Secretary of State for the Colonies, &c.

W. H. COOKE, Secretary.

SIR,—

Colonial Office, S.W., 11th January, 1897.

In reply to your letter of the 4th instant, respecting "The Shipping and Seamen's Act Amendment Act, 1896," passed by the Legislature of New Zealand, I am directed by Mr. Secretary Chamberlain to inform you that the Act in question has not yet been received at this office. When the Act is received the objection put forward in your letter will receive Mr. Chamberlain's consideration.

I am, &c.,

The Secretary, Chamber of Shipping of the United Kingdom.

E. WINGFIELD.

1, Whittington Avenue, Leadenhall Street, E.C., London,
4th June, 1897.

SIR,—

I had the honour, on the 4th January last, of addressing a letter to you calling your attention to the provisions of section 10 of the New Zealand "Shipping and Seamen's Act Amendment Act, 1896," and, in reply, I was informed, under date of the 11th January last, that a copy of the Act had not been then received at the Colonial Office, but that when one was received the objection put forward in my letter would receive your consideration.

I am now directed by the executive council of this Chamber to state that they observe that in a speech of the New Zealand Premier (Mr. Seddon), which was delivered at the banquet of the Marine Engineers' Union at the Holborn Restaurant on the 2nd instant, that gentleman is reported in the *Shipping Gazette* of yesterday to have spoken as follows:—

"In New Zealand they had placed upon the statute-book a measure known as the Shipping and Seamen's Act. . . . He might add that not only had New Zealand done this—and he hoped that he was not saying a single word that would cause discord—(No, no)—but they had said that whenever any steamer whatever came to their ports the engineers should receive what was fixed and determined as being the current salaries payable in that Colony of New Zealand. That had been brought about in the Act of last session, and they claimed that it had been for the protection of commerce, not only of the colony, but of the Empire."

If this be correct the Act will affect—as I submitted to you in my letter of the 4th January last would probably be the case—the contracts of British shipowners made here with the engineers on board of their vessels trading to New Zealand.

As my council presume that by this time a copy of the New Zealand Act must have reached the Colonial Office, I am directed by them to respectfully ask that you would advise Her Majesty, for the reasons stated in my letter of the 4th January last, to refuse her Royal assent to the Act until the provisions of section 10 are either struck out or amended.

I have, &c.,

The Right Hon. J. Chamberlain, M.P.,
Her Majesty's Secretary of State for the Colonies, &c.

W. H. COOKE, Secretary.

SIR,—

Colonial Office, S.W., 19th June, 1897.

I am directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 4th instant, respecting section 10 of the New Zealand "Shipping and Seamen's Act Amendment Act, 1896," and to inform you that Her Majesty's Government have now received the Act in question, and are in communication with the Colonial Government on the subject.

I am to request you to point out to the Chamber that a vessel trading on time charter between different ports in New Zealand would be practically a vessel engaged in the coasting trade of the colony, in respect of which the colonial Legislature has full power to legislate.

I am to take this opportunity of suggesting that the Chamber might take the opportunity of Mr. Seddon's presence in this country to bring their views on this question to his notice.

I am, &c.,

The Secretary, Chamber of Shipping of the United Kingdom.

JOHN BRAMSTON.

Westminster Chambers, 13, Victoria Street, London, S.W.,
29th July, 1897.

SIR,—

I am directed by the Agent-General to forward, for the information of the Secretary of State, copy of letter addressed by the Premier of New Zealand to the Chamber of Shipping of the United Kingdom.

I have, &c.,

WALTER KENNAWAY.

The Under-Secretary of State for the Colonies, Downing Street, S.W.

DEAR SIR,—

Hotel Cecil, Strand, W.C., 25th July, 1897.

On receipt of your letter of the 6th July the same was formally acknowledged. I notice in perusing the communication in question that you stated that it was understood at the interview that the object of the New Zealand Government was to restrict the New Zealand coasting trade to the British flag.

I stated at the interview, which was certainly somewhat unique, that the legislation in question would assist in maintaining the position of our trade with the Mother-country; that it prevented foreign vessels, or vessels even under the flag, coming and periodically depleting the coastal trade to the detriment of the colony; and that in some cases the ships were manned by coloured and underpaid labour. I further pointed out to you that those engaged in the colonial trade have not complained at the legislation; and that it does not affect any one unless they accept freights from port to port, and by this voluntary action bring themselves under the Act in question.

As to the law of contract, it is unnecessary for me to point out to you that so long as contracts are within the law they hold good. Contracts entered into and within the law in New Zealand, if outside the law obtaining in Great Britain, would be void. In self-governing colonies we find it necessary, in our own interests, to pass legislation local in application; but that it would be well to have a codification and consultation for commercial laws I admit, and to this end a Commission has already been appointed. But in respect to the legislation of which you complain, we are within our constitutional rights. There is no disadvantage to shipowners, while there is a distinct advantage to the people of our colony.

In conclusion, I wish you to clearly understand that it is the desire of the New Zealand Government to work harmoniously with those controlling trades and commerce, and, so far as we can reasonably do so, encourage close relationship, and I may say that I am astonished that any objection should be taken to the legislation which is the subject-matter of your communication.

I am sending a copy of this letter to the Secretary of State for the Colonies.

I have, &c.,

R. J. SEDDON.

W. H. Cooke, Esq., Secretary,
Chamber of Shipping of the United Kingdom,
5, Whittington Avenue, Leadenhall Street, E.C.

P.S.—*À propos* of the law of contract, and your contention that all contracts made should have effect within the Empire: In New Zealand marriage with deceased wife's sister is a legal and binding contract; in England the children of such a marriage would be illegitimate, the contract would be null and void, and the parties by law held to be living in adultery.—R. J. S.

No. 24.

(No. 44.)

MY LORD,—

Downing Street, 13th August, 1897.

In my despatch of the 28th January last, conveying to the Premiers of the self-governing colonies the invitation to be present at and take part in the celebration of the sixtieth anniversary of Her Majesty's accession, I intimated to you the hope of Her Majesty's Government that their presence here might afford a valuable opportunity for the informal discussion of many subjects of great interest to the Empire. I have now the honour to enclose, for your information, a memorandum showing how that hope was fully realised, and giving an account of the business transacted.

Her Majesty's Government desire to put on record their strong sense of the loyal and patriotic spirit which was shown by all the representatives of the colonies in the course of their discussions.

They are well aware that many of them came here at considerable sacrifice of personal convenience, but they hope that their colonial colleagues are satisfied that their visit has been productive of great advantage to the Empire, and that the conferences which have been held have resulted in such a free interchange of views as will have a lasting and beneficial effect in securing a complete mutual understanding between the colonies and the Mother-country.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

[For enclosure see A.—4, Session II., 1897.]

No. 25.

(No. 45.)

MY LORD,—

Downing Street, 13th August, 1897.

I have the honour to acknowledge the receipt of your telegram of the 10th instant, reporting your arrival and assumption of the Government of New Zealand on that date.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 26.

(No. 47.)

MY LORD,—

Downing Street, 17th August, 1897.

I have the honour to acquaint you that Her Majesty's Government have had under their consideration the Bill, No. 64, passed by the Parliament of New Zealand, entitled "An Act to prevent the Influx into New Zealand of Persons of Alien Race who are likely to be hurtful to the Public Welfare," copy of which accompanied Lord Glasgow's despatch No. 47, of the 21st December last.

A.—1, Sess. II.,
1897, No. 12.

It would have been more in accordance with the traditional policy of this country if the Bill had been framed on the lines of the Natal Act, copy of which is enclosed, so as to secure the object aimed at without basing the exclusion on the ground of race and colour.

As, however, the Bill does not apply to British Indian subjects, Her Majesty's Government are not prepared to press this objection; but there are some minor points which I should wish your Ministers to consider, with a view to amendment, before the Bill is submitted for an expression of Her Majesty's pleasure.

The intention of the Bill, as I understand it, is not to restrict commercial intercourse with Asiatic countries, but to prevent immigration for the purpose of labour or settlement. The Bill, however, makes no exemptions such as are contained in the Bills passed by New South Wales and South Australia in favour of merchants, tourists, &c., nor does it contain any provision empowering the Executive to exempt by Proclamation any particular person or class of persons. A vessel having on board a coloured shipwrecked crew of an abandoned vessel would therefore be unable to put into a New Zealand port.

I observe also that the penalties imposed by the Bill are for *carrying* more Asiatics than the specified number, not for *landing* them, which I presume can hardly have been intended.

Section 17 (1) of the Bill, which provides that every Asiatic not already naturalised within the colony is hereby declared to be an alien within the meaning of "The Aliens Act, 1880," is open to the construction that it is intended to make aliens of Asiatics in the colony who are British subjects by birth.

I have no doubt that this is not intended, as it would be in excess of the powers of the colonial Legislature, and it is desirable that some words should be added to make it clear that the rights and status of British subjects by birth are not affected.

If the amendments are made, I shall be prepared to submit the measure for her Majesty's assent.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

Enclosure.

THE IMMIGRATION RESTRICTION ACT, 1897.

ARRANGEMENT OF CLAUSES.

Preamble.	11. Offence of assisting in contraventions.
1. Short title.	12. Offence of assisting contravention by persons named in section 3 (f).
2. Exemptions.	13. Bringing insane persons into colony.
3. Prohibited immigrants.	14. Powers of police to prevent entry.
4. Unlawful entry of prohibited immigrants.	15. Officers for carrying out Act.
5. Entry permitted on certain conditions.	16. Rules.
6. Persons formerly domiciled in Natal.	17. Punishments.
7. Wives and children.	18. Jurisdiction of Magistrates.
8. Liability of masters and owners of ship for illegal landing of immigrants.	Schedule A.
9. Disabilities of prohibited immigrants.	Schedule B.
10. Contract for return of prohibited immigrants.	

[No. 1, 1897.]

WALTER HELY-HUTCHINSON, Governor.

Act to place certain Restrictions on Immigration.

WHEREAS it is desirable to place certain restrictions on immigration:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows:—

1. This Act may be known as "The Immigration Restriction Act, 1897."

2. This Act shall not apply to—

(a.) Any person possessed of a certificate in the form set out in the Schedule A to this Act annexed, and signed by the Colonial Secretary, or the Agent-General of Natal, or any officer appointed by the Natal Government for the purposes of this Act, whether in or out of Natal.

(b.) Any person of a class for whose immigration into Natal provision is made by law or by a scheme approved by Government.

(c.) Any person specially exempted from the operation of this Act by a writing under the hand of the Colonial Secretary.

- (d.) Her Majesty's land and sea Forces.
- (e.) The officers and crew of any ship of war of any Government.
- (f.) Any person duly accredited to Natal by or under the authority of the Imperial or any other Government.

3. The immigration into Natal, by land or sea, of any person of any of the classes defined in the following subsections, hereinafter called "prohibited immigrant," is prohibited, namely:—

- (a.) Any person who, when asked to do so by an officer appointed under this Act, shall fail to himself write out and sign, in the characters of any language of Europe, an application to the Colonial Secretary in the form set out in Schedule B of this Act.
- (b.) Any person being a pauper or likely to become a public charge.
- (c.) Any idiot or insane person.
- (d.) Any person suffering from a loathsome or a dangerous contagious disease.
- (e.) Any person who, not having received a free pardon, has within two years been convicted of a felony or other infamous crime or misdemeanour involving moral turpitude, and not being a mere political offence.
- (f.) Any prostitute, and any person living on the prostitution of others.

4. Any prohibited immigrant making his way into, or being found within, Natal, in disregard of the provisions of this Act, shall be deemed to have contravened this Act, and shall be liable, in addition to any other penalty, to be removed from the colony, and upon conviction may be sentenced to imprisonment not exceeding six months without hard labour: Provided that such imprisonment shall cease for the purpose of deportation of the offender, or if he shall find two approved sureties, each in the sum of fifty pounds sterling, that he will leave the colony within one month.

5. Any person appearing to be a prohibited immigrant within the meaning of section three of this Act, and not coming within the meaning of any of the subsections (c), (d), (e), (f) of the said section three, shall be allowed to enter Natal upon the following conditions:—

- (a.) He shall, before landing, deposit with an officer appointed under this Act the sum of one hundred pounds sterling.
- (b.) If such person shall, within one week after entering Natal, obtain from the Colonial Secretary, or a Magistrate, a certificate that he does not come within the prohibition of this Act, the deposit of one hundred pounds sterling shall be returned.
- (c.) If such person shall fail to obtain such certificate within one week the deposit of one hundred pounds sterling may be forfeited, and he may be treated as a prohibited immigrant:

Provided that, in the case of any person entering Natal under this section, no liability shall attach to the vessel or to the owners of the vessel in which he may have arrived at any port of the colony.

6. Any person who shall satisfy an officer appointed under this Act that he has been formerly domiciled in Natal, and that he does not come within the meaning of any of the subsections (c), (d), (e), (f) of section three of this Act, shall not be regarded as a prohibited immigrant.

7. The wife and any minor child of a person not being a prohibited immigrant shall be free from any prohibition imposed by this Act.

8. The master and owners of any vessel from which any prohibited immigrant may be landed shall be jointly and severally liable to a penalty of not less than one hundred pounds sterling, and such penalty may be increased up to five thousand pounds sterling by sums of one hundred pounds sterling each for every five prohibited immigrants after the first five, and the vessel may be made executable by a decree of the Supreme Court in satisfaction of any such penalty, and the vessel may be refused a clearance outwards until such penalty has been paid, and until provision has been made by the master to the satisfaction of an officer appointed under this Act for the conveyance out of the colony of each prohibited immigrant who may have been so landed.

9. A prohibited immigrant shall not be entitled to a license to carry on any trade or calling, nor shall he be entitled to acquire land in leasehold, freehold, or otherwise, or to exercise the franchise, or to be enrolled as a burgess of any borough or on the roll of any township; and any license or franchise right which may have been acquired in contravention of this Act shall be void.

10. Any officer thereto authorised by Government may make a contract with the master, owners, or agent of any vessel for the conveyance of any prohibited immigrant found in Natal to a port in or near to such immigrant's country of birth, and any such immigrant, with his personal effects, may be placed by a police officer on board such vessel, and shall in such case, if destitute, be supplied with a sufficient sum of money to enable him to live for one month according to his circumstances in life after disembarking from such vessel.

11. Any person who shall in any way wilfully assist any prohibited immigrant to contravene the provisions of this Act shall be deemed to have contravened this Act.

12. Any person who shall wilfully assist the entry into Natal of any prohibited immigrant of the class (f) in section three of this Act shall be deemed to have contravened this Act, and shall, upon conviction, be liable to be imprisoned with hard labour for any period not exceeding twelve months.

13. Any person who shall be wilfully instrumental in bringing into Natal an idiot or insane person without a written or printed authority, signed by the Colonial Secretary, shall be deemed to have contravened this Act, and, in addition to any other penalty, shall be liable for the cost of the maintenance of such idiot or insane person whilst in the colony.

14. Any police officer or other officer appointed therefor under this Act may, subject to the provisions of section five, prevent any prohibited immigrant from entering Natal by land or sea.

15. The Governor may from time to time appoint, and at pleasure remove, officers for the purpose of carrying out the provisions of this Act, and may define the duties of such officers, and such officers shall carry out the instructions from time to time given to them by the Ministerial head of their department.

16. The Governor in Council may from time to time make, amend, and repeal rules and regulations for the better carrying-out of the provisions of this Act.

17. The penalty for any contravention of this Act, or of any rule or regulation passed thereunder where no higher penalty is expressly imposed, shall not exceed a fine of fifty pounds sterling, or imprisonment, with or without hard labour, until payment of such fine or in addition to such fine, but not exceeding in any case three months.

18. All contraventions of this Act or of rules or regulations thereunder and suits for penalties or other moneys not exceeding one hundred pounds sterling shall be cognisable by Magistrates.

Schedule A.

Colony of Natal.
THIS is to certify that _____, of _____, aged _____, by trade or calling _____, is a fit and proper person to be received as an immigrant in Natal.
Dated at _____, this _____ day of _____.

(Signature.)

Schedule B.

To the Colonial Secretary.

SIR,—

I claim to be exempt from the operation of Act No. _____, 1897.

My full name is _____

My place of abode for the past twelve months has been _____

My business or calling is _____

I was born at _____, in the year _____

Yours, &c.,

Given at Government House, Natal, this fifth day of May, 1897.

By command of His Excellency the Governor,

THOS. K. MURRAY, Colonial Secretary.

No. 27.

(No. 48.)

MY LORD,—

Downing Street, 18th August, 1897.

I have the honour to transmit to you, for communication to your Ministers, the accompanying copy of the documents noted below, on the subject of the tax which is imposed upon commercial travellers in New Zealand.

I have, &c.,

EDWARD WINGFIELD.

For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
10th August, 1897	Messrs. Peek, Frean, and Co. to Colonial Office, and enclosure.

Enclosure.

SIR,—

Drummond Road, London, S.E., 10th August, 1897.

Being aware of the active interest which you have recently displayed in the matter of bringing the colonies into a closer commercial relationship with the Mother-country, we venture to append an extract from a letter received a few days ago from our traveller.

You will notice his report that, on landing at Wellington, New Zealand, he had to pay a new tax of £50. As the imposition of such a tax seems difficult to reconcile with any colonial attempt to facilitate commercial intercourse with the colony, we shall be glad to hear whether power has been reserved for exempting British manufacturers from this fresh hindrance to the importation of their goods into New Zealand. We may add that we expect that our traveller will only spend two months in New Zealand.

Tendering our respectful thanks in advance,

The Right Hon. Joseph Chamberlain, M.P.,

Secretary of State for the Colonies, Downing Street, S.W.

We are, &c.,

PEAK, FREAN, AND CO.

Extract from Letter dated Wellington, New Zealand, 19th June, 1897.

"We landed here on the 17th instant, and on clearing my baggage the Customs demanded payment of a tax of £50 before delivering up my samples. This is a law recently passed, it is said instigated by the wholesale merchants of the place to protect themselves specially from Australian competition. I consulted with Messrs. Turnbull, the chief of the Customhouse Department, and also with the Commissioner of the Income-tax Department, to whom I was referred from the chief of the Customs, to see if there was any possibility of exemption or adjustment on the ground of the short stay in New Zealand and the small returns. They stated that no discretionary power was given to them, so I had no alternative but to pay the £50. This holds good for one year; but in the event of your representative visiting New Zealand again in a few years, should the law still be in force, they will consider if it is possible to go free. I will send you the receipt on quitting New Zealand."

No. 28.

(No. 49.)

MY LORD,—

Downing Street, 20th August, 1897.

I have the honour to inform you that a casket made of New Zealand woods, containing an art album of New Zealand flora, has been received in this department from Mr. James Townley, Mayor of Gisborne, New Zealand, for presentation to the Queen, and that I have now taken Her Majesty's pleasure in the matter.

Her Majesty was graciously pleased to accept the proffered presents, and has commanded me to convey her grateful thanks to Mr. Townley for the interesting casket, and to Mr. and Mrs. E. H. Fenton for the beautifully illustrated album.

You will be good enough to explain to Mr. Townley that the delay in announcing to him Her Majesty's pleasure in the matter has arisen from the fact that I was not informed of the transmission of the case containing the presents, and did not receive the bill of lading for the case containing them, and that some time elapsed before it was handed over by the shipping agents.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 29.

(No. 51.)

MY LORD,—

Downing Street, 20th August, 1897.

I have the honour to transmit to you, for the consideration of your Ministers, a copy of a letter from the Board of Trade, in support of an application which is said to have been made to the Colonial Government by Messrs. Shaw, Savill, and Albion Company for a certificate of exemption, under section 201 of the New Zealand Shipping and Seamen's Act of 1877, in respect of four cargo-steamers owned by them, and engaged in the New Zealand trade.

I should be glad if your Ministers could see their way to give their favourable consideration to this application.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

Enclosure.

Board of Trade (Marine Department), 7, Whitehall Gardens, London, S.W.,

SIR,—

12th August, 1897.

I am directed by the Board of Trade to request that you will be good enough to lay the following circumstances before the Secretary of State for the Colonies:—

The Board have received representations from Messrs. Shaw, Savill, and Albion Company, a firm of shipowners of the highest standing in the City of London, to the effect that the New Zealand Government have intimated that they now propose to compel all steamers trading with that colony to be provided with Board of Trade certificates, whether they carry passengers or not, unless their owners obtain a certificate of exemption under section 201 of the New Zealand Shipping and Seamen's Act of 1877.

Of nine steamers owned by Messrs. Shaw, Savill, and Co., and engaged in the New Zealand trade, five possess Board of Trade passenger certificates, and, with regard to these, no difficulty has arisen; but four steamers—viz., “Mamari,” “Matatua,” “Pakeha,” and “Rangatira”—being purely cargo-boats, do not hold such certificates, and, unless the owners are able to obtain exemption, these vessels will have to be surveyed in New Zealand twice at least in each year, a course involving very considerable expense and delay.

The Board are informed that Messrs. Shaw, Savill, and Co. have sent in formal application for exemption, and the department has been asked to support this application by a representation of the facts to the Secretary of State.

The vessels in question have been employed in the New Zealand trade for many years without being subjected to survey in the colony. As they carry no passengers, the Imperial law does not require them to hold Board of Trade passenger certificates, to obtain which, indeed, they would have to comply with conditions as to steam pressure which the department do not consider it necessary to impose in the case of cargo-steamers. These vessels are, however, perfectly fit in every respect for their service. They hold the highest class at Lloyd's (viz., 100 A1), and are certified by that body as “fit to carry dry and perishable cargoes to all parts of the world.”

In these circumstances, I am to suggest, for the consideration of the Secretary of State, that the case is one in which a representation in support of Messrs. Shaw, Savill, and Co.'s application might properly be made to the Government of New Zealand.

The Under-Secretary of State, Colonial Office.

I have, &c.,
WALTER J. HOWELL.

No. 30.

(No. 52.)

MY LORD,—

Downing Street, 21st August, 1897.

I have the honour to inform you that I duly received Lord Glasgow's despatch No. 48, of the 21st December, 1896, transmitting certain protests against the Asiatic Restriction Bill of 1896.

You will observe from my despatch No. 47, of the 17th instant, that the subject has been under the consideration of Her Majesty's Government, whose views are therein explained to you, and you will be good enough to inform the Speaker of the Legislative Council and the Chinese memorialists that the matter has been referred to the Colonial Government for further consideration, with a view to the introduction of some amendment in the Bill.

I have, &c.,
J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 31.

(No. 53.)

MY LORD,—

Downing Street, 25th August, 1897.

I have the honour to transmit to you, for the information of your Ministers, with reference to Sir J. Prendergast's despatch No. 40, of the 8th July, a copy of the letter noted below, respecting the application of the Auckland Yacht Club to be allowed to use the title of “Royal.”

I have, &c.,
EDWARD WINGFIELD,
For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
August, 1897	Colonial Office to the Earl of Dunraven.

Enclosure.

MY LORD,—

Downing Street, 25th August, 1897.

With reference to the letter from this office of the 30th January last, stating that the Governor of New Zealand had been requested to furnish his observations on the application of the Auckland Yacht Club for permission to use the title “Royal,” I am directed by the Secretary of State for the Colonies to transmit to you a copy of a despatch on the subject from the Officer Administering the Government of the Colony.

On the receipt of this despatch the application of the club was laid before the Queen, who commanded me to state that in Her Majesty's opinion it was probable that if the permission requested were granted similar applications would be received from other yacht clubs in the colony, which it might be necessary to refuse, thus causing heartburning and disappointment.

If, however, it were found possible to act upon the suggestion of the New Zealand Government, that the colonial yacht clubs should be amalgamated, Her Majesty would graciously approve of the desired title being conferred on the single yacht club, which would thus represent the whole colony.

The Right Hon. the Earl of Dunraven, K.P.

I am, &c.,

JOHN BRAMSTON.

No. 32.

(No. 56.)

MY LORD,—

Downing Street, 2nd September, 1897.

I have the honour to inform you that I have received a letter from Mr. C. A. Clarke, Mayor of Tauranga, describing a meeting in celebration of the completion of the sixtieth year of Her Majesty's reign, to which he invited the townspeople of Tauranga and the Maoris of the district.

I shall be glad if you will inform Mr. Clark that the photograph which accompanied his letter has been laid before the Queen, who was gratified by this evidence of the loyalty of the Maoris, and of the contentment in which they live under her rule.

I am, &c.,

JOHN BRAMSTON,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 33.

(No. 58.)

MY LORD,—

Downing Street, 7th September, 1897.

I have the honour to transmit to you, for communication to your Ministers, the accompanying copy of a letter from Colonel Paine, who has visited England on a special mission from the United States with regard to bimetallism.

I shall be glad to be furnished with any observations your Government may have to make on the subject of the currency proposals indicated in the second paragraph of Colonel Paine's letter.

I may observe that no final reply has yet been returned by Her Majesty's Government to the special mission.

A similar despatch to the present has been addressed to the Governors of the Australian Colonies, and I shall cause Colonel Paine to be so informed, adding that, as the Australian mints are merely branches of the Royal Mint in London, constituted by Imperial Orders in Council, and administered under the direction of the Master of the Mint and the Lords Commissioners of the Treasury, they would, in such a matter, receive instructions from London.

I have, &c.,

JOHN BRAMSTON,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

Enclosure.

SPECIAL MISSION OF THE UNITED STATES OF AMERICA.

DEAR MR. CHAMBERLAIN,—

Bristol Hotel, London, 6th August, 1897.

In conducting the negotiations with which we are charged as special envoys from the United States of America in regard to bimetallism, it becomes important to know the attitude of the British colonies on this subject, especially of those composing Australasia.

We should therefore, in pursuance of our conversation of the 5th instant, esteem it a favour if you can obtain for us information as to whether those colonies, or any of them, would be willing to open their mints to the free coinage of full legal tender silver money in the event of an international agreement between the leading commercial nations to re-establish the use of silver as full legal tender at the ratio of $15\frac{1}{2}$ of silver to 1 of gold, by opening their respective mints to free coinage of silver at that ratio, or by other sufficient means which provided that the maintenance of the agreed ratio should be secure.

If any of the colonies are unwilling to open their mints to the free coinage of silver upon such conditions, then we should be very glad to be informed whether other co-operation, and to what extent, in the direction of a larger use of silver in their currency may be expected of each of them in the event of such an international agreement.

We have already brought to the attention of Her Majesty's Government various subjects in respect to which the co-operation of Great Britain would greatly contribute to the success of an international agreement, and, although we have not ourselves been informed of their disposition towards them, yet we venture to hope it may be in your power to assure the colonies at the same time that Her Majesty's Government is favourably disposed towards the present effort to re-establish the use of silver, and desires, so far as it can, to assist it, and will place no obstacle in the way of any action in favour of a larger use of silver as money that any colony may deem for its interest to adopt.

As we largely rely for the success of our mission upon the very full co-operation on the part of the British Empire, we feel that the action of the Australasian Colonies is most important, especially as they use a very large proportion of gold in their currency.

We are aware of the time needed to communicate with Australasia, and therefore we do not expect to receive a reply to this letter at the time when we are led to expect that Her Majesty's Government will communicate to us their decision upon the other subjects which we have proposed for their consideration.

I have, &c.,

CHAS. J. PAINE.

The Right Hon. Joseph Chamberlain, P.C., M.P., Colonial Secretary of State.

No. 34.

(No. 59.)

MY LORD,—

Downing Street, 8th September, 1897.

I have the honour to transmit to you, for the information of your Ministers, a copy of the despatch noted in the margin respecting Japanese immigration into Australia.

I have, &c.,

JOHN BRAMSTON,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

Enclosure.

(Japan : Treaty Revision.)

SIR,—

24th August. Section 1.
Foreign Office, 24th August, 1897.

I referred to Her Majesty's Secretary of State for the Colonies the memorandum which you left at this office on the 8th ultimo, expressing the hope that Her Majesty's Government might see their way to obtain the exemption of Japanese immigrants from the operation of the Bills passed by the Legislatures of some of the Australian Colonies for the regulation of alien immigration.

Mr. Chamberlain informs me that he brought the question before the Prime Ministers of Australia and New Zealand at the conferences recently held at the Colonial Office. He found that there was a strong determination, which is undoubtedly shared by the people of the colonies which they represented, to preserve unmistakably the European character of Australian colonisation, which a very small part of the enormous surplus population of Asia, lying, as it does, so much nearer than Europe, would be sufficient to swamp entirely, and against this danger they are resolved to protect themselves.

The Bills passed by the Legislatures of New South Wales and South Australia, however, exempt "ministers of religion, missionaries, native teachers, tourists, merchants, men of science or students, and the wives and families of such persons, and also their domestic servants, who are bearers of certificates of identity, specifying their occupation and their object in coming into the colony, or of other similar documents issued by the Government whose subjects they are"; and the legislation of all the colonies exempts the crews of vessels trading to the colony.

Mr. Chamberlain has pressed on the Governments of New Zealand and Tasmania the desirability of introducing the same exemptions, and has no doubt that they will be agreed to, as the intention is not to restrict trade or commercial intercourse, but to prevent immigration, for the purpose of more or less permanent settlement, of labourers and artisans.

If this proposed exemption is accepted by the Governments of New Zealand and Tasmania, the Japanese Government will doubtless recognise that all reasonable cause for complaint has been removed, more especially as it appears from your memorandum that there is no prospect of Japanese subjects emigrating to Australia in large numbers.

I have, &c.,

Mr. Kato.

SALISBURY.

No. 35.

(No. 60.)

MY LORD,—

Downing Street, 9th September, 1897.

I have the honour to inform you that I have received, through the Earl of Glasgow, an address from the inhabitants of the Chatham Islands for presentation to the Queen on the occasion of the completion of the sixtieth year of Her Majesty's reign.

I have to request that you will inform Major Gascoyne, the Resident Magistrate, that I have now laid the address before Her Majesty, who was much touched by this expression of the loyalty and affection of the inhabitants of the Chatham Islands, both European and Maori, and that I have been commanded by Her Majesty to thank them for their dutiful message and prayer.

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 36.

(Circular.)

SIR,—

Downing Street, 28th September, 1897.

With reference to Lord Ripon's circular despatch of the 24th May, 1895, respecting the denunciation of the treaty of commerce between Great Britain and the Republic of Uruguay of the 13th November, 1885, I have the honour to inform you that it is probable that Her Majesty's Government will be asked to revive this treaty for a year, pending the negotiations for a new treaty, and that in such event they are of opinion that such an arrangement would be advantageous to the commercial interests of Great Britain.

Unless I learn from you before the 1st December next that your Government decidedly objects to such a temporary arrangement it is proposed that the temporary revival of the treaty of 1885 shall apply to all the British colonies as well as to the United Kingdom.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

No. 37.

(No. 61.)

MY LORD,—

Downing Street, 29th September, 1897.

I have the honour to acknowledge the receipt of Sir James Prendergast's despatch No. 48, of the 5th August, forwarding an address to the Queen from the Education Board of North Canterbury.

This address has been laid before Her Majesty, who commanded that her thanks should be conveyed to the Education Board for this kind expression of their loyalty.

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 38.

(No. 62.)

MY LORD,—

Downing Street, 30th September, 1897.

I have the honour to acknowledge the receipt of Sir James Prendergast's despatch No. 49, of the 5th August, enclosing for presentation to the Queen an address from the chiefs of Ngaitahu Tribe of aboriginal natives, residing in the Canterbury District of the Middle Island.

Her Majesty, before whom I have now laid the address, was much touched by the expressions of love and loyalty which it contained, and has commanded me to convey her thanks to the chiefs of the Ngaitahu Tribe for their kind message.

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 39.

(General.)

MY LORD,—

Downing Street, 5th October, 1897.

I have the honour to transmit to your Lordship, under flying seal, a letter from the Education Department to the Minister of Education, asking to be supplied with a brief authoritative account of the system of education existing in the colony, with a view to publication in a volume of special reports on educational subjects for the information of local educational authorities, teachers, and other students of education in this country.

I shall be glad if you will be good enough to furnish me with a report such as is desired by the Education Department.

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

Enclosure.

SIR,—

Education Department, Whitehall, London, S.W., 30th September, 1897.

The Lords of the Committee of Council on Education are anxious to publish, for the information of local authorities, teachers, and other students of education in this country, a special official volume, containing brief authoritative accounts of the systems of education existing in the chief colonies of the British Empire. It is believed that such a volume would be read with great interest, and that, as facilitating a comparative survey of colonial systems of education, it would prove of considerable value as a work of reference.

I am therefore directed by my Lords to ask if you will kindly co-operate with them in carrying out this plan, to which the Secretary of State for the Colonies has been so good as to give the indorsement of his approval.

Should you be willing to entertain my Lords' proposal, I am directed by them to ask if you will kindly favour them with an account of the educational system of New Zealand, for publication in the manner described above. While their Lordships desire that the length and precise form of the various reports should, in each case, be determined by those who are so good as to contribute them, they think it desirable that each report should give a short history of the growth of the present system, and that it should, if possible, refer, *inter alia*, to the following subjects:—

(1.) The central and local administration of education; the number of children and students at school or colleges; the laws of school attendance, and the methods by which they are enforced.

(2.) Finance: The cost of education to the State, and the amount of such cost borne by the central authority, by the local authorities, by the parents of scholars, or by voluntary subscribers, as the case may be; the amount, if any, of school-fees.

(3.) How far private schools in the different grades exist outside the State system.

(4.) The arrangements for inspection of schools, and the appointment of the Inspectorial staff.

(5.) The teaching of singing, drawing, cookery, and domestic economy; the provision of manual training; and the arrangements for drill and physical exercises.

(6.) The regulations for religious instruction.

(7.) The method of appointing teachers in the elementary schools; the scale of their payment; the arrangements for their professional training; how far there prevails a system of pupil-teachers or of apprentice teachers; and the proportions, respectively, of men and women teachers; arrangements for pensions for teachers in elementary schools.

(8.) How far, if at all, free meals are provided for needy scholars in elementary schools, and, if so, at whose expense.

(9.) The arrangements for continuation schools or classes where such exist.

(10.) The provision of higher (including university) and secondary education, and how far such are subsidised by the State, and how far under its inspection or control.

(11.) The arrangement for technical, commercial, and agricultural instruction.

(12.) Reformatory and industrial schools.

(13.) Schools for the blind, for the deaf-and-dumb, and for defective children.

It is also desirable that the report should embody (preferably in the form of an appendix) such part of the elementary school code as deals—(1) with the course of studies, and (2) with regulations for the building and equipment of schools; and it is thought that a map or other illustrations might be found a valuable addition to the report.

It is hoped that the volume might be published not later than the early autumn of 1898; and I am to add that the name of the contributor should be published in each case, unless my Lords are requested to withhold the same.

In conclusion, my Lords are very sensible of the laborious character of the task which they are inviting the contributors to the proposed volume to undertake, but they venture to hope that you may be kindly willing to aid them in thus presenting to students of education in this country

a comprehensive and authoritative survey of the educational systems of the chief colonies of the Empire.

And they desire me to assure you that they will at all times be glad to reciprocate in any way in their power the service which they ask you to render to them.

I am, &c.,

G. W. KEKEWICH,

Secretary of the Education Department.

The Minister of Education, Wellington, New Zealand.

No. 40.

(No. 63.)

MY LORD,—

Downing Street, 9th October, 1897.

I have the honour to acknowledge the receipt of your despatch No. 51, A.-1, 1898, of the 2nd ultimo, reporting that you had assumed the Government of New Zealand on the 10th of the preceding month. No. 7.

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 41.

(General.)

MY LORD,—

Downing Street, 15th October, 1897.

I have the honour to transmit to you a copy of a letter from the chairman of the Associated Board of the Royal Academy of Music and Royal College of Music for Local Examinations in Music, bringing to my notice the proposal of the Board to extend its musical examinations to the British colonies, and intimating that the honorary secretary, Mr. Samuel Aitken, is on his way to certain colonial centres for the purpose of completing and superintending the organization and furthering the extension of the examinations about to be held.

You will doubtless concur with me in thinking that the proposed establishment of local examinations in the colonies on the principles advocated by the Associated Board will tend to raise the standard of musical education throughout the Empire, and I shall be glad if you will do all in your power to assist Mr. Aitken in his mission.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

Enclosures.

DEAR SIR,— The Associated Board of the R.A.M. and R.C.M. for Local Examinations in Music, 32, Maddox Street, London W., 25th September, 1897.

I venture to address you on behalf of this Board on a matter of interest to the colonies.

The Board, of which H.R.H. the Prince of Wales is president, has for some years conducted local examinations in music throughout Great Britain and Ireland, and is doing for musical education a work corresponding to that effected by the Universities of Oxford and Cambridge for education generally through their local examinations.

There are certain self-constituted bodies which conduct local examinations in music on more or less commercial lines, but the examinations of the Associated Board of the two great chartered schools of music are the only ones in which a standard is set and maintained high enough to bring about an improvement in the quality of the music-teaching of the kingdom.

In pursuance of its educational aims, and to enlarge its field of usefulness in the direction indicated, the Board is now gradually extending its operations to the colonies and dependencies of Great Britain; and its honorary secretary, Mr. Samuel Aitken, is on a journey to South Australia, Victoria, New South Wales, Queensland, Tasmania, New Zealand, and Canada to complete and superintend the organization and further the extension of the local examinations which the Board is about to hold in those countries.

As the work is likely to become of far-reaching importance, and will incidentally add to the intercourse between the colonies and Mother-country, the Board desires to bring it under the notice of Mr. Chamberlain, in the hope that he may be willing to exercise his influence in its behalf.

It would be of the utmost assistance to the scheme of the Board if Mr. Chamberlain should see fit to cause despatches to be sent from the Colonial Office to the Governors of the colonies named requesting them to forward Mr. Aitken's mission.

I may perhaps add that the Prince of Wales takes a deep and active interest in the work, and is kept informed of all important steps taken by the Board.

I enclose a copy of a letter written by His Royal Highness to the Chancellor of the University of Adelaide, of one written on his behalf to the Chancellors of other colonial universities, and of a letter addressed *en route* by Mr. Aitken to Mr. Grinsted, the clerk, who, in the absence of the honorary secretary, is doing our secretarial work; also copies of our first colonial syllabus, and of the latest report of the Board.

I have, &c.,

THOMAS THRELFALL,
Chairman of the Board.

Edward Wingfield, Esq., C.B., Colonial Office.

SIR,—

32, Maddox Street, London, W., 30th July, 1897.

I have heard with much pleasure that, on behalf of the University of Adelaide, you have concluded an agreement for holding a joint examination with the Associated Board of the Royal Academy of Music and the Royal College of Music this autumn.

I hope the agreement may form the basis of a lengthened connexion between the two bodies, and may tend to the increase of musical knowledge and practice, and may be mutually satisfactory to both institutions.

I am, &c.,

ALBERT EDWARD, P.

The Right Hon. Chancellor Samuel James Way, D.C.L., &c.,
the University, Adelaide.

SIR,—

32, Maddox Street, London, W., 30th July, 1897.

The Associated Board of the Royal Academy of Music and the Royal College of Music, in extending its musical examinations to the colonies and dependencies of Great Britain, has the hearty and entire support of H.R.H. the Prince of Wales.

The object of the Board is to raise the standard of musical attainments throughout the kingdom.

The honorary secretary, Mr. Aitken, is proceeding to the various colonial centres to extend and organize the examinations, and I am desired to say that it will afford His Royal Highness much satisfaction if you will be good enough to give Mr. Aitken every assistance in your power, and thus enable him to accomplish his object.

I remain, &c.,

FRANCIS KNOLLYS,
Private Secretary.

(Circular letter to Chancellors of colonial universities.)

R.M.S. "Orient," off Colombo,

Monday, 30th August, 1897.

DEAR MR. GRINSTED,—

I find there is a great idea afloat just now—in fact, it has been discussed with the Colonial Secretary, Mr. Chamberlain—that there ought to be not only a drawing together of the colonies and Mother-country in political affairs, but that there should be an effort made to get, as it were, a regular interchange of people—colonists from England, and also colonials to England, especially in the younger branches—those who have been born in the colonies, and who do not look upon England as home in the sense in which a past generation of colonists do.

Will you ask Mr. Taylor if he thinks it possible that my present mission, and more particularly the Prince's great interest in it, could be brought before and explained to Mr. Chamberlain, and so try and secure his assistance with the colonies I am about to visit?

I believe he will be found to be very enthusiastic in the matter, and it might be attended with far-reaching results.

I do not know what to suggest to you as to how you should proceed, but if it is to be of any use to me on the present occasion it must be done at once. Perhaps you could show copies of His Royal Highness's letters to the Chancellors to Mr. Chamberlain.

Yours, &c.,

SAMUEL AITKEN.

Mr. P. A. Grinsted, the Associated Board of the R.A.M. and the R.C.M.,
32, Maddox Street, London, W.

No. 42.

(No. 65.)

MY LORD,—

Downing Street, 20th October, 1897.

I have the honour to acquaint you, for the information of your Ministers, that the Japanese Government has made repeated representations to Her Majesty's Government, through their Minister at this Court, on the subject of the legislation passed by certain of the Australasian Colonies for the restriction of coloured immigration.

2. M. Kato was willing to admit that, from a material point of view, there was no very great grievance of which Japan could complain.

3. The actual immigration was very small, and the class of Japanese who chiefly desired to enter the Australian Colonies were exempted by special provision from the prohibitions of the colonial Bills.

4. But the point which has caused a painful feeling in Japan was not that the operation of the prohibition would be such as to exclude a certain number of Japanese from immigrating into Australasia, but that Japan should be spoken of in formal documents, such as the colonial Acts, as if the Japanese were on the same level of morality and civilisation as Chinese or other less-advanced populations of Asia.

5. This was a matter of sentiment, and the slur cast upon the Japanese nationality was keenly felt by the Government of Japan. The relief which they desired was not the modification of the laws by which a certain part of the Japanese population was excluded from Australia and New Zealand, but the abandonment of the language which classed them with others to whom they bore no real similarity, and inflicted upon the nation an insult which was not deserved.

6. M. Kato maintained that the provision in the Act passed by the Colony of Natal, that immigrants should write out a certificate in some European language, would practically effect the object of the colonies, as only educated Japanese would be able to pass the test, and of these very few would wish to emigrate. This result, he added, would even more certainly be obtained with regard to other Asiatic countries, where general education is less advanced than in Japan, and frauds could be prevented by more or less frequent changes in the certificate.

7. These representations deserve the careful consideration of your Government. As I pointed out at the conferences with the Premiers, the provisions of the Natal Act would exclude all undesirable persons, without casting a slur on any race or colour.

8. If the state of feeling in the colonies precludes the possibility of adopting a measure similar to the Natal Act, I would earnestly request your Ministers to consider whether, so far as the British Indian subjects and Japanese are concerned, the exclusion desired might not be obtained by a general test such as is provided by that Act.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 43.

(No. 66.)

MY LORD,—

Downing Street, 2nd November, 1897.

You will have seen by blue-book (C-8449) that the replies to my circular despatch on the subject of trade with the colonies have now all been published for Parliament.

A.—2, 1896,
No. 30.

I have waited till this was done to request you to be good enough to thank your Ministers for the trouble they took in replying to my request for information on this important subject.

The excellence of the elaborated report from the colony under your government has been universally recognised in England.

It is probable that I may address you later on the subject of collection of samples. Those which have been sent from some of the colonies have attracted a great deal of notice, but have also been subjected to much criticism, which requires full consideration.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 44.

(No. 67.)

MY LORD,—

Downing Street, 3rd November, 1897.

I have the honour to request that you will inform your Ministers that Rear-Admiral Hugo L. Pearson has been appointed to succeed Rear-Admiral Cyprian A. G. Bridge as Commander-in-Chief of Her Majesty's ships and vessels on the Australian station.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 45.

(No. 68.)

MY LORD,—

Downing Street, 4th November, 1897.

I have the honour to transmit to you, for the information of your Ministers, copies of the documents noted below, respecting a proposal to supply military books and papers for the use of Volunteers in the colony under your government.

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
13th September, 1897	War Office to Colonial Office.
23rd September, 1897	Agent-General to Colonial Office.
23rd October, 1897	War Office to Colonial Office. List of books.

Enclosure.

SIR,—

War Office, London, S.W., 13th September, 1897.

I am directed by the Marquess of Lansdowne to acquaint you, for the information of Mr. Secretary Chamberlain, that an application has been received from the Bishop of Christchurch, New Zealand, in his capacity as honorary chaplain to the Canterbury Battalion of Infantry Volunteers, for a grant of books and papers on military subjects, towards the formation of a technical library for the use of the corps.

The Secretary of State does not consider it desirable that a precedent should be created by the granting of this request for the supply of military publications to individual corps in the colonies, but he is prepared to meet as far as possible the wish expressed in the correspondence that military information should be accessible to colonial Volunteers.

If it could be arranged, therefore, that a supply should be made to some fairly central place in New Zealand where the books could be available for corps generally, orders will be given for the issue of a selected list of military publications in addition to the army orders and regulations which are already supplied to the colonial Government.

I am to request that you will move Mr. Secretary Chamberlain to cause inquiry to be made of the Agent-General for New Zealand whether the proposal can be satisfactorily arranged.

I have, &c.,

The Under-Secretary of State, Colonial Office.

G. LAWSON.

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

23rd September, 1897.

SIR,—

I have the honour to acknowledge the receipt of letter No. 19930, of the 20th September, covering copy of a communication from the War Office, relating to an application made by the Bishop of Christchurch for the grant of military books and papers for the purpose of creating a technical library in the colony for the use of colonial Volunteers.

In reply, I desire to state that I am very sensible of the position in which the Secretary of State for War is placed with regard to the application, and of the readiness he has shown in seeking to meet the appeal so far as is in his power. I shall have pleasure in communicating the proposed arrangements for the transmission of supplies of military publications to a central part of the

colony; but I would venture to suggest that, if arrangements could be made by the Secretary of State for War to have the supplies of the available selected publications transmitted to this office, I should be prepared to forward them from time to time to the proper quarter in the colony.

I have, &c.,

The Under-Secretary of State, Colonial Office.

W. P. REEVES.

SIR,—

War Office, London, S.W., 23rd October, 1897.

With reference to your letter of the 29th ultimo (20749), I am directed by the Marquess of Lansdowne to acquaint you that a selection of military books, a list of which is enclosed, is about to be forwarded to the Agent-General of New Zealand, in accordance with the request made by him in the letter which accompanied your communication. This department will be glad to be informed later on where the military library, for which this contribution is intended, is located.

I have, &c.,

The Under-Secretary of State, Colonial Office.

G. LAWSON.

LIST OF BOOKS.

Encampments and Cantonments, Regulations for.
 Cavalry Division, The, Troop Leading Studies in.
 Field Artillery Drill.
 Field Artillery, The Tactics of.
 Garrison Artillery Drill, Vols. I. and II.
 Siege Artillery Drill.
 Engineering, Military, Manual of.
 Engineering, Military, Instruction in.
 Infantry Drill.
 Infantry, Mounted, Regulations for.
 Infantry Sword Exercise.
 Army Service Corps, Supply Handbook for the.
 Musketry: Rifle and Carbine Exercises (Lee-Metford).
 Siege Operations in the Campaign against France, 1870–71.
 Tactical Studies of the Battles of Columby, Neuilly, and Nionville.
 Topography, &c.: What to observe and how to report it.
 Administration: Military and Staff Duties.
 Army Book for the British Empire, The.
 Life in the Army, A British Soldier's.
 Number of Troops to the Yard in the Principal Battles since 1850.
 Staff Duties: A Series of Lectures for the Use of Officers at Staff College.
 Strategy, The Elements of.
 Transport Duties, Regimental, Manual of Instruction in.
 Transport, Notes on, and on Camel Corps.

Works prepared in the Intelligence Division.

Africa, British East.
 British Minor Expeditions, 1746–1814.
 China-Japanese War, 1894–95, Epitome of.
 Denghil Tepe, Siege and Assault of.
 Egypt, The Campaign of 1882 in, Military History of.
 Hostilities without Declaration of War.
 Soudan Campaign, History of the.
 Tactics, Modern, Précis of.
 Cavalry: Instructions for Training, Employment, and Leading. Translated by Captain C. W. Bowdler Bell.
 Small Wars, by Major C. E. Callwell.
 Staff, General, Duties of. Translated by Lieut.-Colonel Hare, R.E.
 Staff Duties in the Field, by Captain J. M. Grierson.
 Valparaiso: Précis of Information.
 Handbooks of Foreign Armies. One set, complete—latest editions.

No. 46.

(General.)

MY LORD,—

Downing Street, 4th November, 1897.

In reply to your Lordship's despatch No. 50, of the 2nd September, I A.—1, 1898, have the honour to convey to you my approval of the regulations enclosed No. 5. therein governing the issue of the Volunteer Forces in New Zealand, subject to the following alteration being made in the date named in the first and second paragraphs of the regulations, after which service must be continuous:—

The date in paragraph 1 and the fourth line of paragraph 2 should be the date of the publication of the regulations instead of the date of the Royal Warrant.

The date in the first line of paragraph 2 should be the day before the date of publication.

The colour of the ribbon for the medal issued to colonial Volunteers will be the same as that for the Volunteer Force in this country.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 47.

(No. 69.)

MY LORD,—

Downing Street, 17th November, 1897.

I have the honour to acknowledge the receipt of your despatch No. 55, of the 30th September last, transmitting a copy of the speech with which you opened the second session of the thirteenth Parliament of New Zealand upon the 23rd September, together with a copy of the address of the Legislative Council in reply.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 48.

(No. 70.)

MY LORD,—

Downing Street, 19th November, 1897.

I have the honour to acknowledge the receipt of Sir J. Prendergast's despatch No. 41, of the 8th July, reporting the transmission of an address to Her Majesty the Queen from the Mayor and Councillors of the Borough of Alexandra South, in the Province of Otago.

This address, when received through the Agent-General for New Zealand, was laid before Her Majesty, who was pleased to receive it very graciously, and commanded me to convey her cordial thanks to the signatories for their loyal congratulations on the completion of the sixtieth year of her reign.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 49.

(No. 72.)

MY LORD,—

Downing Street, 20th November, 1897.

I have the honour to acknowledge the receipt of your despatch No. 54, of the 7th September, forwarding, for presentation to Her Majesty the Queen, a poem on the occasion of the completion of the sixtieth year of her reign, by Mr. W. L. Mitchell, of Otago.

This composition has been laid before Her Majesty, who commanded that her thanks should be conveyed to Mr. Mitchell for this expression of his loyal sentiments.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 50.

(No. 75.)

MY LORD,—

Downing Street, 10th December, 1897.

I have the honour to transmit to you, for the information of your Ministers, copies of the document noted in the subjoined schedule, respecting the appeal case *Brown v. The Attorney-General for New Zealand*.

I have, &c.,

EDWARD WINGFIELD,

For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
19th November, 1897	Judgment of the Judicial Committee of H.M. Privy Council (three copies).

Enclosure.

REASONS for the report of the Lords of the Judicial Committee of the Privy Council on the appeal of *Annie Brown v. The Attorney-General for New Zealand* from the Court of Appeal of New Zealand, delivered 19th November, 1897.

Present: The Lord Chancellor, Lord Watson, Lord Hobhouse, Lord Davey, and Sir Richard Couch. (Delivered by the Lord Chancellor.)

Their Lordships intimated at the hearing of this appeal that they would humbly recommend to Her Majesty that it should be dismissed. They think it right to add now that if the facts had been understood at the time application was made for leave to appeal that leave would not have been granted.

It is a little difficult to understand why, even at the original trial, any question was reserved for the Court of Appeal in the colony.

In the case stated by the Chief Justice it is said that at the request of the prisoner's counsel he reserved the question whether the fact that the offence had been committed under the control or by the command of the husband was a defence. And, further on, the learned Judge states that the doubt was whether, since the passing of the 24th section of the Criminal Code, marital control or command was a defence. That section is as follows:—

“24. (1.) Except as hereinafter provided, compulsion by threats of immediate death or grievous bodily harm from a person actually present at the commission of the offence shall be an excuse for the commission by a person subject to such threats and who believes such threats will be executed (and who is not a party to any association or conspiracy the being a party to which rendered him subject to compulsion) of any offence other than treason, murder, piracy, offences deemed to be piracy, attempting to murder, assisting in rape, forcible abduction, robbery, causing serious bodily harm, and arson.

“(2.) No presumption shall be made that a married woman committing an offence does so under compulsion only because she commits it in the presence of her husband.”

Whatever may be the proper solution of these questions, their Lordships are of opinion that none of them arise upon the evidence set out in the case.

There was no evidence, as the Chief Justice himself states in the case reserved, of any such compulsion as is referred to in the section in question. The offence charged was not committed by one in the presence of the other at all. The evidence upon which the prisoner was apparently convicted, and properly convicted, was the procuring and contriving the commission of the offence committed by the husband in her absence, and under circumstances wherein the section above set out could have had no application at all.

The Chief Justice states that the jury at the trial found that the prisoner was married to the other defendant, and that she acted under his control. For the latter proposition there is not a scintilla of evidence, and no such question should have been left to the jury. The mere fact that the parties are married never even formed a presumption of compulsion by the husband.

Even as early as Bracton's time, if the wife was voluntarily a party to the commission of a crime her coverture furnished no defence. (See Bracton, Book 3, c. 32, who says:—)

“Quid erit si uxor cum viro conjuncta fuerit, vel confessa fuerit quod viro suo consilium præstiterit et auxilium? Numquid tenebuntur ambo? imo ut videtur,” and he goes on to add, “Sic ut sunt participes in crimine, ita debent esse participes in poena.”

Questions have from time to time arisen how far the mere presence of the husband at the time of the commission of the offence should furnish a presumption of marital control, and the decisions on that subject have not been entirely uniform. But their Lordships are of opinion that here even that question does not arise. The acts attributed to the prisoner were acts done by herself in the absence of her husband, conclusively establishing that she was voluntarily acting and aiding and assisting in arrangements leading up to and intended to assist the commission of the offence which was afterwards consummated.

Their Lordships are therefore of opinion that no such question was open upon the facts as detailed, and the finding of the jury is only intelligible on the ground that they supposed that the mere fact of coverture itself furnished legal evidence of compulsion within the rule of law, which view their Lordships are of opinion was entirely erroneous.

It is for these reasons that their Lordships have thought it right humbly to advise her Majesty that this appeal should be dismissed.

No. 51.

(No. 76.)

MY LORD,—

Downing Street, 13th December, 1897.

A.-1, 1898,
No. 14.

I have the honour to acknowledge the receipt of your despatch No. 61, of the 23rd October, forwarding a copy of the address from the House of Representatives in reply to the speech with which you opened the session of the 23rd September.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 52.

(No. 78.)

MY LORD,—

Downing Street, 20th December, 1897.

A.-1, 1898,
Nos. 10, 12.

I have the honour to acknowledge the receipt of your despatches No. 57 and No. 59, of the 23rd October, respecting the differences which have arisen in the Cook Islands between the British Resident and the General Council.

I concur in the views which you share with your Ministers as to the urgency of the matter, and the advisability of independent inquiry, and I have expressed to the High Commissioner for the Western Pacific my approval of his action in complying with your request that Sir Henry Berkeley should be sent to the group to investigate and report on the points in dispute.

I shall await with interest Sir Henry's report on the matter.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 53.

(No. 3.)

MY LORD,—

Downing Street, 7th January, 1898.

I have the honour to acknowledge the receipt of your despatch No. 65A, of the 25th November, reporting the transmission of an address to the Queen from the Arawa Natives, residing at Rotorua.

This beautiful address has now been received, and laid before Her Majesty, who was pleased to receive it very graciously, and to command that her warm thanks should be conveyed to the Arawa Tribe for this kind expression of the loyal devotion to her throne and person.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 54.

(No. 5.)

MY LORD,—

Downing Street, 15th January, 1898.

With reference to your despatch No. 62, of the 23rd October last, I have the honour to inform you that the address from the children attending the public schools in the Educational District of Auckland, received at this office on the 1st instant, has now been laid before the Queen.

2. Her Majesty expressed her great admiration of the artistic manner in which this address has been bound and illuminated, and was graciously pleased to command that her most cordial thanks might be returned to the scholars of the public schools for their kind and touching expression of loyalty.

3. I have, however, to express to you Her Majesty's regret that it is impossible for her to comply with the request that her reply to the address might be by means of the phonograph. It has been thought advisable to decline numerous similar applications, and it is feared that inconvenience might ensue if an exception were made in the present case.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 55.

(No. 10.)

MY LORD,—

Downing Street, 29th January, 1898.

I have the honour to acknowledge the receipt of your despatch No. 77, A.-1, 1898, of the 7th December, 1897, reporting that you had appointed Sir James Prender- No. 21. gast to inquire into the affairs of the Cook Islands at Rarotonga in place of Sir H. S. Berkeley, and enclosing a copy of the instructions which you issued to the former.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 56.

(No. 13.)

MY LORD,—

Downing Street, 4th February, 1898.

I have the honour to acknowledge the receipt of your despatch No. 79, A.-1, 1898, of the 23rd December, and to grant you leave of absence from New Zealand for No. 23. a period not exceeding fourteen days for the purpose of visiting Australia next May.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

No. 57.

(No. 15.)

MY LORD,—

Downing Street, 9th February, 1898.

I have the honour to acknowledge the receipt of your despatch No. 85, A.-1, 1898, of the 23rd December last, forwarding a copy of the Alien Immigration Restriction Bill, 1897, which passed the House of Representatives, but was thrown out No. 25. by the Legislative Council.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &c.

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