

No. 2.

(Circular.)

SIR,—

Downing Street, 22nd March, 1905.

I have the honour to inform you that considerable difficulty has been experienced in this Department in connection with the attestation of signatures to documents executed in the colonies and required for use by foreign Governments.

2. I have to call your attention to Chapter VII, paragraph VII, of the Colonial Regulations (Nos. 229, 230, and 231), and to state that, save under exceptional circumstances, I do not feel justified in authorising the certification for legislation of any signatures except those of the Governor or Officer Administering the Government; and I shall be glad if you will invite your Ministers to adopt some means of notifying persons concerned of what is required in order to facilitate the legalisation of documents in this country.

I have, &c.,

ALFRED LYTTELTON.

The Officer Administering the Government of New Zealand.

Enclosure.

EXTRACT FROM RULES AND REGULATIONS OF HIS MAJESTY'S COLONIAL SERVICE REFERRED TO IN ABOVE DESPATCH.

1904.

Chapter VII, Paragraph VII.

Attestation to Documents.

229. The attestation of signatures to documents can only take place upon a full knowledge or intimate belief in the genuineness of those signatures, and, as a general rule, the Secretary of State can only undertake to attest those of Governors or Officers administering Government.

230. Persons, therefore, who may have occasion to instruct their friends or agents in any colony to send to them certificates, or powers of attorney, or judicial acts for legal use in this country, should take care to have these documents authenticated in the colony by the Officer administering the Government.

231. The same rule must particularly be observed by the Governor in sending Home documents which, after being verified in England, are intended to be used in foreign countries. The last signature attached by way of attestation to any such document must invariably be one which is known, and can therefore be certified to, in this Department. If possible it should always be that of the Officer administering the Government.

No. 3.

(Circular.)

SIR,—

Downing Street, 3rd April, 1905.

I have the honour to transmit, for the information of your Government and for publication in the colony, a copy of an Order of the King in Council of the 20th March, 1905, amending the practice with regard to the issue of Appearance Orders to respondents who have not appeared to an appeal to His Majesty in Council.

I have, &c.,

ALFRED LYTTELTON.

The Officer Administering the Government of New Zealand.

Enclosure.

At the Court at Buckingham Palace, the 20th day of March, 1905. Present: The King's Most Excellent Majesty, Archbishop of Canterbury, Lord President, Lord Suffield, Sir William Walrond.

WHEREAS there was this day read at the Board a representation from the Judicial Committee of the Privy Council, dated the 16th day of March, 1905, and in the words following, viz.:—

“The Lords of the Judicial Committee having taken into consideration the practice under which an appeal to Your Majesty in Council cannot in the absence of a special Order in that behalf made by their Lordships be set down for hearing *ex parte* as against a respondent to the appeal who has failed to enter an appearance thereto in the Registry of the Privy Council unless the appellant shall have previously obtained from their Lordships two successive Orders, commonly known as ‘Appearance Orders,’ requiring the said respondent to enter an appearance to the appeal within the periods by the said Orders respectively limited, and shall have duly published the said Orders by affixing the same on the Royal Exchange and elsewhere in the usual manner, and unless