

1908.
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. 42.)

MY LORD,—

Downing Street, 15th May, 1907.

I have the honour to transmit to you for the information of your Ministers, with reference to your despatch (No. 81) of 8th October last, the papers noted in the subjoined schedule.

I have, &c.,

ELGIN.

The Officer Administering the Government, New Zealand.

| Date. | From | To | Subject. |
|----------------------|---------------------|---------------------|---|
| 22nd April, 1907 ... | Foreign Office ... | Colonial Office ... | { Proposed appointment of Chinese Consular Officers in Australia and New Zealand. |
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Enclosures.

SIR,—

Foreign Office, 22nd April, 1907.

With reference to your letter (43090) of November 30th last, I am directed by Secretary Sir Edward Grey to transmit to you herewith, for such observations as the Secretary of State for the Colonies may desire to make, a copy of a Note which has been received from the Chinese Minister regarding the proposed appointment of Chinese Consular Officers in Australia and New Zealand.

I am to call attention to the last paragraph of Wang Tahsieh's Note, from which it will be seen that he is particularly anxious for an early reply.

I am, &c.,

F. A. CAMPBELL.

The Under-Secretary of State, Colonial Office.

YOUR EXCELLENCY,—

Chinese Legation, 12th April, 1907.

In my note of September 18th of last year, I requested Your Excellency to afford through proper authorities facilities to a Chinese official, Mr. Hwang Hou Cheng, who was deputed by the Chinese Government to proceed to Australia and New Zealand to make investigations into the condition of the Chinese residing in various places in those parts of His Britannic Majesty's Dominions, before they took steps to appoint Consular Representatives in accordance with the request which the Chinese subjects had repeatedly made to them.

From the report which Mr. Hwang Hou Cheng has submitted to the Imperial Government and myself, it appears that there are about thirty thousand Chinese residing in various parts of Australia, and there is also a large number of them in New Zealand.

The interests represented by such a number of Chinese must be, evidently, very immense, and the prospect of commerce which is to develop between Australia and China in the near future is also very bright.

Under these circumstances, the Chinese Government, having for some time under their consideration the subject of the appointment of Consular Agents, have now come to a decision on the point.

They propose to appoint a Consul-General to Melbourne, and one Consul in Wellington, New Zealand. In Fremantle, Sydney, and Brisbane, Vice-Consuls will be appointed.

I hope this said proposal will meet the approval of His Majesty's Government, and should be much obliged, if Your Excellency could favour me with an early reply on the matter.

I am, &c.,

WANG TAHSEH.

Sir Edward Grey, Bart., M.P.

SIR,—

Downing Street, 15th May, 1907.

I am directed by the Earl of Elgin to acknowledge the receipt of your letter (No. 11786) of the 22nd ultimo and to state for the information of Sir E. Grey that it has been ascertained from the Prime Ministers of Australia and New Zealand that there is no objection to the proposed appointments of Chinese Consular Officers in the Commonwealth and New Zealand.

I am, &c.,

H. BERTRAM COX.

The Under Secretary of State, Foreign Office.

No. 2.

(Circular.)

SIR,—

Downing Street, 6th June, 1907.

I have the honour to inform you that persons possessing Certificates issued by Colonial Governments of Naturalization as British subjects occasionally apply for the grant of Foreign Office passports to enable them to travel on the Continent of Europe, and that on such an occasion a difficulty is apt to arise as regards the identity of the applicant with the person named in the Certificate. With a view, therefore, to guarding against the chance of such passports being fraudulently or improperly obtained, I have considered it necessary to prescribe that before recommending an applicant for the grant of a passport he shall produce evidence sufficient to establish his identity with the person named in the Certificate of Naturalization which he produces.

For this purpose it would be of great assistance if the Certificates of Naturalization granted by Colonial Governments contained authenticated signatures of the holders, as is the case with Certificates granted in the United Kingdom, and I should be glad to learn that your Government is willing to assist in the matter by giving the necessary instructions for this course to be adopted as regards any Certificates of Naturalization granted in the Colony under your Government.

I have, &c.,

ELGIN.

The Officer Administering the Government of New Zealand.

No. 3.

(Circular.)

SIR,—

Downing Street, 7th June, 1907.

I have the honour to transmit to you, for publication in the Colony, a copy of an Order of His Majesty in Council giving effect to a Treaty of Extradition between Great Britain and Peru which was concluded on the 26th of January, 1904, and ratified at Lima on the 30th of November, 1906.

I have, &c.,

ELGIN.

The Officer Administering the Government, New Zealand.

[For enclosure, see *New Zealand Gazette*, No. 67, of the 1st August, 1907, page 2324.]

No. 4.

(Miscellaneous.)

MY LORD,—

Downing Street, 31st July, 1907.

I have the honour to request you to inform your Ministers that the Select Committee of the House of Commons appointed to consider the Radiotelegraphic Convention has now reported in favour of the ratification of the Convention and His Majesty's Government have decided that they will ratify it.

I shall be glad to learn in due course whether your Government desires to adhere to the Convention, and in this connection I have to draw your attention to Article V of the final Protocol, which provides that each of the Colonies may separately adhere to, and may separately withdraw from, the Convention.

The advantages likely to accrue to the United Kingdom from the ratification of the Convention appear to His Majesty's Government to be fairly summed up in paragraph 54 of the Report of the Select Committee, copies of which were forwarded to you in my "Library" despatch of the 19th of July. Your Ministers will no doubt recognise that the arguments of the Committee are in the main equally applicable to the Colonies; and I trust that your Government will agree that the Convention has been framed with careful regard to the interests of His Majesty's Dominions beyond the seas.

The draft Convention, which was submitted to the Berlin Conference, was communicated to you in my predecessor's despatch of 12th January 1905, but your Ministers will perceive that that draft was considerably modified, largely on the initiative of the British delegates at the Conference, and in a manner to safeguard the interests of the Empire.

The participation of the Colonies which adhere to the Convention in future Conferences is provided for by Article 12 of the Convention and Article 1 of the final Protocol, and it will be seen that the arrangement will doubtless secure similar representation to that provided under the Postal Union, which has worked satisfactorily, as was admitted during the discussion of this question at the Colonial Conference.

Copies of the Convention were sent to you in my "Library" despatch of 15th January last and the Proceedings of the Berlin Conference were communicated to you in my "Library" despatch of the 10th April.

I have, &c.,
ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 5.

(Miscellaneous.)

MY LORD,—

Downing Street, 1st August, 1907.

With reference to the Local Medal for Long Service and Good Conduct now issued to Members of the Colonial Permanent Military Forces, I have the honour to inform you that the Army Council have had under consideration the question of the institution of a general Medal for Long Service and Good Conduct in Colonial Forces throughout the Empire, to take the place of the various existing local Medals, and have suggested that the ribbon to be attached thereto should also be the same colours throughout the Empire, instead of being as at present red, with stripes of some other colour down the centre to indicate the particular Colony.

I shall be glad to learn whether your Ministers concur in that suggestion, the object of which, I understand, is that when Forces from different Colonies are serving together the ribbon by itself will make the character of the Medal easily recognisable.

I have, &c.,
ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 6.

(No. 70.)

MY LORD,—

Downing Street, 2nd August, 1907.

I have the honour to transmit to you for the information of your Ministers a copy of the Report of the Conference on the subject of Merchant Shipping Legislation, held between Representatives of the United Kingdom, the Commonwealth of Australia, and New Zealand in March and April last.

I shall be glad to be informed in due course what action your Government propose to take in the matters dealt with in the several Resolutions passed by the Conference. The Board of Trade have at present under their consideration the Resolutions which affect that department.

The result of the Conference has been, I hope, to show the value of such conferences, when matters of a difficult and complex nature have to be discussed from various points of view.

I have, &c.,
ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 7.

(No. 77.)

MY LORD,—

Downing Street, 16th August, 1907.

I have the honour to inform you that His Majesty will not be advised to exercise his powers of disallowance with respect to the Act No. 41 of 1906, of the Parliament of New Zealand, entitled "An Act to amend 'The Defence Act, 1886,'" a transcript of which accompanied your despatch (No. 102) of the 24th November last.

I have, &c.,

ELGIN.

The Officer Administering the Government of New Zealand.

A.-1, 1907.
No. 18.

No. 8.

(Miscellaneous.)

MY LORD,—

Downing Street, 28th August, 1907.

I have the honour to inform you that the Danish Minister at this Court has intimated that, in accordance with a Resolution unanimously adopted by the last International Congress of Orientalists which was held in Algiers in 1905, the Fifteenth International Congress of Orientalists will be held at Copenhagen in August 1908, and has requested, on behalf of his Government, that the enclosed letters of invitation may be forwarded to the Government of New Zealand and the University of Otago.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 9.

(Miscellaneous.)

MY LORD,—

Downing Street, 4th September, 1907.

I have the honour to acknowledge the receipt of your telegram of the 28th of July last informing me that your Lordship's Government desire to adhere to the International Agricultural Institute and to be classed in Group IV of the contributing States under Article 10 of the Convention.

I requested the Foreign Office to cause an intimation of your Government's wishes to be notified to the Italian Government, and have now to state for the information of your Ministers that His Majesty's Representative at Rome has reported the receipt of a note from the Italian Ministry of Foreign Affairs giving act of the accession of the Dominion of New Zealand as above, which has been communicated to the Governments of the other adhering States.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 10.

(Circular.)

SIR,—

Downing Street, 5th September, 1907.

I have the honour to transmit to you, for publication in the Colony under your Government, a copy of an Order of the King in Council giving effect to a Treaty of Extradition between the United Kingdom and the Republic of Panama, which was signed at Panama on the 25th of August, 1906, and the ratifications of which were exchanged on the 25th of April, 1907.

I have, &c.,

ELGIN.

The Officer Administering the Government of New Zealand.

[For enclosure, see *New Zealand Gazette*, No. 92, of the 24th October, 1907, page 3136.]

No. 11.

(Circular.)

SIR,—

Downing Street, 6th September, 1907.

With reference to my Circular despatch of the 26th July last, I have the honour to transmit to you, for publication in the Colony under your Government, a copy of an Order of His Majesty the King in Council giving effect to an Agreement between the United Kingdom and Sweden, signed at London on the 2nd of July, 1907, confirming as regards Sweden the Treaty of Extradition between the United Kingdom and Sweden and Norway of June 26th, 1873, and enlarging the list of offences contained in Article II of that Treaty.

I have, &c.,

ELGIN.

The Officer Administering the Government of New Zealand.

[For enclosure, see *New Zealand Gazette*, No. 92, of the 24th October, 1907, page 3138.]

No. 12.

(No. 84.)

MY LORD,—

Downing Street, 12th September, 1907.

With reference to my telegram of the 10th of September, I have the honour to transmit to your Lordship, for the information of your Ministers, copies of an Order in Council passed on the 9th of September, to approve the issue of a Proclamation changing the designation of New Zealand to the "Dominion of New Zealand", and of the Royal Proclamation which was issued in the Gazette of the 10th of September.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

Enclosures.

At the Court at Buckingham Palace, the 9th day of September, 1907. Present: The King's Most Excellent Majesty in Council.

WHEREAS a Petition has been addressed to His Majesty by the Members of the Legislative Council and the House of Representatives of the Colony of New Zealand praying that His Majesty may be graciously pleased to take such steps as He may consider necessary in order that the designation of New Zealand may be changed from the "Colony of New Zealand" to the "Dominion of New Zealand."

And whereas His Majesty has been graciously pleased to grant the prayer of the said Petition.

And whereas in pursuance thereof there was this day read at the Board the draft of a Proclamation substituting the title of the Dominion of New Zealand for that of the Colony of New Zealand as the designation of the said Colony.

His Majesty, having taken the same into consideration, was pleased, by and with the advice of His Privy Council, to approve thereof; and to order, and it is hereby ordered, that the said Proclamation do take effect and come into force upon the 26th day of September, 1907.

And the Right Honourable the Earl of Elgin, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

A. W. FITZROY.

[Extract from *The London Gazette*, Tuesday, September 10, 1907.]

BY THE KING.

A PROCLAMATION declaring that the Colony of New Zealand shall be called and known by the title of the Dominion of New Zealand.

EDWARD R. & I.

WHEREAS We have on the Petition of the Members of the Legislative Council and House of Representatives of Our Colony of New Zealand determined that the title of the Dominion of New Zealand shall be substituted for that of the Colony of New Zealand as the designation of the said Colony, We have therefore by and with the advice of Our Privy Council thought fit to issue this Our Royal Proclamation and We do ordain, declare and command that on and after the twenty-sixth day of

September, one thousand nine hundred and seven, the said Colony of New Zealand and the territory belonging thereto shall be called and known by the title of the Dominion of New Zealand. And We hereby give Our Commands to all Public Departments accordingly.

Given at Our Court at Buckingham Palace, this ninth day of September, in the year of Our Lord one thousand nine hundred and seven, and in the seventh year of Our Reign.

GOD SAVE THE KING.

No. 13.

(No. 86.)

MY LORD,—

Downing Street, 13th September, 1907.

I have the honour to transmit to you for the consideration of your Ministers, with reference to my despatch (No. 102) of the 3rd November last, the papers noted in the subjoined schedule on the subject of the proposed Money Order exchange between France and New Zealand.

I have, &c.,
ELGIN.

The Officer Administering the Government of New Zealand.

| Date. | Description. |
|----------------------------|-----------------------|
| 5th September, 1907 | From the Post Office. |

Enclosure.

SIR,—

General Post Office, London, 5th September, 1907.

With reference to your letter of the 3rd of November last, I am directed by the Postmaster General to send to you herewith, as desired by the Secretary of State for the Colonies, a copy of a draft Convention which has been drawn up for the guidance of the New Zealand Post Office in its negotiations concerning the proposed Money Order exchange between France and New Zealand. The draft, which follows the present usage of this Department, is similar to that sent to you with the letter from this Office dated the 20th of June last, in connection with the proposed direct exchange of Money Orders between France and the Transvaal.

I am, &c.,
E. W. FARNALL.

The Under Secretary of State, Colonial Office.

No. 14.

(Circular.)

SIR,—

Downing Street, 17th September, 1907.

I have the honour to transmit to you, for the information of your Government, a translation of a Decree by the King of Denmark extending to the trade-marks of merchants, manufacturers, agriculturists, &c., in the United Kingdom, subject to certain conditions mentioned therein, the same degree of protection in Iceland as is accorded to the trade-marks of Icelandic subjects by the Icelandic trade-marks law.

This concession has been granted in consideration of the fact that applications for marks from persons living in Iceland are accorded by His Majesty's Government the same treatment as similar applications from residents in the United Kingdom, and His Majesty's Government are informed that the Icelandic Authorities are prepared to extend the privileges accorded to Great Britain and Ireland to those Colonies which grant the same treatment to Icelandic trade-marks as does the United Kingdom.

I shall be glad to learn whether the Dominion under your Government is in a position to claim reciprocity in this matter.

I have, &c.,
ELGIN.

The Officer Administering the Government of New Zealand.

Enclosure.

[Translation.]

ORDER BY WHICH THE PROTECTION ACCORDED TO TRADE-MARKS BY THE LAW OF NOVEMBER 13TH, 1903, IS MADE APPLICABLE IN RELATION TO GREAT BRITAIN AND IRELAND.

WE, Frederik VIII, by the Grace of God . . . make known that whereas those, who conduct factory or mechanical industries, farming, mining, commerce or other trade in Iceland, enjoy the same protection of trade-marks in Great Britain and Ireland as the subjects of the same, We, in virtue of the authority afforded by section 15 of the Law of November 13th, 1903, relating to trade-marks, hereby decree as follows:—

The protection of trade-marks afforded by the law of November 13th, 1903, shall also be accorded to those who conduct factory or mechanical industries, farming, mining, commerce or other trade, in Great Britain and Ireland, subject to the following conditions:—

1. The application must be accompanied by proof that the applicant has fulfilled the conditions which are required in Great Britain and Ireland in order to obtain protection for the trade-mark.

2. The applicant must, for all proceedings relative to the trade-mark, agree to the township Court of Reykjavik as the venue of the action, as well as designate an agent resident in Iceland to conduct the lawsuit on his behalf.

3. The trade-mark is not protected to a greater extent or for a longer period than in Great Britain and Ireland.

4. The trade-mark, provided it does not contravene morality or public order, is registered in the form which is valid in Great Britain and Ireland.

5. If anyone, at the latest within four months of the trade-mark being notified in Great Britain and Ireland, notifies it for registration in Iceland, such notification shall, in relation to other notifications, be regarded as having been made at the same time as the notification in Great Britain and Ireland.

This decree comes into force immediately.

All concerned will act accordingly.

Given at Amalienborg, July 20th, 1907.

Under Our Royal Hand and Seal.

FREDERIK R.
H. HAFSTEIN.

No. 15.

(Miscellaneous.)

MY LORD,—

Downing Street, 20th September, 1907.

With reference to your Lordship's despatch (No. 47) of the 25th of June last, I have the honour to state for the information of your Government that the British Ambassador in Paris has reported that the French Minister for Foreign Affairs has notified the interested Governments of the Adhesion of the Dominion of New Zealand to the International Agreement for the suppression of the White Slave Traffic.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O., &c.

No. 16.

(Miscellaneous.)

MY LORD,—

Downing Street, 21st September, 1907.

Since the Conference of Prime Ministers separated in May, I have had under my consideration the arrangements which would most suitably carry out the pledge which I gave at that Conference so to endeavour to arrange the work and the staff of the Colonial Office as to constitute a separate branch of that office for dealing with the business of the self-governing Colonies and to connect with it a permanent Secretary who, with such assistance as may be found to be necessary, will be specially charged with the duties, retrospective and prospective alike, imposed or contemplated by the periodical conferences.

Before the close of the late Session of Parliament I was able on the 22nd of August to make a brief statement in the House of Lords indicating the lines upon which those arrangements will be based, of which I enclose a copy, and

I will now proceed to make some comments upon the scheme for the information of your Prime Minister and his colleagues.

2. The Resolution on the subject which was adopted at the late Conference was as follows :—“ That it is desirable to establish a system by which the several governments represented shall be kept informed during the periods between the Conferences in regard to matters which have been or may be subjects for discussion, by means of a permanent secretarial staff, charged, under the direction of the Secretary of State for the Colonies, with the duty of obtaining information for the use of the Conference, of attending to its resolutions, and of conducting correspondence on matters relating to its affairs.”

I indicated my views on the subject in the following terms :—“ I am prepared to say that we will endeavour, I think we shall succeed, to so separate the departments of this office that you will have in the office . . . a distinct division dealing with the affairs of the responsibly governed colonies”; And again “ What we have in our minds to carry out, and hope to be able to carry out in the future, is that we should appoint a gentleman on our staff to be the Secretary for the Conference, not for one Conference only, but to continue the business as a member of the staff of the office and in a division of the office, as I said before, but that being his specific duty, thereby focussing all the business in the way which I think the members of the Conference in their various resolutions expressed the desire it should be.”

3. Your Ministers are probably aware that the business of the Colonial Office has been arranged up to the present time mainly on geographical lines, though there is a General Department, to which certain matters common to all the Colonies are referred. This General Department I propose in future to strengthen and enlarge, but otherwise to make the line of division in the office one of status rather than of geography, and to separate entirely the work of the self-governing Colonies from that of the Crown Colonies and Protectorates. The only exception will be in the case of those Crown Colonies and Protectorates in the Pacific and connected with South Africa whose interests are so closely related to those of the adjoining self-governing Colonies that the conduct of their business at this office must necessarily be intrusted to the same hands. The Colonial Office will therefore in future be divided into three branches or departments, one dealing with the self-governing Colonies, a second dealing with the Crown Colonies and Protectorates, and a third—the General Department.

4. The first of these three departments will be known as the Dominions Department, the term being used to differentiate the status of the self-governing provinces of the Empire from that of the Crown Colonies. All the business of every kind connected with the self-governing communities will be included in its scope, though certain matters of general routine must necessarily be shared with the General Department; and the staff of the Dominions Department will, with the exception mentioned above, be in no way concerned with the Crown Colonies. All questions of emigration will be referred to this Department, and it will keep in close touch with the Commercial Intelligence Committee of the Board of Trade.

5. The Secretariat of the Imperial Conference will be linked to this Department, without being entirely merged in it. The Secretary will be a member of the Department, but he will also have his own special and separate duties; and he will have, as occasion requires, direct access to the Secretary of State. I suggest, as a matter of convenience, and also in order to emphasize his position, that on all matters of routine arising out of and connected with the Imperial Conference, the Secretary and the Colonial Ministries shall correspond directly with each other, the correspondence in all cases passing under flying seal between the Secretary of State and the Governor-General or Governor. I shall also be glad to learn to what extent your Ministers may desire to suggest that the High Commissioner or Agent-General in this country should act as an alternative channel of communication, as I am anxious to establish close and harmonious relations between them and the Secretariat. The Secretariat, either directly

or through the Dominions Department, will be represented on, or closely allied to, the Commercial Intelligence Committee.

6. The second department of the Colonial Office, which will be styled the Colonial or Crown Colonies Department, will deal with all the administrative and political work of the Crown Colonies and Protectorates which forms a great and growing charge; and the third, or General Department, will be also the Legal Department, and, in addition to the general routine business of the office, which is now transacted by it, and to all personal questions arising in the Crown Colonies, will deal with various matters common to all the Crown Colonies—such as currency, banking, postal and telegraph matters, education, medical and sanitary questions, pensions, patronage, and so forth. In connection more especially with this Department four standing committees will be established, viz., a Patronage and Promotions Committee, a Railway and Financial Committee, a Concessions Committee, and a Pensions Committee.

7. The permanent staff of the Colonial Office includes at the head of the office the Permanent Under-Secretary of State and four Assistant Under-Secretaries. The Permanent Under-Secretary of State will remain as now the permanent head of the whole office and the principal adviser of the Secretary of State. The four Assistant Under-Secretaries will be allotted as follows. Mr. Antrobus will take control of the Crown Colonies Department with its very heavy and important work. Mr. Cox will have control of the General Department; he will as a rule preside over the Standing Committees; and, as Legal Adviser, his services will, as now, be utilised in connection with all the departments. The Dominions Department will be under the control of the Senior Assistant Under-Secretary, Mr. Lucas, and with him will be associated Mr. Just, the junior Assistant Under-Secretary, whom I have nominated to be Permanent Secretary to the Imperial Conference. Mr. Lucas's long experience of Colonial administration in this office is supplemented by special knowledge of emigration questions: and he will bring to bear upon his new duties many years' close study of Colonial history. Your Ministers need not be reminded that Mr. Just was one of the Joint Secretaries to the late Conference: he has served in the Colonial Office since 1878, acted as Assistant Secretary to the first Colonial Conference in 1887, and has had personal experience of South Africa. He is, in my opinion, well qualified for the important post to which I have appointed him, and I am confident that on his part and on the part of those who will assist him every effort will be made to carry out the work of the Secretariat with efficiency and success.

8. Such is an outline of my proposals for rearranging the work of the Colonial Office. They are made in the strong desire to promote the interests of all parts of the Empire and to produce efficient and sympathetic treatment of the manifold questions that arise. I ask for, and I am confident that I shall receive, cordial co-operation from all concerned.

I have, &c.,
ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

Enclosure.

[Hansard, vol. CLXXXI, pp. 1067-71.]

BUSINESS OF SELF-GOVERNING COLONIES.

THE EARL OF JERSEY: I desire to ask the noble Earl the Secretary of State for the Colonies the Question which appears in my name, viz:—"If he is in a position to communicate to the House the steps for the better ordering of the business of the Self-Governing Colonies, and of the Imperial Conferences which at the recent Conference he stated to be in contemplation". In asking this Question, I will only say that at the recent Conference a strong desire was expressed that there should be some re-arrangement at the Colonial Office which would enable that Office to be in closer touch with the Self-Governing Colonies, and also to provide for the work of the Imperial Conferences. That matter was left with the noble Earl, the Secretary of State. It could not be left in better hands.

THE SECRETARY OF STATE FOR THE COLONIES (The Earl of Elgin): I need not say that I shall be as succinct as possible at this hour of the night. But, as the noble Earl has said, this is a matter which has attracted a good deal of attention, not only in this country, but also in the Colonies, and I should like, as I am now able to do, to give some explanation as to the steps which we propose to take. The first resolution which was adopted by the late Conference had in it a passage which I desire to quote. It said—

“That it is desirable to establish a system by which the several Governments represented shall be kept informed during the periods between the Conferences in regard to matters which have been or may be subjects for discussion, by means of a permanent secretarial staff, charged, under the direction of the Secretary of State for the Colonies, with the duty of obtaining information for the use of the Conference, of attending to its resolutions, and of conducting correspondence on matters relating to its affairs.”

This proposal was submitted by myself on behalf of His Majesty's Government, and therefore what I have to do is to say how I propose to redeem the promise which I then gave. It will be remembered that there were other proposals before the Conference on this subject. There were resolutions which had been prepared by the Colonies of Australia and New Zealand and the Cape, and the propositions embodied in them were supported by the representatives of those Colonies at the Conference. They suggested the appointment of a Secretariat, independent of the Colonial Office, by the Conference itself. To that arrangement His Majesty's Government took exception on the ground that it was entirely inconsistent with the Ministerial responsibility which exists, not only in this country, but also in each and every Colony which enjoys self-government, and we were supported in that view by several members of the Conference, and especially by the Prime Minister of Canada, Sir Wilfrid Laurier. Sir Wilfrid Laurier speaks with so much authority and distinctness that I desire to give his opinion in his own words. Sir Wilfrid Laurier said—

“I am quite satisfied upon the principle conceded, that what is done is to be done on direct responsibility. That is the only subject, as originally proposed, to which I demurred, because it seemed to be the creation of an independent body. The moment it is recognised here that it is to be under direct responsibility, I am satisfied. I am quite prepared to accept the new principle, but I would not like to commit myself immediately to the drafting of the resolution, which perhaps may be improved.”

Now, my Lords, I cannot refer to any division-list—we fortunately did not take many formal divisions at the Conference—but the fact remains that though the representatives of the Colonies to which I have referred supported their own propositions, the resolution which I have quoted was finally adopted without a dissentient voice. I am obliged, however, to trouble the House with another quotation, because the concise language of the resolution itself might otherwise not be so clearly understood. In the course of the discussion I endeavoured to remove, so far as I could, any ambiguity as to the intentions of His Majesty's Government. On the first day I defined our position as follows. I said—

“If you accept our proposition that we should with Ministerial responsibility provide the link which you desire, and which we think you reasonably desire, between Conference and Conference, you should allow us a free hand in other respects. . . . The proposition which I put forward I put forward on my own responsibility as Secretary of State for the Colonies, but with the assent of my colleagues, and I hope therefore that the Conference will give it at least as favourable consideration as possible. . . . We will endeavour, I think we shall succeed, to so separate the departments of this office that you will have in the office in the form which we shall present it to you a distinct division dealing with the affairs of the responsibly governed Colonies. I will not say it will be exactly apart, because there is, and must be, at the head, at any rate, a connecting link between the several parts of any office, but there will be one division which you will feel will be concerned with the business of all the self-governing Colonies, and not directly with that of the Crown Colonies.”

On the second day I found it necessary to add a further explanation, and I said—

“What we have in our minds to carry out, and hope to be able to carry out in the future, is that we should appoint a gentleman on our staff to be the secretary for the Conference, not for one Conference only, but to continue the business as a member of the staff of the office and in a division of the office, as I said before, but that being his specific duty, thereby focussing all the business in the way which I think the members of the Conference in their various Resolutions expressed the desire it should be. That is what we hope to do, and that is the reason we use the expression ‘secretarial staff.’ You quite understand, I think, that we can make that arrangement without interfering with the responsibility or organization of the office, but still in such a manner, I think, so far as it is capable of being done within the walls of the office, as to meet the wishes that the other members of the Conference have expressed. That is the meaning of the expression.”

Upon that Sir Wilfrid Laurier remarked—“I do not care how it is expressed, so long as it is on Ministerial responsibility, that is the only thing I attach importance to.”

I think, therefore, my Lords, I have made it quite clear that the idea of an independent body was not entertained by the Conference, and in the second place that the idea of a scheme within the walls and under the responsibility of the Colonial Office was fully before the Conference and was entertained. That being so, the only scheme which I can be expected to lay before your Lordships this evening is one on those lines. I shall not detain the House by any description of the organization of the Colonial Office as it is now. It may suffice to say that the geographical divisions into which it was, I think, originally divided have become somewhat obscured by the gradual accretions of spheres of duty in many parts of the world, and it is not very easy now to define any very distinct principle on which it is organized. The work generally, however, is divided into four Departments under the four Assistant Under-Secretaries of State, above them standing the permanent Under-

Secretary as the head of the Office, and a link between them and the Secretary of State. I hope that will be sufficient in order to make the change we now propose to introduce intelligible to your Lordships. What we propose to do is to divide the office into three Departments instead of into four. The first of these Departments we propose to term the Dominions Department. It will deal exclusively or practically so with the self-governing Dominions beyond the seas. The only work outside the business of those Dominions would be that originating in certain Protectorates or Possessions which are geographically or otherwise connected with the Dominions. I may mention as instances in point, at this present moment, the Protectorates in South Africa under the charge of the High Commissioner, and the islands of the Pacific. The other Departments do not, of course, come directly under the question of the noble Lord, and so I shall not deal with them in any detail, but I may mention that we propose to term the second Department the Colonial Department. It will, of course, deal with the Crown Colonies, and it will be a very heavy Department on account of the immense amount of administrative work and control involved in the management of the many Crown Colonies and Possessions of the Crown, and the ever-increasing importance and value that attaches to them. The third Department will be called the General Department. It will deal with the legal, financial, and other general business of the Office, and I may mention that under this Department we propose to establish a new feature in the shape of certain Standing Committees to take a collective view of such matters as contracts, concessions, mineral and other leases which come to us from all parts of the world, and also the matter of patronage, which is one of considerable importance and delicacy in the Colonial Office. This is the arrangement of the business of the Office which we propose to introduce, stated in general terms. I shall not trouble the House with any details, but I will just simply say, to prevent any misunderstanding, that we are not dealing only with the superior officers, but we are working out a reorganisation throughout with all the necessary divisions and sub-divisions.

I proceed to the other branch of the subject, which is the personnel, and I propose to place at the head of the Dominions Department the senior assistant Under-Secretary of State. Mr. Lucas is a gentleman of very high academical and literary distinction, who has managed, even amongst the preoccupations of his official duties, to find time for works of merit on Colonial and especially Canadian history. He has had a long experience of Colonial administration and his attractive and sympathetic personality has made him many friends in every quarter. I am certain that the task of recommending this new Department to our brethren beyond the seas can safely be entrusted to him. Second to this appointment and probably one which will attract even more interest is the nomination of the Secretary to the Conference. I have already quoted what I said to the Conference in regard to this matter. My promise was to take from our own staff a gentleman for the special duties arising out of the work of the Conference connected with what had passed and leading up to the future. I say at once that this post ought to be filled by a man of proved ability, of wide experience, and of a standing which will justify him in having access, whenever necessary, direct to the Secretary of State. I am glad to say that I can secure at once continuity from Conference to Conference. I feel that I am able to promote to this new post the gentleman who occupied the position of Joint-Secretary to the late Conference. Mr. Just has an experience of Colonial affairs which is second to none, and a special knowledge of South African business, having visited the country himself when the Secretary of State of the time paid a visit to it. He has an unsurpassed capacity for work, and the Papers which he prepared for the last Conference were never mentioned without its members expressing their appreciation. He holds the rank of Assistant Under-Secretary, and I claim that in appointing him to this post I am appointing a man of experience, of merit, and of position which ought to secure for it the esteem which its best friends desire. I will not go further to-night; I will not mention other members of the staff by name, but I will only just observe that I feel I shall be able to find men in our Service who have visited the self-governing Colonies, and I shall be only too glad to profit by their experience.

I think it right to make one remark as to a very unfair prejudice which is sometimes excited by semi-contemptuous references to Colonial Office Clerks. That is an expression calculated to mislead, but I am sure it will not mislead in this House. It is well known by all who care to know that the higher ranks in the Public Service of this country are filled by members of the great Civil Service of which this country is proud, and from which the requirements of India, as well as of England, are met by the same examination and from the same lists. The gentlemen in the Colonial Office have passed the severest educational tests, many of them possess University distinctions, and they are men who have ungrudgingly devoted the best years of their life to work which no doubt has moments of great interest and excitement, but which is, after all, apt to be monotonous and is certainly arduous, unceasing, and responsible beyond that of most men. I would only remark that that career is open to all subjects of His Majesty, and is open to our brethren beyond the seas if they choose to qualify themselves for it, and, as I ventured to say in the Conference, possibly under the influence of the Rhodes Scholarships more Colonials will enter our ranks. We shall be only too happy to give them a welcome. I would only say just one word in conclusion. I have pointed out that it was the decision of the Conference itself which limited me definitely to the line of advance which I have pursued. I maintain that I have carried out my mandate fully and without reserve, and though I am not without sympathy with those who think that there are more advanced posts that might be occupied at some future time, I venture to say that we have at the present moment taken possession of the most advanced post which we can safely occupy. After all, representative institutions are the truest defences of our liberties, and we must make the machinery of government conform to the requirements of the representative institutions which we possess. I think I have now given the noble Lord all the information which at this time to-night it is reasonable to inflict upon the House.

THE EARL OF JERSEY: I think the statement the noble Earl has just made clearly shows that he has carried out what seems to have been the understanding, judging by the Blue-Book, at the recent Conference. I believe also his decision to have a Dominions Department for the self-governing Colonies will be received with great satisfaction in other parts of the Empire. I was also glad to hear him say a word on behalf of the staff of the Colonial Office. It is true that sometimes criticisms are passed on the staff, but, after all, criticisms are passed on the very best of staffs, and they no doubt sometimes arise because people do not get exactly what they want. Those who have had the opportunity of dealing with the Colonial Office, whether as regards the Chief or those who serve under him, will say that they have always met there with the greatest ability and also the greatest courtesy, and I trust in the Dominions of the Crown the same satisfaction will be felt as I feel with the remarks which the noble Earl has made with regard to his decision in the re-arrangements of his office.

No. 17.

(Miscellaneous.)

MY LORD,—

Downing Street, 15th October, 1907.

I have the honour to inform you that the Army Council propose to include in the syllabus of veterinary instruction for officers and non-commissioned officers of the Cavalry School instruction in the knowledge of forage and poisonous plants peculiar to and commonly met with in countries outside Europe where British troops may serve, and are desirous of obtaining dried specimens of such forage and plants from New Zealand.

The Army Council are not in a position to incur any considerable expense in procuring collections, but suggest that the Colonial Government may be willing to supply spare specimens from Botanical Gardens or Museums. I do not doubt, however, that any special small expenses that may be incurred for transmission would if necessary be readily recoverable from Army Funds, and I shall be glad if you will consult your Government with a view to meeting the wishes of the Army Council in this matter.

The Army Council request that specimens may be directed to the Commandant, Cavalry School, Bulford Camp, Wiltshire.

I have, &c.,
ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 18.

(Miscellaneous.)

MY LORD,—

Downing Street, 17th October, 1907.

I have the honour to transmit to you two copies of a Circular and Handbill issued by the Board of Trade with regard to the addition of a knowledge of First Aid to the Injured to the examination syllabus for certificates of competency as Master or Mate in the Mercantile Marine. The Board of Trade suggest for the consideration of your Government that a similar addition should be made as soon as possible to the examinations in New Zealand for certificates of competency as Master or Mate in respect of which an Order in Council has been issued under Section 102 of the Merchant Shipping Act, 1894.

The St. John Ambulance Association (St. John's Gate, Clerkenwell, London, E.C.) are prepared to give the examining authorities in the Colonies every assistance in their power with a view to providing the necessary facilities for the instruction and examination of candidates.

The names and addresses of the Secretaries of the Association in New Zealand are—W. Rattray, Esq., 7 Mercantile Chambers, Auckland; W. T. Hilson, Esq., 114 Manchester Street, Christchurch; J. E. Bone, Esq., Royal Terrace, Dunedin; A. M. Croncher, Esq., P.O., Invercargill; J. D. Avery, Esq., Wellington.

I have, &c.,
ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 19.

(Miscellaneous.)

MY LORD,—

Downing Street, 19th November, 1907.

A.-1, 1907,
No. 22.

With reference to your Lordship's despatch (No. 28) of the 12th April last, I have the honour to request you to inform your Government that the adhesion of the Dominion of New Zealand to the Treaty of Friendship, Commerce and Navigation between the United Kingdom and the Republic of Nicaragua, signed at Managua on the 28th of July, 1905, has been duly notified to, and accepted by, the Nicaraguan Government.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 20.

(Miscellaneous.)

MY LORD,—

Downing Street, 22nd November, 1907.

With reference to the Royal Proclamation of the 9th September last, substituting the title of the Dominion of New Zealand for that of the Colony of New Zealand, I have the honour to transmit to you Letters Patent passed under the Great Seal of the United Kingdom, constituting the Office of Governor and Commander-in-Chief of the Dominion, together with the Royal Instructions accompanying the Letters Patent, and a Commission passed under the Royal Sign Manual and Signet appointing you to be Governor and Commander-in-Chief of the Dominion.

You will observe that clause 6 of the existing Royal Instructions of the 26th March 1892, as to the reservation of Bills, has been omitted from the New Instructions, and that a clause corresponding to clause 7 of the Commonwealth of Australia Royal Instructions of the 29th October 1900, has been substituted.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O., &c.

Enclosures.

NEW ZEALAND.—LETTERS PATENT PASSED UNDER THE GREAT SEAL OF THE UNITED KINGDOM, CONSTITUTING THE OFFICE OF GOVERNOR AND COMMANDER-IN-CHIEF OF THE DOMINION OF NEW ZEALAND, DATED THE 18TH NOVEMBER, 1907.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To all to whom these Presents shall come, Greeting.

WHEREAS, by certain Letters Patent, under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the Twenty-first day of February, 1879, Her late Majesty Queen Victoria did constitute, order, and declare that there should be a Governor and Commander-in-Chief in and over the Colony of New Zealand and its Dependencies (therein called the Colony) and that appointments to the said Office when vacant should be made by Commission under the Royal Sign Manual and Signet:

And whereas by an Act passed in the Session holden in the Twenty-sixth and Twenty-seventh years of the Reign of Her late Majesty Queen Victoria, entitled "An Act to alter the Boundaries of New Zealand," the Colony of New Zealand was defined as comprising all Territories, Islands, and Countries lying between the one hundred and sixty-second degree of East Longitude and the one hundred and seventy-third degree of West Longitude and between the thirty-third and fifty-third parallels of South Latitude:

And whereas by a Proclamation bearing date the twenty-first day of July 1887, issued by the Governor of New Zealand under authority of Letters Patent passed under the Great Seal of Our United Kingdom, bearing date the eighteenth day of January 1887, the Islands situate in the South Pacific Ocean between the parallels of 29 degrees and 32 degrees South Latitude and the meridians of 177 degrees and 180 degrees West Longitude, known as the Kermadec Group, were, from and after the first day of August 1887, annexed to and became part of the Colony of New Zealand:

And whereas by a Proclamation bearing date the tenth day of June 1901, issued by the Governor of New Zealand by authority of an Order by Us in Our Privy Council dated the thirteenth

day of May 1901, made by virtue and in exercise of the powers vested in Us by the Colonial Boundaries Act 1895, the Boundaries of the Colony of New Zealand were on and after the eleventh day of June 1901 extended so as to include the islands of the Cook Group, and all other the Islands and Territories which were then or might thereafter form part of Our Dominions situate within the following boundary-line, viz.:—A line commencing at a point at the intersection of the 23rd degree of South Latitude and the 156th degree of Longitude West of Greenwich, and proceeding due North to the point of intersection of the 8th degree of South Latitude and the 156th degree of Longitude West of Greenwich, thence due West to the point of intersection of the 8th degree of South Latitude and the 167th degree of Longitude West of Greenwich, thence due South to the point of intersection of the 17th degree of South Latitude and the 167th degree of Longitude West of Greenwich, thence due West to the point of intersection of the 17th degree of South Latitude and the 170th degree of Longitude West of Greenwich, thence due South to the point of intersection of the 23rd degree of South Latitude and the 170th degree of Longitude West of Greenwich, and thence due East to the point of intersection of the 23rd degree of South Latitude and the 156th degree of Longitude West of Greenwich:

And whereas by Our Royal Proclamation, bearing date the ninth day of September 1907, We did ordain, declare, and command that on and after the Twenty-sixth day of September 1907 the Colony of New Zealand and the territory belonging thereto should be called and known by the title of the Dominion of New Zealand:

And whereas it has become necessary to make provision for the office of Governor and Commander-in-Chief in and over Our Dominion of New Zealand:

I. Now therefore we do by these presents revoke and determine the above-recited Letters Patent of the Twenty-first day of February 1879 but without prejudice to anything lawfully done thereunder. And We do by these presents constitute, order, and declare that there shall be a Governor and Commander-in-Chief in and over Our Dominion of New Zealand (hereinafter called the Dominion), comprising the Territories, Islands, and Countries forming the Colony of New Zealand as defined in the above-recited Act, passed in the Session holden in the Twenty-sixth and Twenty-seventh Years of the Reign of Her late Majesty Queen Victoria, entitled "An Act to alter the Boundaries of New Zealand," together with the further Islands and Territories included within the Boundaries of the Colony of New Zealand by the above-recited Proclamations of the Governor thereof, dated respectively the Twenty-first day of July 1887, and the Tenth day of June 1901; and that appointments to the said office when vacant shall be made by Commission under Our Sign Manual and Signet.

II. We do hereby authorize, empower, and command Our said Governor and Commander-in-Chief (hereinafter called the Governor) to do and execute all things that belong to his said Office, according to the tenor of these Our Letters Patent and of such Commission as may be issued to him under Our Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under Our Sign Manual and Signet, or by Our Order in Our Privy Council, or by Us, through one of Our Principal Secretaries of State, and to such Laws as are now or shall hereafter be in force in the Dominion.

III. Every person appointed to fill the Office of Governor shall, with all due solemnity, before entering on any of the duties of his Office, cause the Commission appointing him to be Governor to be read and published at the seat of Government, in the presence of the Chief Justice, or some other Judge of the Supreme Court of the Dominion, and of the Members of the Executive Council thereof, which being done, he shall then and there take before them the Oath of Allegiance, in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of the Reign of Her late Majesty Queen Victoria intituled an Act to amend the Law relating to Promissory Oaths; and likewise the usual Oath for the due execution of the Office of Governor, and for the due and impartial administration of justice; which Oaths the said Chief Justice or Judge is hereby required to administer.

IV. The Governor shall keep and use the Public Seal of the Dominion for sealing all things whatsoever that shall pass the said Public Seal, and until a new Public Seal shall be provided for the Dominion, the Public Seal used as the Public Seal of the Territories, Islands, and Countries prior to the Twenty-sixth day of September 1907 known as the Colony of New Zealand shall be deemed to be the Public Seal of the Dominion.

V. There shall be an Executive Council for the Dominion, and the said Council shall consist of such persons as were immediately before the coming into force of these Our Letters Patent Members of the Executive Council of New Zealand, or as may at any time be Members of the Executive Council of the Dominion in accordance with any Law enacted by the Legislature of the Dominion, and of such other persons as the Governor, shall from time to time, in Our name and on Our behalf, but subject to any Law as aforesaid, appoint under the Public Seal of the Dominion to be Members of the Executive Council of the Dominion.

VI. The Governor, in Our name and on Our behalf, may make and execute, under the said Public Seal, grants and dispositions of any lands which may be lawfully granted and disposed of by Us within the Dominion.

VII. The Governor may constitute and appoint, in Our name and on Our behalf, all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers of the Dominion as may be lawfully constituted or appointed by Us.

VIII. When any crime has been committed within the Dominion, or for which the offender may be tried therein, the Governor may as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders if more than one; and further, may grant to any offender convicted in any Court, or before any Judge, or other Magistrate, within the Dominion, a pardon, either free or subject to lawful conditions, or any remis-

sion of the sentence passed on such offender, or any respite of the execution of such sentence for such period as the Governor thinks fit; and further may remit any fines, penalties, or forfeitures due or accrued to Us: Provided always that the Governor shall in no case, except where the offence has been of a political nature, unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall absent himself or be removed from the Dominion.

IX. The Governor may, so far as We Ourselves lawfully may, upon sufficient cause to him appearing, remove from his office, or suspend from the exercise of the same, any person exercising any office or place within the Dominion under or by virtue of any Commission or Warrant granted, or which may be granted, by Us, in Our name, or under Our authority.

X. The Governor may exercise all powers lawfully belonging to Us in respect of the summoning, proroguing, or dissolving any Legislative Body, which now is or hereafter may be established within the Dominion, and in respect of the appointment of Members thereto.

XI. In the event of the death, incapacity, or removal of the Governor, or of his departure from the Dominion, Our Lieutenant-Governor, or, if there be no such Officer in the Dominion, then such person or persons as We may appoint under our Sign Manual and Signet, shall, during Our pleasure, administer the Government of the Dominion, first taking the Oaths herein-before directed to be taken by the Governor, and in the manner herein prescribed; which being done, We do hereby authorise, empower, and command Our Lieutenant-Governor, and every other such Administrator as aforesaid, to do and execute during Our pleasure all things that belong to the Office of Governor and Commander-in-Chief according to the tenor of these Our Letters Patent, and according to Our Instructions as aforesaid, and the Laws of the Dominion.

XII. In the event of the Governor having occasion to be temporarily absent for a short period from the seat of Government or from the Dominion, he may in every such case, by an Instrument under the Public Seal of the Dominion, constitute and appoint Our Lieutenant-Governor, or if there be no such Officer, then any other person to be his Deputy during such temporary absence, and in that capacity to exercise, perform, and execute for and on behalf of the Governor during such absence, but no longer, all such powers and authorities vested in the Governor by these Our Letters Patent, as shall in and by such Instrument be specified and limited, but no others. Provided, nevertheless, that, by the appointment of a Deputy as aforesaid, the power and authority of the Governor shall not be abridged, altered, or in any way affected, otherwise than We may at any time hereafter think proper to direct.

XIII. And We do hereby require and command all Our Officers and Ministers, Civil and Military, and all other the inhabitants of the Dominion, to be obedient, aiding, and assisting unto the Governor or such person or persons as may from time to time, under the provisions of these Our Letters Patent, administer the Government of the Dominion.

XIV. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority from time to time to revoke, alter, or amend these Our Letters Patent as to us or them shall seem meet.

XV. And We do direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places within Our Dominion as the Governor shall think fit.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the Eighteenth day of November, in the Seventh Year of Our Reign.

By Warrant under the King's Sign Manual.

MUIR MACKENZIE.

NEW ZEALAND.—INSTRUCTIONS PASSED UNDER THE ROYAL SIGN MANUAL AND SIGNET TO THE GOVERNOR AND COMMANDER-IN-CHIEF OF THE DOMINION OF NEW ZEALAND, DATED 18TH NOVEMBER, 1907.

EDWARD R. & I.

Instructions to Our Governor and Commander-in-Chief in and over Our Dominion of New Zealand, or in his absence to Our Lieutenant-Governor or other Officer for the time being administering the Government of Our said Dominion.

WHEREAS by certain Letters Patent bearing even date herewith We have constituted, ordered, and declared that there shall be a Governor and Commander-in-Chief (therein and herein-after called the Governor) in and over Our Dominion of New Zealand (therein and herein-after called the Dominion):

And whereas We have thereby authorised and commanded the Governor to do and execute all things that belong to his said office, according to the tenor of our said Letters Patent, and of such Commission as may be issued to him under Our Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under Our Sign Manual and Signet or by Our Order in Our Privy Council or by Us through one of Our Principal Secretaries of State, and to such Laws as are now or shall hereafter be in force in the Dominion:

Now know you that We do by these Our Instructions under our Sign Manual and Signet direct and enjoin and declare Our will and pleasure as follows:—

I. In these Our Instructions, unless inconsistent with the context, the term “the Governor” shall include every person for the time being administering the Government of the Dominion, and the term “the Executive Council” shall mean the members of the Executive Council for the Dominion who are for the time being the responsible advisers of the Governor.

II. The Governor may, whenever he thinks fit, require any person in the public service to take the Oath of Allegiance, together with such other Oath or Oaths as may from time to time be prescribed by any Law in force in the Dominion. The Governor is to administer such oaths or cause them to be administered by some Public Officer of the Dominion.

III. The Governor shall forthwith communicate these Our Instructions to the Executive Council, and likewise all such others, from time to time, as he shall find convenient for Our service to impart to them.

IV. The Executive Council shall not proceed to the despatch of business unless two members at the least (exclusive of the Governor or of the member presiding) be present and assisting throughout the whole of the meetings at which any such business shall be despatched.

V. In the execution of the powers and authorities vested in him, the Governor shall be guided by the advice of the Executive Council, but if in any case he shall see sufficient cause to dissent from the opinion of the said Council, he may act in the exercise of his said powers and authorities in opposition to the opinion of the Council, reporting the matter to Us without delay, with the reasons for his so acting.

In any such case it shall be competent to any Member of the said Council to require that there be recorded upon the Minutes of the Council the grounds of any advice or opinion that he may give upon the question.

VI. The Governor is to take care that all laws assented to by him in Our name, or reserved for the signification of Our pleasure thereon, shall, when transmitted by him, be fairly abstracted in the margins, and be accompanied, in such cases as may seem to him necessary, with such explanatory observations as may be required to exhibit the reasons and occasions for proposing such laws; and he shall also transmit fair copies of the Journals and Minutes of the proceedings of the Parliament of the Dominion which he is to require from the clerks, or other proper officers in that behalf, of the said Parliament.

VII. The Governor shall not pardon or reprieve any offender without first receiving in capital cases the advice of the Executive Council, and in other cases the advice of one, at least, of his Ministers; and in any case in which such pardon or reprieve might directly affect the interests of Our Empire, or of any country or place beyond the jurisdiction of the Government of the Dominion, the Governor shall, before deciding as to either pardon or reprieve, take those interests specially into his own personal consideration in conjunction with such advice as aforesaid.

VIII. All Commissions granted by the Governor to any persons to be Judges, Justices of the Peace, or other officers, shall, unless otherwise provided by law, be granted during pleasure only.

IX. The Governor shall not quit the Dominion without having first obtained leave from Us for so doing under our Sign Manual and Signet, or through one of Our Principal Secretaries of State, except for the purpose of visiting the Governor-General of Australia, or the Governor of any neighbouring Colony or State for periods not exceeding one month at any one time, nor exceeding in the aggregate one month for every year's service in the Dominion.

X. The temporary absence of the Governor for any period not exceeding one month shall not, if he have previously informed the Executive Council, in writing, of his intended absence, and if he have duly appointed a Deputy in accordance with Our said Letters Patent, nor shall any extension of such period sanctioned by one of Our Principal Secretaries of State and not exceeding fourteen days, be deemed a departure from the Dominion within the meaning of Our said Letters Patent.

XI. From and after the date of the coming into operation of Our above-recited Letters Patent of even date, the Instructions issued to the Governor of the Colony of New Zealand under the Sign Manual and Signet of Her late Majesty Queen Victoria, bearing date the Twenty-sixth day of March 1902 shall, without prejudice to anything lawfully done thereunder, be revoked.

Given at Our Court at St. James's this Eighteenth day of November 1907, in the Seventh year of Our Reign..

NEW ZEALAND,—COMMISSION PASSED UNDER THE ROYAL SIGN MANUAL AND SIGNET APPOINTING THE RIGHT HONOURABLE LORD PLUNKET, K.C.M.G., K.C.V.O., TO BE GOVERNOR AND COMMANDER-IN-CHIEF OF THE DOMINION OF NEW ZEALAND, DATED 20TH NOVEMBER, 1907.

EDWARD R. & I.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To Our Right Trusty and Well-beloved William Lee, Baron Plunket, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Royal Victorian Order, Greeting.

We do, by this Our Commission under Our Sign Manual and Signet, appoint you, the said William Lee, Baron Plunket, to be, during Our pleasure, Our Governor and Commander-in-Chief in and over Our Dominion of New Zealand, with all the powers, rights, privileges, and advantages to the said Office belonging or appertaining.

II. And We do hereby authorise, empower, and command you to exercise and perform all and singular the powers and directions contained in Our Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the Eighteenth day of November 1907, or in any other Letters Patent adding to, amending, or substituting for the same, according to such Orders and Instructions as you have already received, or may hereafter receive from Us.

III. And We do hereby appoint that from and after the date of the coming into operation of Our above-recited Letters Patent of the Eighteenth day of November, 1907, this Our present Commission shall supersede Our Commission under Our Sign Manual and Signet bearing date the Ninth day of March 1904, appointing you to be Our Governor and Commander-in-Chief in and over Our Colony of New Zealand and its Dependencies.

IV. And We do hereby command all and singular Our Officers, Ministers, and loving subjects in Our said Dominion, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Given at Our Court at Saint James's, this Twentieth day of November 1907, in the Seventh year of Our Reign.

By His Majesty's Command.

ELGIN.

No. 21.

(No. 109.)

MY LORD,—

Downing Street, 29th November, 1907.

I have the honour to acknowledge the receipt of your despatch (No. 81) of the 6th of October from which His Majesty's Government have learned, with great satisfaction, the intention of your Ministers to introduce legislation to give effect to the recommendations adopted at the recent Merchant Shipping Conference.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 22.

(No. 115.)

MY LORD,—

Downing Street, 20th December, 1907.

I have the honour to transmit to you for the information of your Ministers the paper noted in the subjoined schedule on the subject of the appointment of Vice Admiral Sir R. Poore, C.V.O., as Commander-in-Chief on the Australian Station.

I have, &c.,

ELGIN.

The Officer Administering the Government of New Zealand.

| Date. | Description. |
|----------------------------|-----------------|
| 13th December, 1907 | From Admiralty. |

Enclosure.

SIR,—

Admiralty, 13th December, 1907.

I am commanded by my Lords Commissioners of the Admiralty to acquaint you for the information of the Secretary of State for the Colonies that Vice Admiral Sir Richard Poore, C.V.O., has been appointed to succeed Vice Admiral Sir Wilmot H. Fawkes, K.C.B., K.C.V.O., as Commander-in-Chief on the Australian Station and will take over the command at the end of February or the beginning of March 1908.

I have, &c.,

The Under-Secretary of State, Colonial Office.

C. I. THOMAS.

No. 23.

(Miscellaneous.)

MY LORD,—

Downing Street, 27th December, 1907.

With reference to my despatch "Miscellaneous" of the 22nd ultimo, I have the honour to transmit to Your Lordship a Dormant Commission passed under the Royal Sign Manual and Signet appointing the Chief Justice or the Senior Judge for the time being of the Supreme Court of New Zealand to administer the Government of the Dominion in the event of the death, incapacity or absence of the Governor, and Lieutenant Governor, if any.

Your Lordship will observe that, from and after the date of the coming into operation of the Letters Patent dated the 18th ultimo and enclosed in the above-mentioned despatch, this Commission will supersede the Commission dated the 22nd February 1879 appointing the Chief Justice or the Senior Judge of the Colony of New Zealand to be the Administrator thereof in the events therein specified.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

Enclosure.

NEW ZEALAND. — DORMANT COMMISSION PASSED UNDER THE ROYAL SIGN MANUAL AND SIGNET, APPOINTING THE CHIEF JUSTICE OR THE SENIOR JUDGE FOR THE TIME BEING OF THE SUPREME COURT OF NEW ZEALAND TO ADMINISTER THE GOVERNMENT OF THAT DOMINION, IN THE EVENT OF THE DEATH, INCAPACITY, OR ABSENCE OF THE GOVERNOR AND LIEUTENANT-GOVERNOR (IF ANY), DATED 18TH DECEMBER, 1907.

EDWARD R. & I.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To Our Trusty and Well-beloved the Chief Justice or the Senior Judge for the time being of the Supreme Court of New Zealand: Greeting.

WHEREAS by Our Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the Eighteenth day of November 1907, We did constitute, order, and declare that there should be a Governor and Commander-in-Chief in and over Our Dominion of New Zealand, and did authorise, empower, and command Our said Governor and Commander-in-Chief to do and execute all things belonging to his said office as therein is more particularly set forth:

And whereas by Our said Letters Patent We did declare that, in the event of the death, incapacity, or removal of Our said Governor and Commander-in-Chief, or of his departure from the Dominion, Our Lieutenant Governor, or if there should be no such Officer in the Dominion, then such person or persons as We might appoint under Our Sign Manual and Signet, should during Our pleasure administer the Government of the same:

Now know you that by this Our Commission, under Our Sign Manual and Signet, We do appoint you, the Chief Justice for the time being of Our said Dominion of New Zealand, until Our further pleasure shall be signified, to administer the Government thereof in case of the death, incapacity, or removal, or of the departure from the Dominion of Our said Governor and Commander-in-Chief, as well as of Our Lieutenant Governor (if any), with all and singular the powers and authorities granted by Our said Letters Patent, or by any other Letters Patent adding to, amending, or substituted for the same; and, in the said event, and in case of the death, incapacity or departure from Our said Dominion of the said Chief Justice for the time being, then We do appoint you, the Senior Judge for the time being of the Supreme Court of Our said Dominion, then residing therein, and not being under incapacity, to administer the Government thereof, with all the powers and authorities aforesaid. And we do hereby authorise and require you the said Chief Justice or the said Senior Judge for the time being, as the case may be, to exercise and perform the said powers and authorities according to such Instructions as Our said Governor and Commander-in-Chief or Our said Lieutenant Governor hath already received or may hereafter receive from Us, under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, and according to such laws as are now or shall hereafter be in force in Our said Dominion.

Provided always that you, the Senior Judge, shall act in the administration of the Government only when and so often as you, the said Chief Justice, shall not be present within the Dominion and capable of administering the Government.

And We do hereby appoint that from and after the date of the coming into operation of Our above recited Letters Patent of the Eighteenth day of November 1907, this Our present Commission shall supersede the Commission under the Sign Manual and Signet of Her late Majesty Queen Victoria dated the Twenty-second day of February 1879, appointing the Chief Justice or the Senior Judge for the time being of the Colony of New Zealand, to be Administrator thereof, in the events therein specified.

And We do hereby command all and singular Our Officers, Ministers, and loving subjects in Our said Dominion, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Given at Our Court at Saint James's this eighteenth day of December, 1907, in the Seventh year of Our Reign.

By His Majesty's Command.

ELGIN.

No. 24.

(No. 13.)

MY LORD,—

Downing Street, 30th January, 1908.

I have the honour to transmit to you, to be laid before your Ministers, copy of a letter from the Board of Trade forwarding copies of a new form of certificate of survey which has been prescribed in connection with the registration of vessels as British.

I shall be glad if your Ministers will consider whether it would not be desirable for the sake of uniformity to adopt a similar form of certificate as regards vessels to be registered in New Zealand.

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 25.

(No. 22.)

MY LORD,—

Downing Street, 13th February, 1908.

A.—1, 1908,
No. 25.

I have the honour to inform you that His Majesty will not be advised to exercise his power of disallowance with respect to the following Acts of the Parliament of New Zealand, transcripts of which accompanied your despatch (No. 103) of the 14th December last, viz. :—

No. 9 of 1907 : “ An Act to amend The Maori Land Settlement Act 1905.”

No. 54 : “ An Act to provide for the Exchange of certain Crown and Native Lands.”

No. 62 : “ An Act to make further Provision for the Settlement of Native Lands.”

No. 69 : “ An Act to authorise the Grant of Crown Lands to certain Landless Natives.”

No. 70 : “ An Act to authorise the Grant of Crown Lands to certain Landless Natives.”

No. 76 : “ An Act to adjust and protect Claims and Interests in and to further amend the Laws relating to Maori Lands.”

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 26.

(No. 33.)

MY LORD,—

Downing Street, 29th February, 1908.

A.—1, 1908,
No. 25.

I have the honour to inform you that His Majesty will not be advised to exercise his power of disallowance with regard to the following Acts of the Parliament of New Zealand, transcripts of which accompanied your despatch (No. 103) of the 14th December 1907.

[For lists of Acts, omitting Acts Nos. 9, 54, 62, 69, 70, and 76, see A.—1, 1908, No. 25.]

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O.

No. 27.

(No. 39.)

MY LORD,—

Downing Street, 13th March, 1908.

A.—1, 1908,
No. 25.

With reference to your despatch (No. 103) of the 14th of December last, I have the honour to transmit to you, for the information of your Ministers, the accompanying copies of an Order of His Majesty in Council signifying the Royal assent to the Reserved Act (No. 79) of the Parliament of New Zealand entitled “ An Act to amend the Divorce and Matrimonial Causes Act, 1904.”

I have, &c.,

ELGIN.

Governor the Right Hon. Lord Plunket, K.C.M.G., K.C.V.O., &c.

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